

**SPECIAL ANGUS COUNCIL – 1 AUGUST 2024**

**CARNOUSTIE GOLF PROVISION – FUTURE ARRANGEMENTS – PROPOSED PUBLIC CONSULTATION**

**REPORT BY THE DIRECTOR OF FINANCE**

**ABSTRACT**

This report provides elected members with an update on the proposals which have been developed by Carnoustie Golf Links Management Committee (CGLMC) regarding future arrangements for golf provision in Carnoustie. These have been the subject of a number of reports to Council since January 2022. The proposals have now reached a stage of development and clarity where it is necessary and appropriate for the Council (as landowner for these important public assets) to carry out a public consultation on what is being proposed. The Council is being asked to consider this report and the accompanying confidential Report No 205/24 (“the Exempt Report”) which provides restricted content.

**1. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES**

1.1 This report is relevant to the following outcomes contained within the Angus Council Plan 2023-2028:

**Caring for the Economy**

We will:-

- Support businesses to grow and invest in Angus.
- Be more commercial in our approach to contracts and support growth of business locally whenever possible through a community wealth building approach.

**Caring for Our Place**

We will:-

- coordinate activity and develop a vision for our places, through relevant plans and strategies.
- engage with communities to support their ambitions to deliver on local aspirations through a place framework.

**Angus Council is Efficient & Effective**

We will:-

- continue to develop and deliver our change programme.
- deliver our statutory obligations and core functions, tailored to suit our available resources and making best use of our data/performance information.

**2. RECOMMENDATIONS**

2.1 It is recommended that the Council:

- a) Notes the background to the proposals covered by this report as set out in Section 3 and Appendix 1 which have been subject to a number of previous reports and extensive discussion with Carnoustie Golf Links Management Committee Limited (CGLMC) and their investment partners over the last 3 years;
- b) Notes that the proposals for change at Carnoustie Golf Links being put forward by CGLMC have now reached a stage of development and clarity where it is necessary and appropriate for the Council (as landowner for these important public assets) to carry out a public consultation;
- c) Notes the position regarding the draft legal agreements on this matter as set out in Section 4;

- d) Agrees that the purpose of the public consultation and the Council's position regarding this is as set out in Section 5;
- e) Approves the timetable and approach to the public consultation as set out in Section 6, noting that this will be undertaken primarily using the Council's Engage Angus online tool but with print copies being made available in local libraries and public drop in sessions also being available;
- f) Approves the proposed content of the consultation which is included as Appendix 2, noting this is a final draft and may be subject to some minor final edits as per recommendation (g) below;
- g) Authorises the Director of Finance, following consultation with the Chief Executive, to make any final minor modifications and edits to the draft consultation set out in Appendix 2 should those be necessary prior to the consultation going live;
- h) Authorises the Director of Finance, following consultation with the Chief Executive, to go live with the draft consultation set out in Appendix 2 (subject to any minor modification and edits as may be carried out in accordance with recommendation (g) above); and
- i) Notes that a report setting out the results of the public consultation and seeking a decision from members on whether to implement CGLMC's proposals or not (having had regard to the results of the consultation) will be brought to Council as soon as practically possible after the consultation closes.

### 3. BACKGROUND

- 3.1 The Council has considered a number of reports regarding Carnoustie Golf Provision Future Arrangements over the last few years. A summary of when those reports were submitted and what they covered is included in Appendix 1.
- 3.2 It will be evident from Appendix 1 that a great deal of work and discussion has taken place and a number of significant developments have arisen since the first report was considered in January 2022. The direction of the proposals and timescale for their delivery has also changed significantly from that initially envisaged in January 2022 but the overall purpose and aims remain the same. These are to ensure long term provision of golf for local people at an appropriate cost and to secure the return of major championships to Carnoustie along with the substantial economic benefits such events deliver for the area.
- 3.3 In January 2022 the Council agreed that it was a priority to ensure that Carnoustie remains a venue which is asked by partners such as the R&A to host major events like The Open Championship. However, achieving this priority requires a level of financial investment in both golf and hotel provision which is beyond what the Council and CGLMC can influence and provide. CGLMC have therefore been working for some time with external investors to develop a long term investment plan for golf and hotel provision at Carnoustie Links.
- 3.4 In August 2023 the Council consented to the assignation (transfer) of the ground lease over the land on which the Carnoustie Golf Hotel sits by the then tenant, Mineflow Investments Limited to a company owned by CGLMC's investment partners. Those investment partners have undertaken an initial refurbishment programme in the communal areas of the Hotel in advance of the Senior Open in July 2024.
- 3.5 CGLMC are now proposing to commission a separate company (owned by their external investment partners) called **Carnoustie Golf Heritage and Hospitality Group Limited (CGHH)** to undertake the day to day management of Carnoustie Golf Links on their behalf. This will allow the management and administration of the golf courses and golf hotel to be brought together and operated as if they are a single business by CGLMC's investment partners. If the proposals are agreed CGHH would replace CGLMC as the organisation running the golf courses on a day to day basis. CGHH is a privately owned company and would receive all income from the courses and meet all costs incurred including maintenance and investment costs. CGLMC would continue as a charity with the same charitable objectives as now, namely: -

- To encourage and promote public participation in the sport of golf in the area of Angus;
  - To promote the provision or development of recreational facilities in the Carnoustie area with the object of improving the recreational facilities or activities available to citizens residing within the Carnoustie area;
  - To promote the advancement of the arts, heritage, and culture for the benefit of citizens residing within the Carnoustie area;
  - To promote the advancement of community development for the benefit of citizens residing within the Carnoustie area; and
  - To promote the advancement of environmental protection or improvement.
- 3.6 CGLMC's investment partners are developing a long term investment plan for Carnoustie which they propose be delivered in 2 phases as follows:-

**Phase 1** – CGLMC commissions CGHH to manage and operate the golf courses on its behalf through a Sub-Contract Agreement while further development of the full CGHH long term investment plan is undertaken. Angus Council would also be a party to this Sub-Contract Agreement. Phase 1 allows the investors (CGHH) to operate the golf courses and golf hotel together in the short term while they work to develop and deliver their long term plan.

**Phase 2** – CGHH develops its long term investment plan on a basis which ensures that Carnoustie remains a venue which is asked by partners such as the R&A to host major events like The Open Championship . Once the investment plan is ready to be implemented, CGHH would enter into a new long term agreement with Angus Council and CGLMC for the management and operation of the golf courses. Angus Council would continue to own the land and golf courses under any such long term agreement and it is anticipated that CGLMC would continue to have a role in monitoring the operation of the golf courses.

- 3.7 The two phase approach now proposed replaces the original CGLMC/Investor proposal described in earlier reports to Council where a single long term agreement was sought and had been rejected by the Council as lacking sufficient clarity and certainty at that time (Reports 428/22 and 427/22 Exempt considered in December 2022 refer).
- 3.8 The arrangements under Phase 1 above would apply until such time as Phase 2 was approved by the Council and new legal agreements commenced or until the remaining period of the Management Agreement between Angus Council and CGLMC (and the Sub-Contract Agreement between the Council, CGLMC and CGHH) all expire in March 2033.
- 3.9 This report and the public consultation it proposes relates only to Phase 1 as described above. Phase 2 would be subject to an additional separate public consultation at an appropriate future point to inform decisions on that phase.
- 3.10 Further detail and background on the proposals are contained in the proposed consultation content set out in Appendix 2 to this report.

#### **4. DEVELOPMENT OF PROPOSALS INCLUDING DRAFT LEGAL AGREEMENTS**

- 4.1 Through previous reports to members it has been established that the Council, as landowner and custodians of the land at Carnoustie Golf Links, has 2 core objectives for how this public asset is used which are: -
1. To ensure fair access and pricing for local people wishing to use the golf courses; and
  2. To ensure Carnoustie remains a venue for major tournaments and in particular The Open Championship because of the significant economic benefits this brings to Carnoustie and Angus.

The Council is also supportive of CGLMC's other charitable objectives including to promote participation in the game of golf.

- 4.2 With the above two objectives in mind, and mindful also that the Council cannot deliver these on its own, Council officers and the Council's specialist advisers have engaged extensively with CGLMC senior staff, members of the CGLMC Board, CGLMC's investment partners and their respective specialist advisers to confirm that what is being proposed provides a sufficient level of

detail as to give clarity and certainty. The focus of this work has been on preparing and negotiating draft legal agreements and establishing operating principles to give certainty to all parties on how, if ultimately agreed, the proposed revised arrangements would work in practice.

- 4.3 It would not have been appropriate to undertake a public consultation prior to the draft legal agreements and operating principles being prepared as not knowing exactly how these were to be framed would have meant too much uncertainty for councillors and the public on what is intended.
- 4.4 While drafting a number of legal agreements has been necessary and has taken time to do, it means that implementation can happen relatively quickly if final approval is given by Council following the public consultation set out in this report, subject to any changes that may be required having had regard to the consultation responses. Legal drafting remains to be completed in a small number of areas but in those instances the principles of what the legal agreements will capture has been discussed and agreed.
- 4.5 For the avoidance of doubt the various draft legal agreements which have been prepared will not be signed and entered into without agreement of full Council and that Council agreement will not be sought until the public consultation has taken place and the results analysed, considered and reported to elected members. The consultation will inform members' decision on whether or not to go ahead with the proposals being put forward by CGLMC. Even if members agree to go forward with the proposals it may be necessary to review principles and amend the draft legal agreements in light of the consultation responses and any new issues which may emerge from the consultation process.

## 5. CONSULTATION PURPOSE & COUNCIL POSITION

- 5.1 As explained in Section 3, previous CGLMC proposals regarding entering into a long term agreement or an extension of the existing Management Agreement with the Council have been withdrawn in favour of the two phase approach described in paragraph 3.6 above. In many respects Phase 1 as proposed means quite limited change in the day-to-day operation of the golf courses. Nevertheless Phase 1 is a significant and necessary step to securing a long term agreement and the significant investment by CGHH which will be associated with that. Phase 1 is a crucial stepping stone to delivering the Council and CGLMC's long term strategic objectives and it is therefore essential that key stakeholders and the general public are given the opportunity to comment on what is proposed before any changes are made.
- 5.2 In Report 194/23 (June 2023) the Council noted that prior to proceeding to any public consultation and thereafter agreeing legal documentation relating to proposals for the future of golf provision at Carnoustie Golf Links, there needed to be some level of certainty that there is a clear benefit to the proposal for Angus Council and its citizens. The report said that in general terms this would need to cover the 4 points in **bold** below. A commentary on these is provided in italics.

### 1. **Evidence that major championships (such as The Open, The AIG Women's Open and the Alfred Dunhill Links Championship) will be secured on a regular basis;**

*While the Phase 1 proposals do not of themselves guarantee that major championships will return to Carnoustie they are considered to be an essential first step to securing that ambition. Phase 2 is intended to secure Carnoustie as a major championships venue for the long term and Phase 2 will not happen without Phase 1 being implemented first. The acquisition of the Carnoustie Golf Hotel by CGHH on a standalone basis, i.e. without the golf courses included was a significant development and sign of commitment on the part of the investors.*

*It is also important to note that Phase 1 is an interim step which if ultimately approved would have a maximum lifespan of 8.5 years until March 2033 (which is when the Management Agreement between Angus Council and CGLMC and the Sub-Contract Agreement between the Council, CGLMC and CGHH) would all expire.) The draft legal agreements for Phase 1 include key milestones to help ensure Phase 2 is progressed according to an agreed timetable.*

**2. A guarantee on local golfers' access rights at a level of cost and availability which is acceptable.**

*A new Golf Access Rights Agreement (GARA) is being proposed as part of modernising and updating the existing Management Agreement. The GARA sets out how pricing and access is proposed to work in the future. This replaces the two rather outdated clauses in the existing Management Agreement between the Council and CGLMC in relation to pricing and access and provides much more transparency and clarity than exists at present. The CGLMC Board consider the GARA to be central to meeting CGLMC's charitable objectives and their role in securing golf access for local people. Council officers also see this as a key part of the GARA proposals being put forward. The GARA does mean some changes to current arrangements to reflect that the golf courses would be run commercially (i.e. for profit) by CGHH but there are clear "rules" for how prices will be set and how access to tee-times will be managed to maximise availability. The Council as well as CGLMC will continue to have a key role in how the costs for Season Ticket Holders are determined but it will be different compared to now.*

*Given the importance of the GARA to local golfers and the Council's objective to ensure fair access and pricing for local people wishing to use the golf courses, a separate section covering what it proposes is included in the draft consultation content in Appendix 2 (Section 4 of Supporting Document 2 refers).*

**3. The financial return on the investment needs to be robust and credible to ensure a sustainable solution for all parties;**

*While some investment in the existing Golf Hotel has already being made by CGHH, the investment required as part of the Phase 1 proposals is relatively limited. Phase 2 will be much more significant and the detail of that second Phase will be the subject of further reports to Council and a separate public consultation at a future point. Within the draft legal agreements are Milestone Dates which require CGHH to progress the Phase 2 project by undertaking the design and development work required and applying for and securing planning permission among other things. That work will confirm or otherwise the viability and sustainability of the long term investment plan.*

**4. There needs to be some level of financial return for the Council in relation to any change in the current agreement in respect of Carnoustie golf course.**

*There is no direct financial return for the Council from the Phase 1 proposals since these are mainly based on a continuation of the existing Management Agreement between the Council and CGLMC. The Council receives no direct financial benefit under the existing Management Agreement. The recent refurbishment work to the Carnoustie Golf Hotel could however result in indirect financial benefits for the Council if hotel turnover increases since part of the rent paid to the Council is linked to turnover. Phase 2 will provide the opportunity for a financial return for the Council but the terms of that will need to be negotiated and be based on the detailed development plans once these have been prepared by CGHH. However, for the avoidance of doubt, it has been made clear that the Council will require a financial return to be part of any arrangement put in place for Phase 2.*

5.3 While not all of the four points above from Report 194/23 can be fully satisfied at this point in time the proposals being put forward by CGLMC and CGHH mean those points can and will be satisfied before any long term agreement (Phase 2) is put in place.

5.4 Although the CGLMC Board, which is made up mainly of nominees from local golf clubs, have discussed their proposals with some key stakeholders as they have developed, there has been no wider public consultation on the matters covered in this report to date.

5.5 The purpose of the proposed consultation is therefore to explain what is being proposed by CGLMC and their investment partners (CGHH) and to gather public views on this using a survey. The results of the consultation can then be used by elected members to inform decisions to be made on whether to agree to what CGLMC are proposing or not. The consultation is not a referendum on the proposals, but elected members will have to have regard to and consider the results in making the decisions which will follow the consultation.

- 5.6 The consultation covered by this report is unusual in the sense that while it is very clearly a consultation being undertaken by Angus Council on the future of a Council owned asset, the core of what the consultation is about and the changes being proposed for the management of golf at Carnoustie Links has come from CGLMC and their investment partners. It is important therefore to be clear on the Council's position in relation to what the consultation proposes.
- 5.7 On the basis that the proposals from CGLMC and CGHH provide a means to achieving the Council's core objectives as stated in paragraph 4.1 above, the Council can be broadly supportive in principle of those proposals but a final decision on whether to support those proposals (as they are or perhaps with some amendments) must be informed by the views of key stakeholders and the general public through the consultation process.

## **6. CONSULTATION CONTENT, APPROACH & TIMETABLE**

- 6.1 Appendix 2 sets out the proposed consultation content and although its shown is a single document in this report it will not appear this way on the Engage Angus website – there will be a main landing page with links to the individual supporting documents and survey. People visiting the Engage Angus website may choose to only look at some of the documents so there is a degree of repetition between them so they can be read on a standalone basis. The consultation content is broken down into a number of sections: -
- Background to the Proposals
  - Detail of What is Being Proposed covering Governance, Golf Provision, General Issues and Golf Access Rights
  - CGLMC/Investors' Vision
  - Frequently Asked Questions covering Governance, Golf Provision and General Issues
  - Next Steps
  - Consultation Survey
- 6.2 Although the Phase 1 proposals will mean limited changes operationally, they are still significant and complex which is why the consultation content covers a large volume of information. It is therefore important that elected members are satisfied that what is being proposed is clear and likely to enable a meaningful consultation to happen.
- 6.3 The Engage Angus website will be used to host the consultation and as the main form of communication and information sharing, however print copies of the consultation information and survey will also be made available in public libraries across Angus including in Carnoustie. It is also planned to hold 2 public drop-in events in Carnoustie during a 6 week consultation period at which CGLMC and CGHH will be represented along with Council officers.
- 6.4 Assuming Council approval of the consultation content in Appendix 2 on 1 August it is envisaged the consultation would go live on Thursday 8 August 2024 and run for a period of 6 weeks closing on Wednesday 18 September 2024. The consultation will be open to all but asks for information about respondents in terms of whether they live locally, are Carnoustie season ticket holders, etc. Equalities information is also to be sought.
- 6.5 While no significant changes to the proposed consultation content in Appendix 2 are envisaged it would be prudent to provide officers with some flexibility in this regard and members are therefore asked to authorise the Director of Finance, following consultation with the Chief Executive, to make any final minor modifications and edits to the draft consultation set out in Appendix 2 should those be necessary prior to the consultation going live.
- 6.6 In the event that elected members wish to make significant changes to the proposed consultation content in Appendix 2 the timeline for the consultation in paragraph 6.4 will need to be amended.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no direct financial implications arising for the Council as a result of the recommendations in this report. However, there are potentially significant direct and indirect financial implications arising from decisions to be made by the Council on the future provision of golf at Carnoustie Links.
- 7.2 Since the start of this project in 2021 the Council has incurred costs of £128,000 in the form of specialist legal and financial advisor input to continue the work with CGLMC and a substantial amount of senior officer time has also been spent on the project in the last 24 months. Further advisers' costs will be incurred to implement Phase 1 if that is approved following the public consultation and to develop the proposals for Phase 2. A total budget of £250,000 was set aside for advisers' fees at the outset.

## **8. LEGAL IMPLICATIONS**

- 8.1 Legal implications are detailed in the Exempt Report (Report No 205/24).

## **9. RISK MANAGEMENT**

- 9.1 Risk management implications are detailed in the Exempt Report (Report No 205/24).

## **10. ENVIRONMENTAL IMPLICATIONS**

- 10.1 There are no direct environmental implications arising from the recommendations of this report.

## **11. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY**

- 11.1 An equality impact assessment is not required as there is no differential impact on persons with protected characteristics in terms of the recommendations in this report. The consultation survey will however seek information from respondents regarding protected characteristics to inform an equalities impact assessment for the report which follows this consultation.

**Report Author: Ian Lorimer, Director of Finance**

**Email Details: [FINANCE@angus.gov.uk](mailto:FINANCE@angus.gov.uk)**

### **Appendices**

Appendix 1 – Background – Summary of Previous Reports

Appendix 2 – Draft Public Consultation Content

## **BACKGROUND**

- 1.1 At a special meeting of Angus Council on 20 January 2022 the Council considered and approved the recommendations in [Report 8/2022](#) and Report 9/2022 (exempt) regarding Carnoustie Golf Provision – Future Arrangements. Amongst other things Council:-
- confirmed its strategic intent regarding the future of the golf courses at Carnoustie as set out in Section 6 of Report 8/2022, and agreed that working with partners to secure the return of The Open Golf Championship to Carnoustie on a regular basis was something to be pursued as a high priority objective over the next few months;
  - agreed that 4 recommended options in Report 8/2022 be taken forward and developed to inform and enable Council to make a decision on a final option for implementation. Those options were:-
    - Option– 2 - New Governance Arrangements with External Investment – CGLMC Ltd, (“CGLMC”) Proposals
    - Option– 3 - New Delivery Model Led and Funded by Angus Council
    - Option– 4 - CGLMC Proposals but on Different Terms
    - Option– 5 - Seek a Shorter-Term Solution
  - agreed that a public consultation be planned for as part of the process of informing the Council's final decision on which Option to implement with the detail and timing of that consultation and the proposed consultation content to be subject to a further report to Council prior to being launched.
- 1.2 Report 8/2022 also highlighted that Options 2 and 4 would constitute a disposal of open space by the Council and as such would be subject to the requirements of section 27 of the Town and Country Planning (Scotland) Act 1959. This requires the Council to publish a notice on the proposals and consider any objections raised. The report also noted that some of the options would, if implemented, be a significant change to how a major public asset would be run and managed in the future and that if the final proposals included other land not currently leased to CGLMC; both issues would be matters of public interest and for those further reasons, a public consultation should be carried out.
- 1.3 An update was provided at full Council on 30 June 2022 (Report 183/22 refers) which advised Members of progress with the detailed investigation of options; sought authority to increase the funding for specialist advisors to support this work following a tendering process; and highlighted important information concerning a potential planning application which CGLMC were considering submitting to the Council which would involve separate and distinct pre-application public consultation/engagement in line with planning legislation.
- 1.4 A report was considered by Council on 3 November 2022 (Report 365/22) updating Members on progress with the investigation of options which the Council agreed be undertaken at the Special Council meeting of 20 January 2022. Members were advised that the Council's specialist advisers had intimated to CGLMC what they might want to include within their Option 4 proposal to explain the plans and timescales for the redevelopment and operation of Carnoustie Links. Following this, it was anticipated that the Council's specialist advisers would provide an assessment of the Option 4 proposal and, if considered sufficiently comprehensive (either in its original form or with supplements/amendments made by CGLMC after further discussion) the Option 4 proposal would be put to Council with a view to being publicly consulted upon. Due to the lack of viability of Option 2 as detailed in Report 365/22, it was not proposed that the Council would consult on this Option. Members were advised that Option 3 and Option 5 in the Report required further time to be fully worked up therefore it was recommended that a final decision would be taken on which Options to consult on by the Council when the specialist advisers assessed they were ready to be considered. This was approved by Council.



- 1.5 A public report (Report 428/22) and an exempt report (Report 427/22) were considered on 23 December 2022 at a Special Meeting of the Council, updating Members on progress on the investigation of options and on the terms of an updated proposal received from CGLMC. It was noted that CGLMC and their Investor had said that they required several matters be concluded by 31 March 2023. It was further noted that this time constraint was not set by Angus Council and had arisen from commercial decisions made by CGLMC, necessitating Report 428/22 and Exempt Report 427/22 to be brought forward at very short notice to a special meeting of the Council so that Members could determine whether the CGLMC proposal:
- was, in principle, acceptable as a potential future option for Carnoustie Links;
  - was sufficiently developed, clear in terms of outcomes and capable of delivering the Council's previously agreed priorities for Carnoustie Links; and
  - should be included in the previously agreed public consultation on future options for Carnoustie Links.
- 1.6 Report 428/22 set out the terms of an updated proposal received from CGLMC in relation to Option 4 with further detail and analysis being set out in Exempt Report 427/22. Members were advised that in terms of the options:
- Option 2 - was accepted by CGLMC as not being viable in the circumstances at the time and in the short term.
  - Option 3 - the conclusion reached by officers and advisors was that this Option should be regarded as a fallback option for the Council.
  - Option 4 - was the only remaining option involving CGLMC which existed at that time.
  - Option 5 - had been further assessed and was considered to be too high risk to deliver the Council's previously agreed strategic intent for the future of Carnoustie Links
- 1.7 Report 428/22 noted that undertaking a public consultation would take a minimum of 4-5 months to complete from start to finish allowing for the preparation of the consultation information, agreement of the consultation content by elected members, the consultation period with the public, evaluation of the consultation results and reporting of those results and reaching a decision by elected members. Report 428/22 also noted that development and negotiation of a number of legal agreements would also require to take place assuming elected members agreed to implement proposals.
- 1.8 In consideration of the information available at that point in time, Report 428/22 concluded that:
- while some aspects of the proposal were potentially acceptable, officers and advisors concluded that as a package the terms were not acceptable and would require further discussion and negotiation to determine whether an acceptable package could be achieved;
  - while significant work had been done there was not sufficient clarity and certainty to be confident the Council's agreed priorities could be achieved; and
  - it was the recommendation of Officers that CGLMC's proposal should not be subject to a public consultation at that time. This recommendation was agreed by Members.
- 1.9 Report 194/23 submitted to Council in June 2023 provided an update on progress following on from the Special Meeting of the Council of 23 December 2022. The report noted that throughout April and May 2023, the Council and its external advisors continued to liaise and proactively engage with CGLMC, their Investor and their respective advisors to work through and assess the detail of the updated information and proposals. In general terms, the updated proposals received from CGLMC/their Investor represented a positive and significant step, however, assessment of the detail in respect of this was at that time ongoing. The Report stated that before undertaking a public consultation some level of certainty that there is a clear benefit to the proposal for Angus Council and its citizens would be required and 4 points were noted in this regard (see paragraph 5.2 of this Report). Report 194/23 was accompanied by an Exempt report (Report 195/23) which provided confidential information.

- 1.10 At a Special Meeting of the Council on 24 August 2023 the Council considered Report 235/23. The report sought approval for the assignation (transfer) of the ground lease granted by Angus Council to a company called Mineflow Investments Limited to Carnoustie Golf Links Properties Limited (CGLPL), a company owned by CGHH (which was at that time called MJ Investments Hold Co Ltd). Council approved the assignation and the transfer of some related legal agreements (Ancillary Agreements) as detailed in the report. A few weeks thereafter the assignation process was completed and CGLMC's investment partners have owned the hotel since then. Report 235/23 also provided a brief update on progress with developing revised arrangements for golf provision but noted this would be subject to a separate report seeking approval for public consultation.