

REPORT TO: Cabinet

MEETING DATE: 8 May 2018

BY: Depute Chief Executive (Partnerships and Services for Communities)

SUBJECT: The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018 and the East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018

1 PURPOSE

- 1.1 For Cabinet to approve the making of two Orders under Section 11 of the Land Reform (Scotland) Act 2003, to facilitate the holding of the Aberdeen Standard Investments Scottish Open 2018 Golf Championship and the Aberdeen Standard Investments Ladies Scottish Open 2018 Golf Championship, both to be held at Gullane Golf Course, Gullane Links, East Lothian.

2 RECOMMENDATIONS

- 2.1 That Cabinet approves the making of The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018.
- 2.2 That Cabinet approves the making of The East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018.

3 BACKGROUND

- 3.1 The Aberdeen Standard Investments Scottish Open 2018 Golf Championship and the Aberdeen Standard Investments Ladies Scottish Open 2018 Golf Championship are both being held at Gullane Golf Course, Gullane Links, East Lothian in July 2018.
- 3.2 The Championship organisers European Tour and International Management Group have applied to East Lothian Council for two Orders under Section 11 of the Land Reform (Scotland) Act 2003 to exempt areas of Gullane Golf Course from the access rights which would otherwise be exercisable there.

- 3.3 **The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018:** The purpose of this Order is to enable the Scottish Open 2018 Golf Championship to be held, with the land being exempted temporarily from access rights (1) in the interests of the safety and security of players and the safety of the public during the Championship; and (2) to permit an entrance fee to be levied on spectators during the Championship.
- 3.4 It is proposed that this Order will take effect at 00.01 hours on Wednesday 11th July 2018 and will expire at 23.59 hours on Sunday 15th July 2018.
- 3.5 Consultation on this proposed Order has taken place with East Lothian Local Access Forum, Gullane Area Community Council, Scottish Natural Heritage, North Berwick Coastal Area Partnership, Hill Road Landowners (Gullane) and Aberlady Local Nature Reserve Advisory Group. No concerns have been raised by these organisations.
- 3.6 **The East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018:** The purpose of this Order is to enable the Ladies Scottish Open 2018 Golf Championship to be held, with the land being exempted temporarily from access rights (1) in the interests of the safety and security of players and the safety of the public during the Championship; and (2) to permit access only by ticket holders during the Championship.
- 3.7 It is proposed that this Order will take effect at 00.01 hours on Wednesday 25th July 2018 and will expire at 23.59 hours on Sunday 29th July 2018.
- 3.8 Consultation on this proposed Order has taken place with East Lothian Local Access Forum, Gullane Area Community Council, Scottish Natural Heritage, North Berwick Coastal Area Partnership, Hill Road Landowners (Gullane) and Aberlady Local Nature Reserve Advisory Group. No concerns have been raised by these organisations.

4 POLICY IMPLICATIONS

- 4.1 These Orders are consistent with the provisions of the Land Reform (Scotland) Act 2003, and with policy and good practice set out in the Scottish Government Guidance for Local Authorities and National Park Authorities on Part 1 Land Reform (Scotland) Act 2003.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None.
- 6.2 Personnel – None.
- 6.3 Other – None.

7 BACKGROUND PAPERS

- 7.1 Appendix 1: Proposed Order to exempt land from access rights for the 2018 Scottish Open: “The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018”.
- 7.2 Appendix 2: Proposed Order to exempt land from access rights for the 2018 Ladies Scottish Open: “The East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018”.

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DATE	28/03/2018

Appendix 1: Proposed Order to exempt land from access rights for the 2018 Scottish Open

EAST LoTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

**THE EAST LoTHIAN COUNCIL (SCOTTISH OPEN, GULLANE GOLF COURSE)
(EXEMPTION) ORDER 2018**

EAST LoTHIAN COUNCIL, in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and all other powers enabling them in that behalf, HEREBY MAKE the following Order:-

1. The Order may be cited as "The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018" and shall come into effect at 00.01 hours on 11 July 2018 and will expire at 23.59 hours on 15 July 2018, unless revoked earlier.
2. The effect of the Order is to exempt the areas of land at Gullane Golf Course, Gullane Links, which areas are shown hatched blue on the plan thereof annexed and executed as relative hereto, from the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.
3. The purposes for which the Order are made are:
 - (a) to permit an entrance fee to be levied on spectators for admission to the Scottish Open Golf Championship; and
 - (b) to secure the safety and security of players and the safety of the public during the Championship.

The foregoing Order typewritten on this page is, together with the plan annexed hereto, sealed with the Common Seal of East Lothian Council and subscribed for and on their behalf by _____, an authorised signatory and as such a "Proper Officer" for the purposes of Section 194 of the Local Government (Scotland) Act 1973 as amended, at HADDINGTON on the _____ day of _____ TWO THOUSAND and EIGHTEEN.

Appendix 2: Proposed Order to exempt land from access rights for the 2018 Ladies Scottish Open

EAST LoTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE EAST LoTHIAN COUNCIL (LADIES SCOTTISH OPEN, GULLANE GOLF COURSE) (EXEMPTION) ORDER 2018

EAST LoTHIAN COUNCIL, in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and all other powers enabling them in that behalf, HEREBY MAKE the following Order:-

1. The Order may be cited as "The East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018" and shall come into effect at 00.01 hours on 25 July 2018 and will expire at 23.59 hours on 29 July 2018, unless revoked earlier.
2. The effect of the Order is to exempt the areas of land at Gullane Golf Course, Gullane Links, which areas are shown hatched blue on the plan thereof annexed and executed as relative hereto, from the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.
3. The purposes for which the Order are made are:
 - (a) to permit admission only by ticket holders to the Ladies Scottish Open Golf Championship; and
 - (b) to secure the safety and security of players and the safety of the public during the Championship.

The foregoing Order typewritten on this page is, together with the plan annexed hereto, sealed with the Common Seal of East Lothian Council and subscribed for and on their behalf by _____, an authorised signatory and as such a "Proper Officer" for the purposes of Section 194 of the Local Government (Scotland) Act 1973 as amended, at HADDINGTON on the _____ day of _____ TWO THOUSAND and EIGHTEEN.

