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Document Title	The East Lothian Council (Ladies Scottish Open, The Renaissance Club) (Exemption) Order 2020

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Additional information:

As approved under COVID 19 emergency procedures on 7 August 2020.

Authorised By	Jill Totney/Lel Gillingwater
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REPORT TO: East Lothian Council (COVID-19 Emergency Recess Procedures)

MEETING DATE:

BY: Depute Chief Executive

SUBJECT: The East Lothian Council (Ladies Scottish Open, The Renaissance Club) (Exemption) Order 2020

1 PURPOSE

- 1.1 To authorise the making of The East Lothian Council (Ladies Scottish Open, The Renaissance Club) (Exemption) Order 2020 in order to exclude the area shown on the plan attached to the Order from public rights of access in terms of the Land Reform (Scotland) Act 2003 for the duration of the Ladies Scottish Open Golf Tournament.

2 RECOMMENDATIONS

- 2.1 That the terms of the Order annexed hereto be approved and that the Legal Services Manager be authorised to sign the Order and advertise the making of the Order on the Council website.

3 BACKGROUND

- 3.1 In terms of the Land Reform (Scotland) Act 2003, members of the public have a general right to roam over most land areas. Local Authorities have the power to exclude certain areas by Order for limited periods and specific purposes.
- 3.2 Golf courses are among the areas to which members of the public have access under the Act. It is standard practice for organisers of golf events to seek an Order from the Council under Section 11 of the 2003 Act to cover the duration of golf tournaments. The effect of the Order is that the rights of the general public to access the land forming the golf course is

suspended for the duration of the event, with a view to protecting both the public and the players.

3.3 In normal times, applications for such orders are received in good time to enable the Order to be processed and promoted well in advanced of the event taking place. On this occasion, a combination of uncertainty as to whether the event would take place at all due to Covid-19 and a lack of communication regarding the final agreed dates has resulted in the request for the Order being made with very little notice. For that reason authorisation is sought under the Emergency Recess Procedure.

3.4 The Order is in essentially the same terms as that granted for the same event in 2019, and over the same area footprint. As the event is for less than six days, there is no requirement to consult or consider any objections. The making of the Order does require to be advertised. Given the short timescale it is not possible to have an advert in the local press and it is proposed that the notification instead be published on the Council website.

4 POLICY IMPLICATIONS

4.1 The Order will temporarily exclude the area of land shown on the plan from public access rights under the Land Reform (Scotland) Act 2003 for the duration of the Ladies Scottish Open- a period of approximately five days.

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

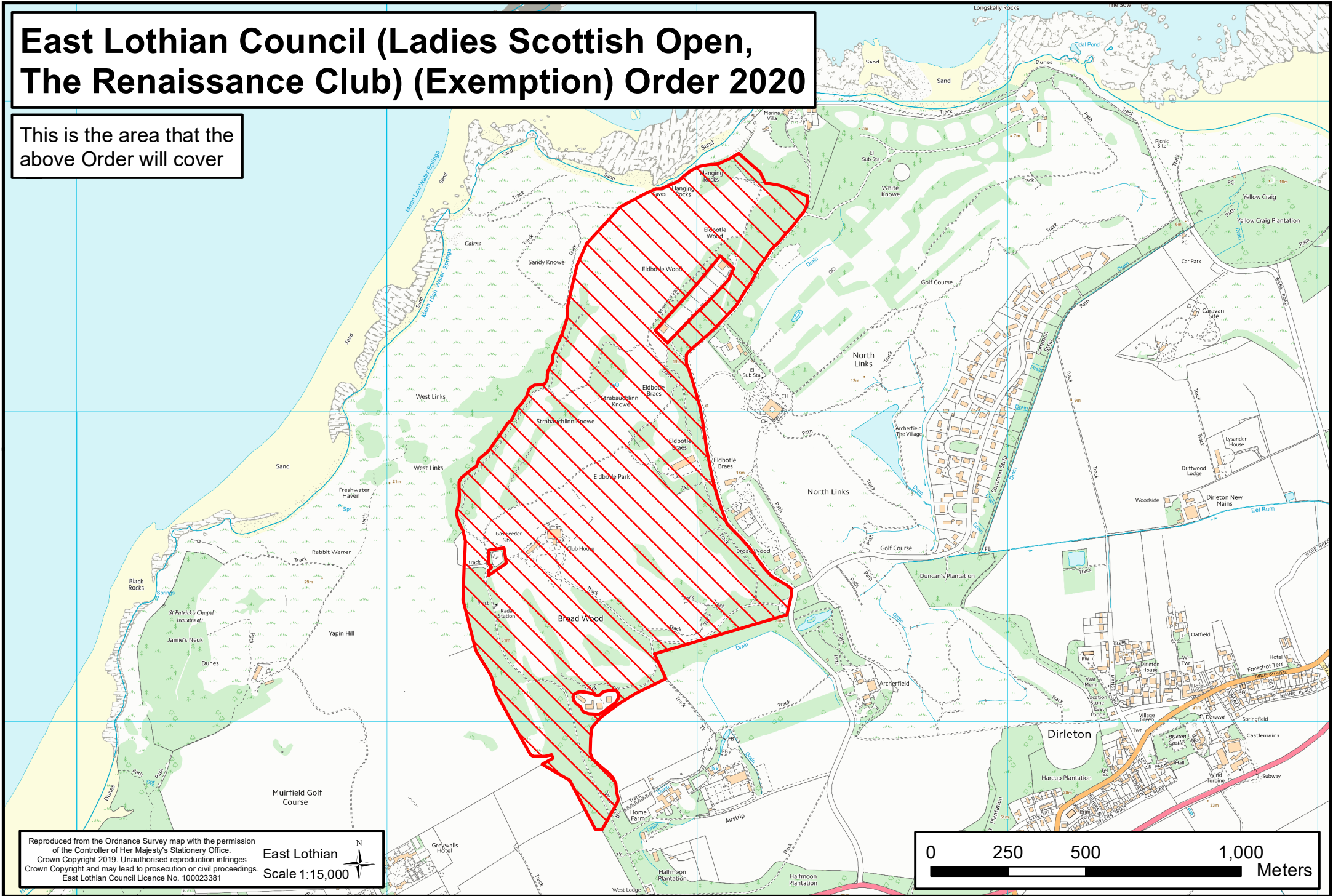
7.1 Proposed East Lothian Council (Ladies Scottish Open, The Renaissance Club) (Exemption) Order 2020

7.2 Plan annexed to said Order.

AUTHOR'S NAME	Ian Forrest
DESIGNATION	Senior Solicitor
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DATE	6/8/2020

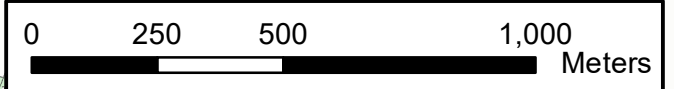
East Lothian Council (Ladies Scottish Open, The Renaissance Club) (Exemption) Order 2020

This is the area that the above Order will cover



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East Lothian
Scale 1:15,000



EAST LoTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

THE EAST LoTHIAN COUNCIL (LADIES SCOTTISH OPEN, THE RENAISSANCE CLUB) (EXEMPTION) ORDER 2020

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, The Renaissance Club) (Exemption) Order 2020" and shall come into effect at 00.01 hours on 13 August 2020 and will expire at 23.59 hours on 17 August 2020, unless revoked earlier.
2. The effect of the Order is to exempt the area of land at The Renaissance Club, Dirleton, which area is shown hatched red 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 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 Carlo Domenico Grilli, 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 SIXTH day of AUGUST TWO THOUSAND and TWENTY.