

**PERTH AND KINROSS COUNCIL****Auchterarder Common Good Fund Committee****26 February 2014****REQUEST TO TEMPORARILY CLOSE CORE PATH/RIGHT OF WAY ACROSS  
AUCHTERARDER GOLF COURSE****Report by Depute Director (Environment)****PURPOSE OF REPORT**

This report seeks approval for the temporary closure of the Core Path/Right of Way, through Auchterarder Golf Course as part of the security arrangements for the Ryder Cup.

**1. BACKGROUND/ MAIN ISSUES**

- 1.1 The 2014 Ryder Cup will take place at the PGA Championship course of the Gleneagles Hotel from 23-28 September 2014. The event is a partnership between the Scottish Government, Ryder Cup Europe and Diageo (owners of The Gleneagles Hotel). This major international sporting event is expected to attract 45,000 spectators each day, with over 7,000 staff, media and volunteers also in daily attendance. The television audience is expected to be 600 million in 183 countries.
- 1.2 Detailed preparations are underway to ensure this major event progresses safely, including security, and crowd management - both on and off site.
- 1.3 An event of the scale of the Ryder Cup attracts many security considerations, which involves the organisers working with Police Scotland and other security services.
- 1.4 The north east boundary of the PGA Centenary course abuts Auchterarder Golf Course, for approximately 400 metres, and people standing on the Auchterarder course side of the boundary might be able to view the Ryder Cup action on the PGA Centenary course.
- 1.5 Auchterarder Golf Course is owned by the Council but is part of the common good of Auchterarder and therefore matters relating to it require to be referred to Auchterarder Common Good Fund Committee for consideration. The Course is leased to Auchterarder Golf Club until May 2075.
- 1.6 Discussions are currently underway between Ryder Cup Europe, Police Scotland, Perth and Kinross Council and Auchterarder Golf Club about how public order and safety can be maintained at this area during the event, as there is a risk that uncontrolled numbers of people may try to view the event from this location.

- 1.7 Part of the safety and security considerations may require restriction of the numbers of people accessing the land at the Auchterarder Golf Club.
- 1.8 A Core Path/Right of Way (AUCH/35/1) passes through Auchterarder Golf Course approximately diagonally from north to south (see Appendix 1).
- 1.9 Overall the Council has asserted over 430 miles of rights of way in Perth & Kinross. These routes link public places and have been used regularly by the public for a period of twenty years. The Council has a duty to keep these routes open and free from obstructions.
- 1.10 The Core Paths Plan for Perth and Kinross was adopted by the Council in January 2012. It shows a system of paths to provide reasonable public access throughout Perth and Kinross.
- 1.11 There are legal provisions to allow the temporary closure of a Core Path under the Land Reform (Scotland) Act 2003 and of a Right of Way, under section 22 of the Road Traffic Regulation Act 1984 where an applicant applies to the Council for this. This application would be dealt with by officers within the Environment Service, and the Environment Committee. For temporary closures of Core Paths for a period in excess of 6 days, decisions have to be referred to the Scottish Government.
- 1.12 In assessing their security considerations, Ryder Cup Europe will be asking the Council for permission to temporarily close the section of AUCH/35/1 on Auchterarder Golf course. The exact timescale has not been finalised but it will be for a period no longer than from Sunday 21 September 2014 to Monday 29 September 2014. (The extra day is a contingency in case the event has to carry over to the Monday – as happened at the 2010 Ryder Cup at Celtic Manor).
- 1.13 Part of the application process requires confirmation that the landowner has been consulted and has been given the opportunity to object to the temporary closure of the Core Path and/or Right of Way.
- 1.14 The request for this closure relates to the potential need to temporarily restrict general members of the public from coming onto the Auchterarder Golf course. If no restrictions are put in place there is a potential for a build up of people, seeking to use the Core Path/Right of Way in order to view the event, which creates a safety, security and public order risk.
- 1.15 This temporary closure will not specifically restrict people from playing golf at Auchterarder Golf Club. However as a separate decision, the Golf Club may choose to restrict the use of the course during Ryder Cup week.

## 2. PROPOSALS

- 2.1 In view of the above factors, on behalf of Ryder Cup Europe, the Committee is requested to agree to the temporary closure of the Core Path/Right of Way AUCH/35/1 across Auchterarder Golf Course. It should be noted that the organisers of the event will still have to apply to the Council for formal approval to temporarily close this path, in terms of the legislation detailed in section 1.11 above.

## 3. CONCLUSION AND RECOMMENDATIONS

- 3.1 Approval of these proposals will allow progress to the next stage of the process.
- 3.2 Therefore the Committee is asked to:
- (a) Agree to the temporary closure of the Core Path/Right of Way across Auchterarder Golf course, as detailed in this report.

### Author(s)

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### Approved

Name	Designation	Date
Barbara Renton	Depute Director, Environment	11 February 2014

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

*The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed*

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	<b>None</b>
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	<b>None</b>
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>Yes</b>
Risk	<b>Yes</b>
<b>Consultation</b>	<b>Yes</b>
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	<b>Yes</b>
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 The proposals contribute to priorities (iii) and (v) in relation to the delivery of the Perth and Kinross Community Plan / Single Outcome Agreement:

- (i) Our people will have improved health and wellbeing.

#### Corporate Plan

1.2 The proposals contribute to priorities (iii) and (v) in relation to the delivery of the Council's Corporate Plan Priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

## 2. Resource Implications

### Financial

2.1 There are no financial implications arising directly from this report.

### Workforce

2.2 The proposals in this report have no workforce implications for the Council.

### Asset Management (land, property, IT)

2.3 There are no impacts on the Council's assets.

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- Assessed as **not relevant**.

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

- The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

3.4 There are no sustainability issues in relation to this report.

### Legal and Governance

3.5 The Head of Legal Services has been consulted in the preparation of this report.

## Risk

- 3.6 There are no corporate risks associated with the proposals contained within this report.

## **4. Consultation**

### Internal

- 4.1 The Heads of Legal Services, Democratic Services, Planning and Regeneration, Property and Finance have been consulted in the preparation of this report.

### External

- 4.2 Ryder Cup Europe and Police Scotland were consulted in the preparation of this report.

## **5. Communication**

- 5.1 There is a Multi Agency Community Engagement group for the Ryder Cup, and also a Community Liaison group with local elected representatives, which meets with the organisers, and the outcome of the decision will be communicated with both these groups (the next scheduled meeting is in April).

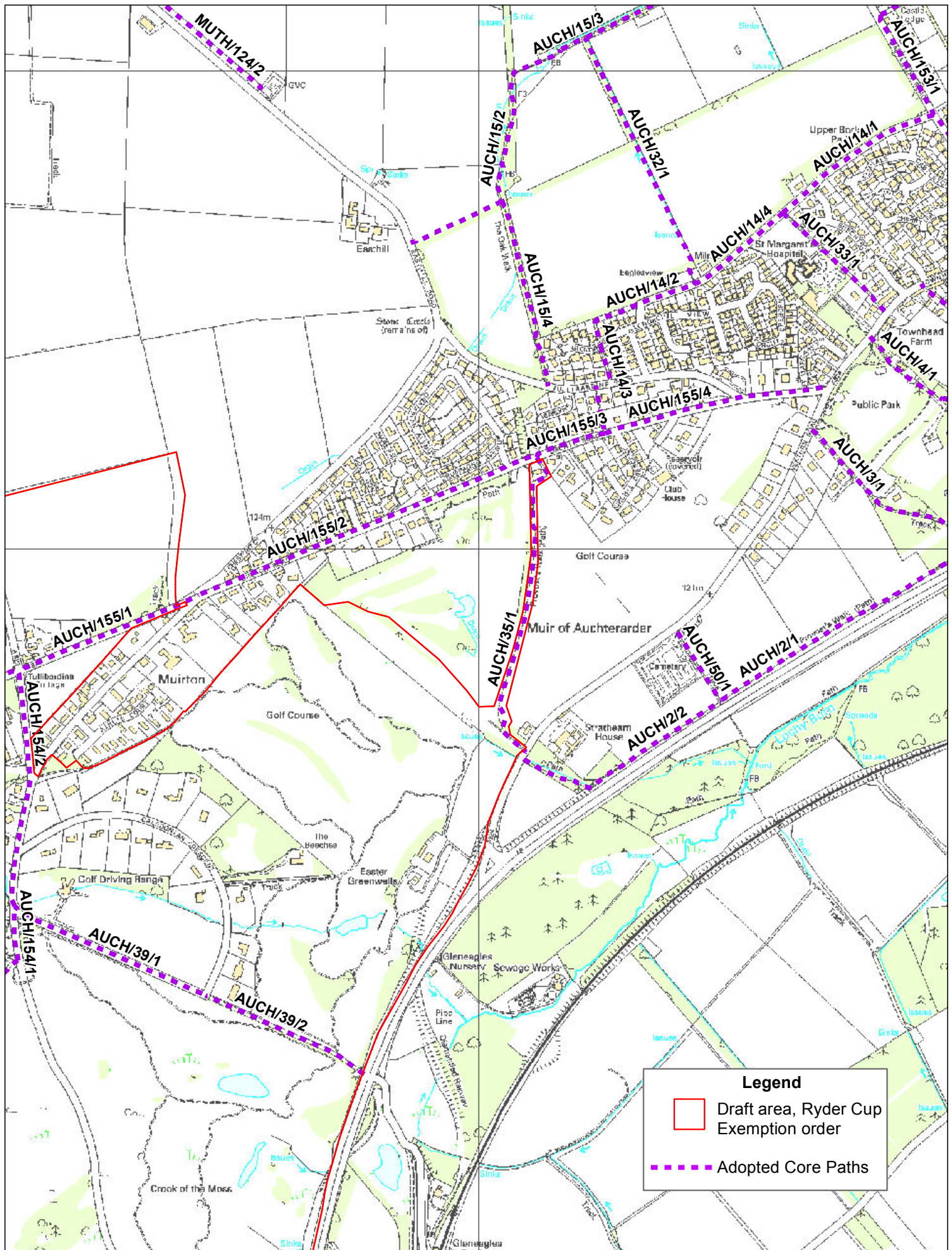
## **6. BACKGROUND PAPERS**

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report;

- None

## **7. APPENDICES**

Appendix 1 – Map of Area



**Legend**

- Draft area, Ryder Cup Exemption order
- Adopted Core Paths

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**Appendix 1. Map of area**  
**Contact: KM**  
**Date: 10/02/2014**

Map for use in connection with Council duties under the Land Reform (Scotland) Act 2003

**Scale:**  
**1:10,000**



