

**THE QUEEN'S UNIVERSITY OF BELFAST
INSTITUTE OF PROFESSIONAL LEGAL STUDIES**

ADMISSIONS TEST DECEMBER 2018

**SECTIONS A, B AND C
(Total marks – 750: each section carries 250 marks)**

18th December 2018, 9.30 am – 12.30 pm

EXAMINATION GUIDELINES

Please ensure that you read these guidelines before you read the questions:

1. Rough work must **not** be written on the Answer Books but on spare paper which may be obtained from the invigilators.
2. You must **not** put your **name** on any part of the Answer Books.
3. **You must mark your answers clearly using an HB pencil.** If you do not your answer may not be recorded.
4. **You must stop immediately upon being told to do so at the end of the examination. You must not make any marks on your paper after you have been told to stop.**
5. Marks will be deducted if these examination guidelines and the individual question guidelines are not followed.
6. Section A instructions are on page 30.
7. Section B instructions are on page 31.
8. Section C instructions are on page 41.

Blackcastle Golf Club (“the Club”) is named after the castle which once stood on the site. Since 1934 the Club was developed under the ownership of Edward Hunter, the great grandfather of Patrick (“Paddy”) and Brian Hunter, the current owners of the Club and course (“the Site”) which comprises almost 62 acres of land. It is set against the magnificent back drop of Slieve Doone Mountain, with the course stretching in the direction of Hamilton Bay.

Until quite recently, Paddy and Brian have been heavily committed to their main business, Transmore Ltd, a global transport company and have had little time to devote to the Club.

The brothers are both in their late 50s and have been very successful in business. Over recent years they both felt that they wished to spend less time travelling and saw the opportunity to redevelop the golf course and facilities as a new challenge nearer to home.

Paddy and Brian have excellent staff. Ozie Whyte, the Head Greenkeeper has been employed by the Club for over 20 years and Malcolm Ash, the Professional, was one of Paddy’s best appointments; although only in his late twenties, Malcolm has already proved to be a great addition to the Club.

It was in the spring of 2017 that the brothers really began to develop their plans for the Club. They were conscious that they would need specialist input to make these plans successful.

Paddy started by considering all he already knew about the Site and the surrounding lands. The Site is bounded on its eastern side by a strip of land approximately 40 metres wide which runs between it and Hamilton Bay. This strip of land is owned by Jennifer Burnett who runs her outdoor adventure business ‘Adventures R Us’ from these lands.

The River Dundas bisects the Site from west to east at its mid-point and discharges into Hamilton Bay.

The main access to the Site is at the most westerly point of its southern boundary where it opens onto the Seaview Road. Seaview Road is a public road which runs right along the southern boundary of the Site; it leads from the town of Holywell in the west to the southern tip of Jennifer’s site at Hamilton Bay in the east.

On its west, the Site is bounded from its southern corner up to the River Dundas by lands owned by Eamon Green. These were originally owned by Edward Hunter but were sold to Eamon Green’s grandfather, Lawrence, in 1934. The lands are known as ‘Hunter Hill’. There is a small freshwater lake known as the ‘Willow Pool’ on Eamon’s lands.

The northern boundary of Hunter Hill is actually the northern bank of the River Dundas where it runs through Eamon’s lands. Eamon owns all of the river bed for this section of the river as well as all rights to use the river in this section.

Again on its west, from the River Dundas up to its north west corner, the Site is bounded by lands in what is known as the 'Home Park' of Hobart Manor. The whole of Hobart Manor is owned by Ronald Hobart.

Directly to the north of the Site are lands owned by market gardener James Brown. Much of this land is covered in greenhouses in which James grows seasonal fruit and vegetables.

Hobart Manor also includes Elm Tree Field which is situated at the north west corner of the Site and lies between the northern boundary of Home Park and the western boundary of James Brown's lands. Beach Road is the northern boundary of Elm Tree Field, James Brown's land and Jennifer Burnett's land; this is a public road which runs in a west east direction and ends at Hamilton Bay. The entrances to both Hobart Manor and Brown's lands open onto this road.

James Brown operates a strictly organic farming policy; in early 2017 he secured a lucrative contract to supply a national supermarket chain, Harrisons Foods Ltd ("Harrisons"), with organic salad crops such as lettuce, spring onions, tomatoes and cucumbers. James has a septic tank near the most easterly point of his southern boundary with the Site and uses this to collect all sewage from his lands.

Initially Paddy and Brian set up a meeting with planning consultant, Emily Hill who has a reputation as an insightful planner. She told the brothers that she would consider the proposal and set out her initial thoughts within a few days.

In early April 2017, Paddy and Brian received the following email from Emily:

Hi Paddy and Brian,

Some thoughts to get the ball rolling.

You need to have a target date –a big event to celebrate the re-launching of the Club, once all the necessary works have been completed.

There are 5 main areas to consider:

1. The Golf Course

You need a good golf club architect. This is specialist work - you need advice immediately before you expend any money.

2. Facilities – the Clubhouse

You need a space for an office; locker rooms for both members and visitors; and a good bar/restaurant area.

The existing Clubhouse is situated near the southern boundary of the site just to the east of the entrance gate.

I suggest this existing Clubhouse be demolished and a new Clubhouse should be erected on its site.

You will be able to continue to use the existing entrance onto the Seaview Road but see my later comments regarding car parking.

I suggest the bar and restaurant are positioned on the eastern elevation to optimise the magnificent views from this aspect.

3. Club Professional's shop ("the Shop")

I suggest this is located directly to the north west of the Clubhouse. This will serve as the focal point for purchase of golf merchandise and payment of green fees.

Electricity cables and water pipes to both the Clubhouse and the Shop will be run from a mains electricity cable and a mains water pipe which run along Seaview Road. These new cables and pipes will run directly north from Seaview Road, over the Site, until they reach the respective buildings.

The septic tank currently servicing the Clubhouse will not be adequate for the new buildings which will each have to connect to a mains sewage pipe which also runs along Seaview Road. Unfortunately, because of the way in which the land lies in this area, it will be necessary to connect the sewage pipes for both the Shop and Clubhouse to this mains sewer at a point to the west of Mr Green's land, which will mean that the sewage pipes will have to cross his property in a south westerly direction from its eastern boundary with the Site to its southern boundary with Seaview Road.

4. Greenkeepers Hut / Maintenance Shed ("the Hut")

This Hut is situated near the north west corner of the Site. Given that I anticipate you will be undertaking significant works to the golf course it will not be sensible to have heavy machinery travelling over the course more than is absolutely necessary. Under the present access arrangements, the Hut can only be accessed from the entrance onto Seaview Road.

For this reason, I suggest you purchase a strip of land from Mr Hobart to create a service road (“the service strip”) running from Beach Road along the eastern edge of Elm Tree Field and then continuing along the eastern edge of Home Park for approximately 15 metres. The entrance to the Site from the service strip will be located 2 metres to the north of where the service strip will end in Home Park – this entrance will be opposite the Hut. Ideally, the service strip should be approximately 7 metres wide.

I note the water supply to the Hut is from the Dundas River. This will not be adequate. Mr Hobart’s house is situated near the south eastern corner of the Home Park, to the south west of the proposed service strip. There is a water pipe to this house running directly south from the mains water pipe in Beach Road. I suggest that you run a water pipe at 90 degrees in an easterly direction from this pipe, from a point just to the north of Mr Hobart’s house until it crosses onto the Site (this means that the pipe will not have to cross the service strip); the pipe can then be run in a north easterly direction up to the Hut. The Hut will continue to be serviced by an electricity generator. It does not need access to a sewer or septic tank.

5. Coffee Dock/Bar (“the Coffee Dock”)

I suggest this is installed between the 9th green and 10th tee midway along and just south of the Site’s northern boundary with Mr Brown’s lands. This will provide golfers with the opportunity to purchase food and drink and should include a BBQ area which may be useful when hosting special events such as corporate golfing outings. Mains electricity can be sourced directly from the cable in Seaview Road by running a new cable directly north over the Site. Water can be run from the mains water pipe which runs along Beach Road. This will necessitate running a water pipe south over Mr Brown’s lands. I suggest sewage should be discharged into the septic tank on Brown’s land; this will involve laying sewage pipes from the Coffee Dock to this septic tank.

6. Car Parking

The existing car parking spaces around the Clubhouse will not be sufficient to accommodate the cars of the extra visitors the new Clubhouse will generate so we suggest constructing extra space. The enlarged carpark can be situated around the north west corner of the new Clubhouse. It will extend up to the south east corner of the Shop.

I hope this is useful.

Yours

Emily

Brian and Paddy mused over the contents of Emily's email.

They liked the idea of getting a date and an event to launch the Club.

The brothers finally decided on holding a Golf Club Open Competition and Gala Night on Saturday the 5th June 2018; this could be marketed as the re-launch of the Club after all the planned works were completed. Brian suggested that he was happy to source a golf architect if Paddy could speak to the neighbours about the various matters set out in Emily's email.

Immediately Brian emailed the well-known Wilton McDonald who is employed by Greenscape Architects Ltd. Wilton has a pedigree in advising clients who are involved with rejuvenating classic courses. In his email, Brian explained Emily's ideas and attached a map and aerial photograph of the existing course.

Brian was delighted when he received a prompt reply from Wilton who suggested that he visit the course as soon as possible.

Paddy Hunter and Eamon Green are both members of the same male voice choir, 'The Castle Singers'. One evening, following choir practice, Paddy approached Eamon. Eamon is a keen golfer and a member of the Club. He has always had a good relationship with Paddy and Brian so, after some discussion, Eamon agreed to allow them the right to run the necessary sewage pipes over his land. Eamon also came up with another suggestion: Willow Pool is stocked and used as a commercial fishing lake. It is a popular venue but Eamon had very few parking spaces on his lands. Eamon suggested that he, his customers and staff be given the right to park in the carpark which would surround the corner of the new Clubhouse; this would be safer than their present practice of parking on Seaview Road and the Clubhouse would benefit from the fact that many of them would call in for a drink or a meal after they had finished fishing. Paddy enthusiastically agreed to this suggestion.

On a Monday morning in mid-May 2017, Brian met Wilton McDonald. Brian suggested Wilton take a buggy out to view the course. The course inspection lasted almost 5 hours. During that time Wilton made notes of the various holes, trees and bunker positions. At the bunkers on the 3rd, 7th and 13th holes he took samples of the sand and, on the fairways of the 5th, 10th and 14th holes, took soil samples. Wilton took numerous photographs and worked tirelessly taking measurements. At the end of the inspection Wilton told Brian he would endeavour to have a preliminary report completed within 10 days.

Paddy had been discussing with Malcolm the possibility of increasing publicity and creating a PR strategy for the Club. Malcolm was keen to develop this aspect of the Club and saw great potential to increase revenue from branded merchandise which could be sold from the Shop. The men discussed a new club logo and settled on an emerald green logo depicting the tower which stands at the eastern side of the second green. Because of his relative inexperience Malcolm did not run the shop as his own business, he was simply paid a wage by the brothers and, along with his other duties, ran the shop on their behalf.

Malcolm spent several months sourcing signage and course fixtures which would bear the new logo. In autumn 2017 he also contacted Sportsgear Ltd and placed an extensive order for a variety of golf clothing all bearing the Club's new logo. In his telephone conversation with Sportsgear Ltd's sales rep, Paul Milton, Malcolm emphasised the importance of having all the new merchandise available for sale by the day of the Open competition on the 5th June of the following year. Malcolm also ordered ten special waterproof jackets in a variety of sizes. He told Paul that these jackets must be delivered by the morning of the 5th June as the winners of the various categories in the Competition would each be presented with one of these jackets in the afternoon or evening of that day. As well as the new logo, each jacket would have the words "Winner of the Blackcastle Open Golf Competition – 5th June 2018". The jackets were expensive, £100 each, but Malcolm and his employers all felt that this would be money well spent.

The week following his visit to the Site, Wilton sent the following email to Brian:

Dear Brian,

I enjoyed my visit to the course last week.

It gave me an appreciation of the unique features of the course and the challenges it poses for development and maintenance. Structurally there are a number of aspects to consider.

To be considered a championship length course you will need to lengthen the 17th hole. You could do this by moving the point at which players take their first shot for this hole right up to the eastern boundary of the Site where it overlooks the outdoor adventure site (“the adventure site”). However, this is on quite a high hill (which I will call the “17th Hill”) so it would be useful if you could create a footpath running along the southern and eastern sides of the 17th Hill - this would allow players to walk up a gradual incline rather than having to climb up the steep western side of the hill. The southern part of this new footpath will be within the Site but you will need to construct part of the eastern element of the footpath on lands in the adventure site.

There is one area of the Site where irrigation is a major issue. This is half way between the greenkeeper’s hut and the proposed new Coffee Dock and bounded on the north by the lands of a market garden. I suggest the introduction of a drainage pipe through which you can run surface water from the Site into a reed bed which already exists towards the south of the market garden site just above the area which needs to be irrigated. This area of the market garden site does not seem to be used for any purpose and could easily absorb the extra water.

I suggest you purchase a specialised machine for the necessary works to improve the course: this is a Sandmaster – it will assist you in the creation of secondary drainage over various parts of the course which tend to be too wet at the moment (it’s a machine which bores a multitude of small holes in the course and then brushes sand into these holes).

Regards

Wilton

Paddy and Brian considered Wilton's email. It appeared there was quite a bit of work to be undertaken. They were keen to hear Ozie Whyte's views on Wilton's proposals.

Ozie read Wilton's report. After several minutes he said, "There is only one issue - if you want all this work done for next summer you'll have to buy more equipment than just this Sandmaster machine."

Brian was a little perturbed at Ozie's remarks. On further investigation he discovered that it would be best if they purchased a new digger and upgrades to existing lawnmowers etc. Together with the purchase of the new Sandmaster this would cost in the region of £100,000. Brian was concerned about how the costings were escalating. In the meantime he told Ozie to do the best he could with his existing equipment.

As the summer progressed, Malcolm was aware that, due to working long hours on the Club development project, he had not had much opportunity to spend time with his girlfriend, Sally Creighton. So one afternoon in late August he phoned Sally and offered to take her out to dinner that evening at the recently opened fish restaurant, 'Rockpools' on the outskirts of Holywell.

On the way to the restaurant Malcolm parked his car on Holywell High Street outside the recently opened florist, 'Blooms and Buds' so that he could call in to the shop to buy Sally a bunch of flowers. Malcolm parked a few spaces along from a parked police car in which Constables Matthew Swift and Ross Dobbs were drinking some take-away coffees. As he approached the florists Malcolm noticed a man get out of a car parked right in front of Blooms and Buds and then enter the shop; he was holding what appeared to be a large pair of shears. "That seems a bit odd," thought Malcolm, "I hope those policemen saw that guy - we don't want people wandering around with items like that in their hands!"

Blooms and Buds is unique in that it combines an art gallery with a florist shop and is the brain child of its owner Gary Adair. The beautifully fitted out shop is a haven of tranquillity with amazing artwork sitting alongside vases of magnificent flowers.

Gary was very pleased with the new set of specialist shears which he had just collected from a local hardware shop and brought into the shop. These would be perfect for cutting the thicker branches of young trees which he included in many of his larger set pieces for weddings and special events. He took the shears into his studio at the back of the building just before Malcolm entered the shop.

Malcolm began to select a mixed bunch of yellow flowers. He became aware that one of the other customers seemed to be distraught; she started to shout, "It's my prom night - the flowers have got to be right! I know I ordered pink roses but now they won't go with the special dress I bought this afternoon - I don't want to have to wear my original dress. Haven't you got any other roses?"

The sales assistant tried to soothe the girl but to no avail as none of the other flowers in the shop matched the dress either.

As Malcolm paid another assistant for his flowers the girl rushed out of the shop shouting, "It's no good! If you can't give me what I want I'll just have to go without flowers!"

Malcolm began to walk back towards his car. He was horrified to see a blue Mercedes, which had been parked in front of it, back into his Mazda MX-5. He heard the sickening crunch of metal and saw the girl who had flounced out of the shop stop the Mercedes, turn off the ignition and jump out of the car to inspect the damage. Malcolm started to run towards the cars shouting, "That's my car you just hit!"

At this, the girl turned to get back into her car. Malcolm shouted, "Hey, wait, I need your name and address", but she jumped back into her car and drove off down the road. When Malcolm examined his car he noticed damage to his front bumper and bonnet. He had the presence of mind to take his phone from his pocket and photograph the Mercedes with its registration plate as it drove away. He also photographed the damage to his car.

Fortunately for Malcolm the police car was still parked in the High Street. Constables Swift and Dobbs examined the damage to Malcolm's car and took down the Mercedes' registration details. They assured Malcolm that they had seen the whole incident as they had been watching the street closely for the last half hour.

Malcolm was also relieved to see that he could still drive his car so he set off to collect Sally. The incident had caused him to be late but he was sure that Sally would understand.

Later that evening Constables Swift and Dobbs called at the home of Owen Byers, the registered owner of the Mercedes. They examined the damaged rear bumper on the Mercedes and then spoke to Mr Byers. He denied all knowledge of the accident but when Constable Dobbs took him outside and pointed out the damage to the vehicle he shouted, "That's the last time I let Cathy borrow my car!"

Mr Byers explained that his daughter, Catherine, was attending her school prom that night. He had heard that she had been upset about some flowers she had ordered for the prom and she had certainly been in a bad mood when she arrived home that afternoon. Constable Swift asked to see Mr Byers' insurance policy. When Mr Byers produced the policy Constable Swift noted that it was for the period 3rd December 2016 – 2nd December 2017. He also noticed that it was in the name of Mr Byers and that Byers' wife, Imelda, was the only other named driver.

Mr Byers explained that Cathy had passed her test a few weeks ago (using her driving instructor's car). Mr Byers intended to buy Cathy her own car as a Christmas present and, in the meantime, she used his car when she really needed to. Constables Swift and Dobbs subsequently spoke to Catherine Byers who admitted driving her father's car. She explained she did not realise she had not been insured and apologised for hitting Malcolm's car.

Meanwhile, Sally and Malcolm had a lovely meal at Rockpools. Malcolm was able to give Sally the good news that Brian had already secured the attendance of Ian Shanks at the Open Competition and Gala Night. Sally was thrilled, as Ian was one of her all-

time favourite actors. She exclaimed, "I can't wait to tell Helen. I'm sure Helen and Damien would love to go to the dinner."

Helen Dinsmore was Sally's best friend and Damien Black was Helen's boyfriend. Malcolm explained that he would be given complimentary tickets for himself and Sally but that he could certainly buy tickets for Helen and Damien. Brian had told him that the tickets for the dinner would be £60 a head. Anyone taking part in the Open Competition would pay £100 or £40 if they did not want to go to the dinner. Sally messaged Helen on her phone. Ten minutes later, Helen came back to Sally in great excitement confirming that she and Damien both wanted tickets to the dinner. As neither of them played golf they were not interested in the competition.

Around the same time as Malcolm's dinner at Rockpools, Paddy approached James Brown about the suggested new water pipe over his lands, the proposal that the Site use James' septic tank and also the proposal that surface water be drained into the reed bed on James' land. James readily agreed to the proposal about the water pipe. Initially James was not particularly interested in Paddy's other suggestions about the septic tank and drainage pipe; however, a few days later he returned to Paddy and suggested that he would allow the brothers the right to run the pipe into the reed bed if Paddy and Brian would agree to build a new septic tank in the north eastern corner of the Site and then allow him to run a pipe to this from his land; he would also be allowed to discharge all the sewage from his premises into this septic tank. Paddy was a little taken aback but James explained that his septic tank was quite old and would not be big enough to take sewage from both the Site and his lands. There would also be a second practical advantage. James explained that a septic tank needs a series of pipes running from it out into the surrounding ground. These pipes are known as a soakaway – they take the cleansed water from the septic tank and allow it to filter and disperse through the surrounding soil. James explained that, because of the way in which the land slopes southwards from his lands into the Site, it made far more sense to run these soakaway pipes away from the new septic tank in a southerly direction over Paddy and Brian's lands rather than trying to place a new septic tank and soakaway pipes on James' lands. After discussion with Brian, Paddy agreed to James' proposal. It was agreed that the brothers would be responsible for all the works connected with constructing the septic tank and soakaway; all James would be responsible for would be laying the pipe from his lands into the septic tank. Brian and Paddy would obviously be responsible for laying the drainage pipe into James' reed bed and the water pipe from Beach Road.

James took his ecological credentials very seriously. He had worked out that he could supply most of the electricity needed for his business if he could install a wind turbine on Clearview Hill. This hill is located on Jennifer Burnett's lands about 30 metres to the east of the boundary between her lands and his property. Shortly after he reached his agreement with the Hunters he contacted Jennifer to see whether she would sell him Clearview Hill and then allow him to run an electricity cable from it to his lands.

Jennifer agreed to the sale and said that she would be more than happy to allow James to run the necessary cable over the land which she would continue to own between Clearview Hill and the land James already owned.

In late May 2017, Brian had, on behalf of himself and Paddy, instructed Dezin Architects Ltd to design the new Clubhouse, Shop and Coffee Dock; the brothers had encountered this company in the past and had been impressed with the striking designs its architects had created. Peter Walls, one of the company's senior architects, was familiar with the golf course and, within two months, produced stunning drawings for all three buildings. Brian and Paddy were particularly impressed with the proposed new Clubhouse.

The plans for the Clubhouse specified that it would be built of a locally produced sandy coloured brick. The restaurant would have one semi-circular wall constructed entirely out of glass. The Clubhouse would also have a two storey circular bar area designed so as to reflect the shape of the nearby ruined tower. Paddy and Brian were overwhelmed as this was much more exciting than any design they could have imagined. Peter explained that, in creating these types of complicated designs, he always worked closely with a local chartered civil engineer, Brenda Casement, to ensure that they would be robust and safe once they were finished. Brenda is self-employed. She has considerable experience with circular buildings and with the use of glass walls. Peter had already shown her his plans in order to get her initial input but he emphasised to the brothers that the plans did not show the detailed specifications for the wall of the bar or for the glass wall. Peter explained that Paddy and Brian would have to engage Brenda to oversee these elements of the work; and she would only be able to come up with detailed specifications at the point when she could inspect preliminary ground works for the building. Peter showed the brothers the instruction to this effect which he had written on the plans.

Paddy and Brian were keen to have the work begun as quickly as possible on both the course and Clubhouse. Ozie had been hounding them for the new equipment he needed to carry out the works on the course. The brothers had enough money to pay for all the building works but decided that their savings would not cover "extras" such as this equipment. They agreed that they should approach Denise Watters, the manager of the local branch of the Munster Bank Ltd, to take out a loan.

When the brothers met Denise, Paddy produced a business plan for the development of the Club as well as details of the equipment required for the work on the course. Denise was impressed at the level of detail Paddy supplied.

Within a matter of days the funding was agreed and Paddy and Brian received the following letter from Munster Bank:

16th August 2017

Mr Patrick Hunter & Mr Brian Hunter
Blackcastle Golf Club

Dear Sirs,

I have been authorised by my employer, Munster Bank Ltd, to confirm that it will lend a total of £100,000 (one hundred thousand pounds stg) to Patrick Hunter and Brian Hunter strictly subject to the following conditions.

1. The funds will be used exclusively to purchase equipment as detailed below:
 - One Sandmaster machine
 - One digger
 - Four commercial "sit on" lawn mowersFor use in connection with Blackcastle Golf Club only.
2. Repayment of the loan will take place over 72 months, in equal monthly instalments at a rate of 4.75% per annum interest.
3. Failure to comply with any of the above conditions will be treated as a breach of this agreement.

If you accept these terms, each of you must sign the enclosed acceptance form and return it to me.

Yours sincerely

Denise Watters

Denise Watters
On behalf of Munster Bank Ltd

Paddy and Brian were delighted. They immediately signed the acceptance form and Paddy dropped it in at the bank on his way home that evening. They received the sum of £100,000 from the Bank on 28th August.

One evening in early September Jennifer Burnett rang James Brown. James had already shown her the plans for his wind turbine. Jennifer had done some calculations and worked out that on a day when there was even an averagely strong wind he would be producing more power than he would need for his own business. Jennifer suggested that she could run an electricity cable from the turbine, through Clearview Hill and then on through her lands to a wooden cabin (“the Hide Away”) which she had built overlooking Hamilton Bay. Jennifer let the Hide Away to holiday makers. At the moment it had no electricity supply. James agreed to this and they also agreed that this would warrant a reduction of 30% in the sale price for Clearview Hill.

The brothers were keen to get the work started on the new Clubhouse. In early December 2017, once planning permission had been granted for all of the building works, they engaged local builders, Andrew (“Andy”) Hawthorne and Robert (“Bobby”) Spence trading as ‘Do It Right Builders’. They were given all the plans provided by Dezign Architects Ltd and instructed to follow these plans and any instructions given by the architects. Andy and Bobby were well known locally; their particular specialism was building house extensions. Paddy thought they seemed generally affable and felt that they should be easy enough to work with. As part of their contract with the brothers, Andy and Bobby agreed that they would be responsible for sourcing all the necessary materials and for entering into any contracts with suppliers. This was reflected in the amount they were to be paid under the contract with the Hunters.

Before Christmas, Andy and Bobby had moved onto the course and begun work. Although they started work on the Shop and Coffee Dock as well, their main priority was to make progress with the Clubhouse. They had demolished the old Clubhouse by the beginning of January and, by mid-January, they were already digging the foundations for the new Clubhouse.

Eamon was very interested to see all the building work, especially when the builders began to lay out the new carpark. As originally suggested by Emily, this was situated around the north west corner of the Clubhouse, separating it from the south east corner of the Shop. In early February, Eamon mentioned to Paddy that his solicitor had told him he would need a right of way for himself, his customers and staff to drive over the road leading from the entrance gate, over the Site and into the carpark. Paddy agreed to this and also agreed to get Andy and Bobby to build a footpath leading in a westerly direction from the south west corner of the carpark until it reached the boundary with Eamon’s lands. This would be over a patch of rough ground which was not needed for the golf course. Andy and Bobby were instructed to open a small gap in the boundary hedge where the new footpath met it; Eamon and his staff and customers would be able use the path to go to and fro between the carpark and Eamon’s premises.

By mid-April, works on all three buildings were progressing well. All the ground works for the Clubhouse were completed and Bobby and Andy were beginning to think about the construction of the circular wall of the bar and the semi-circular glass wall of the

restaurant. These elements of the design were causing them some concern. As Bobby said, "I always say bricks don't bend."

They had read the instruction (and Paddy had also told them) that they needed to get Brenda Casement to inspect the groundworks and give them specifications for these two walls but they were concerned that this would delay their works and introduce unnecessary hassle. They decided to go ahead and build the bar wall. At the same time they would order glass panels for the wall of the restaurant. The preliminary plans for the restaurant had indicated that the glass would need to be triple glazed and meet the safety standards required for glass used in buildings which are open to the public. The plans also stated that the dimensions and specifications of the glass panels needed to be provided by a suitably experienced chartered civil engineer and instructed that the engineer should be Brenda Casement. Andy and Bobby had previously built a curved glass wall on a house extension they had completed back in 2016. Although this was obviously much smaller than the present job, Andy used the specifications for that wall, multiplied the dimensions up to the size of the restaurant wall, and ordered the glass panels accordingly. He then placed the order with Angela Kearney, managing director of Visibility Plus Ltd, the local glass production company he and Bobby had used in the earlier job. Angela offered to examine the plans for the wall of the restaurant and suggested that an engineer should advise on the appropriate glass to use for the panels, particularly as they were much larger than anything else Andy had ever ordered from her company. But Andy was adamant this was not necessary. He told Angela, "Just use the same type and thickness of glass as you did for us the last time". As he said to Bobby, "That worked well the last time and was not too heavy to handle. These new double glazed panels are so good no one would need anything thicker."

Angela had warned him that his specification might not work but he ignored her and told her just to get on with fulfilling the order.

Paddy and Brian had been clear that they required the Clubhouse, Shop and Coffee Dock to be completed at least two weeks in advance of the Opening Competition & Gala Night scheduled for the 5th June. Andy and Bobby felt work was progressing quickly so this should not be a problem.

Andy and Bobby were very impressed by the design of the first floor of the bar – this was to be a mezzanine floor with a circular staircase leading down from it to the bar's ground floor.

When he was ordering the glass panels Andy asked that they be delivered on 3rd May but Angela explained that the company would not be in a position to have them ready for delivery until 18th May. Andy was concerned that this might delay completion of the Clubhouse but reluctantly accepted that there was no alternative.

Over the winter and spring Paddy was still trying to get all the necessary rights as set out in Emily's letter. He approached Ronald Hobart in early February and Ronald agreed both to sell the service strip and to allow Paddy and Brian to run the proposed water pipe from his existing pipe. As part of the sale agreement Ronald requested the right to use the service strip as a right of way to walk up to Beach Road. He does not need this for vehicles as the lane leading from his house runs in a north west direction

over Home Park and Elm Tree Field until it reaches Beach Road. However, being able to walk along the service strip would be very useful for him and anyone working for him or visiting him, as this would provide a shortcut if one wanted to turn right onto Beach Road and walk towards Hamilton Bay. Paddy was happy to agree to this.

Ozie had three greenkeepers for whom he was responsible – Michael (“Mike”) Coulter, Calum Fearon and an apprentice named Charles (“Charlie”) Grey. In early October 2017 Ozie called a meeting of all the greenkeepers. The lads had been aware of some of the plans for the course as they had been doing some preliminary jobs in respect of these plans over the summer; but at this meeting Ozie took time to fully explain all of the course plans to them. He told them that they would be getting an upgrade to the Hut which would include a better water supply. The doors on the Hut would be upgraded so that all the new equipment that Paddy and Brian would be purchasing could be kept securely. Mike and Calum were concerned that the improvements to the course would mean a great deal of heavy work but the possibility of overtime pay was a welcomed prospect. Charlie was delighted. “I can’t wait to drive the new digger and get rid of a bit of turf!” he exclaimed.

One of the first things Brian had done back in the summer of 2017 was to contact a PR company called, ‘Appearance Matters Ltd’. On behalf of himself and Paddy he had entered into a contract with the company for the attendance of Ian Shanks at the Open Competition and Gala Night. Ian had played the lead role in the recent award-winning TV drama ‘Knight Owl’ and was hugely popular, especially with women viewers. The contract was expensive; the company was charging £10,000 for Ian’s appearance and Brian had to pay this sum immediately when the contract was signed. However, the brothers considered that the publicity Ian Shanks’ attendance would generate would be worth the cost; and with Ian giving out the prizes at the Gala Night they would be able to justify the cost of £60 a ticket.

In March 2018 Paddy approached Jennifer Burnett about the necessary right of way to walk over the path which he and Brian wanted to construct on her land to access the 17th Hill. This path would only need to run over Jennifer’s lands for about 20 metres before turning back onto the Site; it was just inside the western boundary of her property. Jennifer was quite happy to grant the right to build and use the path. In return she asked that Paddy and Brian allow her the right to bring canoes up the River Dundas where it runs through the Site (Paddy and Brian own the river bed and all rights to use the river where it runs through their lands). Paddy agreed this. Jennifer was delighted. She knew that the sheltered waters of the river would allow her customers to practise their canoeing skills before venturing out into the sea at Hamilton Bay. It would also be a good place in which she and the other instructors she employed could deliver training in a safe environment.

Brian really enjoyed everything to do with implementing the development plan for the Club and course. Ozie did keep on at him about the new equipment the brothers had promised him but Brian was particularly pleased with himself when he solved this dilemma in early March; he discovered that he was able to hire all the necessary equipment on a weekly basis from a local firm called ‘Hire and Go Ltd’; it even had a Sandmaster.

Paddy was delighted when he realised how much he and Brian would save by not having to buy the equipment. One of the staff in Appearance Matters Ltd, Charmaine Glass, had been chatting to him about how important appearances were if one wanted to generate confidence in a new commercial venture. "Never look like you don't have spare cash," she advised, "Punters get worried if they think you might have spent everything."

Both Paddy and Brian drove old cars. They decided that this did not convey the right image so they used the unspent cash from the bank loan to purchase matching white Volvo XC60s, complete with personalised number plates. The cars were delivered in early May. The brothers were thrilled as they could see the admiring glances of people as they drove their new cars around Holywell.

One down side of hiring all the equipment on an "as needed" basis was that Ozie had to be extremely organised about planning work and inevitably this led to some delays. However, Mike and Calum were willing to work late into the night and, despite Ozie's misgivings, Charlie had proved very proficient with the digger when he remembered to concentrate.

By May 2018, all the greens were looking particularly impressive - they were verdant green and a picture of health.

The renovation works on the Hut were completed by the end of April. These were a morale booster for the greenkeepers as everything had been redecorated and better insulation had been installed. The men now had a warm and clean area in which to have breaks and eat lunch. The maintenance shed had been reorganised to allow more room and better heating had been installed in it so working on machinery would be pleasant in the winter months. The more secure doors had also been installed although Ozie could not see the point of this when no new machinery had been purchased.

Mike was responsible for all the plants and flowers on the course. Over the years he had developed an extensive seed stock and was delighted that he would now be able to expand his range of plants with the additional space created in the maintenance shed.

By the beginning of May 2018, Paddy and Brian had become increasingly nervous about Andy and Bobby's ability as builders. The Coffee Dock and Shop had both been completed and looked well. The straightforward elements of the Clubhouse also appeared to be fine. However, there were visible spaces between some of the bricks in the circular wall of the bar – these had been filled with cement grout; when Paddy mentioned his concerns to Andy the latter replied, "Don't you worry. There are enough bricks there to keep the wall up and the grout will keep out the draughts."

Paddy had to be satisfied with this as there was little time left until the 5th June. He and Brian were even more concerned that the glass wall of the restaurant was still not in place. Again Andy tried to reassure them. "Angela has never let me down yet," he said, "It will take no time at all to install the panels when they come."

Paddy and Brian discussed the situation. They agreed that there was little point in contacting Peter as they knew the first thing he would ask was what Brenda had specified as being needed for these elements of the work. They both knew that Andy and Bobby had not contacted Brenda. When Brian asked Paddy why he had not insisted on this Paddy replied, "You knew she hadn't been contacted as well. I didn't see you stressing about it until we saw the bar wall."

The service strip through Hobart's land which was sold to the brothers had been ideal for the works to the course as it meant that the greenkeepers did not have to drive heavy machinery up from the entrance on Seaview Road.

The men had been working late since just after Easter. Ronald Hobart had grown increasingly angry about disturbances caused by vehicles driving up and down the service strip late into the night. He was also annoyed by the fact that there always seemed to be a light on in the Hut. Ronald had spoken to Ozie and Paddy about the disturbance, but there had been no change to the greenkeepers' pattern of working. In fact, in the weeks coming up to the middle of May there appeared to Ronald to have been even more late night traffic along the service strip and across the golf course.

On the night of the 17th May at 11.30 pm Charlie was driving a digger down the service strip; he had been moving stones off site to a nearby field owned by Paddy and Brian and was in the process of returning the digger to the Hut. Ronald was furious about the noise. He thought about ringing James Brown to get his opinion but then remembered that James had just left for a well-earned holiday. All of James' outdoor crops had been planted by the middle of April. The greenhouses were empty as James was having them re-glazed so there was little to do until the first crops were ready to harvest in early June. James was able to give all his workers a vacation whilst he and his wife visited their son in New Zealand. Ronald remembered that James was only returning on the afternoon of the Open Competition. "Lucky James" Roland thought, "at least he will get some peace."

Ronald left his house to walk along the service strip to meet Charlie. He shouted to Charlie, "If you don't stop now I'm calling the police."

Charlie was wearing ear defenders and could not make out what Ronald was saying. He gave Ronald a friendly wave and continued driving the digger down the service strip. Ronald was incensed with rage and immediately phoned the local police station to complain. In his call he said, "There are things going on up here you should be investigating."

Charlie thought there was little point manoeuvring the digger into the shed since it would only be a few hours before he would be back at work. He was keen to have a quick coffee and get home for some rest. Charlie had been surprised that, since the works to the Hut had been completed, Mike had been working late most nights tending to his plants. As Charlie was reversing the digger alongside the rear wall of the Hut he was distracted by the flashing blue lights of a police patrol car which was making its way down the service strip. Because of this Charlie did not realise that, as he was reversing, he had knocked over an enormous barrel of Ozie's undiluted chemical fertilizer mix. When Ozzie actually uses this fertilizer he dilutes this by adding 20 times the amount of water to the amount of fertilizer used. The barrel fell, rolled for some

distance and came to rest against the boundary fence with James' land. Although the market garden's lands are higher than the golf course towards their eastern boundary, at the point where the barrel came to rest the golf course is at a higher level than James' lands. When the barrel was knocked over, this had caused it to fracture and the contents began to leak into James' lands.

Unaware of what had happened, Charlie turned off the digger and then went inside the Hut to make a cup of coffee while he gathered up his belongings. Just after this the police car pulled up outside the Hut. Constable David McCann got out of the car. Seeing the door of the Hut open, he entered, as he did so shouting, "Hello?"

The kettle was boiling so Charlie did not hear Constable McCann. The inner door to the maintenance shed was lying ajar so Constable McCann wandered through into the shed. As he entered he saw Mike hastily pushing some plant pots out of sight. Constable McCann identified a familiar scent – he asked Mike to show him what he had been hiding and Mike reluctantly agreed. There were eight pots in total. They each contained a tall green plant which Constable McCann was immediately able to identify as Cannabis. "I bet your friends all love you," he joked.

At this point Charlie appeared. It was clear from his shocked expression that he had no idea what Mike had been up to. Constable McCann asked Mike to accompany him to Holywell Police Station (bringing the plants with him) and told Charlie to lock up and go home.

Jennifer Burnett had been thinking; she was really excited about being able to bring her customers up the River Dundas but she realised it would be even better if she could offer the opportunity to moor their canoes and take advantage of the fishing in Willow Pool. With this in mind she approached Eamon who agreed to build a landing deck ("the Landing Deck") on his side of the River Dundas and to allow Jennifer, her staff and customers to tie up their canoes at this deck. He would also create a footpath from the deck to the kiosk from which people bought tickets to fish in the pool ("the Willow Pool Kiosk"); Jennifer and her staff and customers could use this path to get to and from the pool. Eamon was also happy that they bring their canoes up the river where it passed through his lands as far as the Landing Deck.

On the 18th May Andy received a call from Oliver Thompson, a production manager with Visibility Plus Ltd, who confirmed that his driver, Shirley Dixon, had just left with the glass panels and should be arriving at the Clubhouse that afternoon.

Shirley was a new employee and she was anxious about transporting the special order of the glass panels so she had taken a long time making sure the glass was properly secured in the back of the van. As she finished loading up the van she shouted to Oliver, "I can't find my protective gloves. Do I need gloves for this type of job?"

Oliver was stressed as he knew it would take all Shirley's time to drive down to the Clubhouse in time for the early afternoon so he replied, "Just get going or you will be late."

By this date, apart from the glass wall, the Clubhouse was almost completed. Bobby and Andy were rather concerned about the bar's circular wall. When they had attached

the staircase to the inside of the wall, some of the grout connecting the bricks had begun to crumble. Daylight was now visible between quite a number of the bricks when one was standing inside the bar. However, Bobby had got to work and papered the inside of the bar's wall with attractive, stone effect wallpaper. "We'll just bear the cost of the wallpaper ourselves," he told Andy, "It'll be a gesture of goodwill to our customers."

Shirley was enjoying driving her employer's white van although she knew she was running late. She drove right at the speed limit of 40 miles an hour; she slowed down as she turned into the Site but then accelerated as she drove up the Club's road to the carpark. Unfortunately, as she sped round a bend in this road, she saw a huge stone trough containing the Club Crest beautifully displayed in flowers which was jutting out from the grass verge at the side of the road about 40 metres away. Calum had left the trough there a few minutes before this, intending to return for it as soon as he had prepared its permanent site beside the front door of the Clubhouse. There was plenty of room to get round the trough but Shirley was going too fast and she lost control of the van which sped on until it came to an abrupt halt against a concrete signpost showing the way to the Shop. The signpost toppled over and lay broken on the ground. Shirley was shocked but was thankful that she was otherwise unhurt. She got out and inspected the van. Its front bumper and bonnet were quite badly damaged. Charlie, Calum and Bobby had seen the accident and had come running across the carpark until they reached the van. Shirley opened the rear doors of the van and was greatly relieved to see that, despite the accident, the glass panels remained intact. Despite the damage to the van Shirley was able to drive it to the Clubhouse. With the help of Bobby and Andy, Shirley carefully manoeuvred the glass panels into place. As she lifted out the last panel Shirley's hand caught on a jagged edge where the glass had not been ground smooth. Blood began to pour from a deep cut in Shirley's hand. Bobby exclaimed, "I'd better get you to hospital, that cut will need stitches."

He helped Shirley into his car and took her to Holywell General Hospital. It turned out that Shirley needed ten stitches in the cut.

Bobby stayed with Shirley until she had been treated and then took her home. By the time he got back to the Clubhouse it was early evening. Andy had been busy in his absence. He had managed to grind down the jagged edge on the last glass panel and, together, the men managed to position it in the one remaining gap in the glass wall. All that remained to be done was to seal the slight gaps between the top of the glass and the restaurant roof. The restaurant was finished!

That evening Eamon met Ronald for a drink in the Dog and Biscuit, a pub on the Main Street in Holywell. Eamon told Ronald all about his plans for the Landing Deck on the bank of the Dundas and the footpath to the Willow Pool Kiosk. Ronald had a brilliant idea. He asked Eamon for permission to build a footbridge over the river from Home Park to Hunter Hill. Eamon had explained that the new footpath would start immediately to the west of the Landing Deck. Ronald explained that he could build the footbridge so that its southern end met the footpath. This would allow him and his visitors to have a short cut to the Willow Pool Kiosk. Eamon was happy to agree to this as Ronald was one of his most loyal customers and often introduced friends to the delights of fishing in Willow Pool.

By the evening of the 4th June everything was ready for the big day. Malcolm was enjoying giving the finishing touches to the Shop. Sally had been helping him with the displays but was still annoyed with Malcolm for not being quick enough to buy tickets for Helen and Damien to attend the Gala Dinner. Once it was advertised that Ian Shanks would be presenting the prizes all the tickets were sold within 48 hours.

By this stage most of the merchandise had arrived and Malcolm was delighted with the distinctive appearance of the new Club logo on the equipment and clothing. The only items which had not yet arrived were the special rain jackets ordered as prizes for the winners of the competition. However, Paul Milton from Sportsgear Ltd had assured Malcolm that they would be delivered on the morning of the 5th well in time for the presentation of the prizes at the Gala Night dinner.

The morning of the 5th dawned sunny and cloudless. There was great activity around the course from early morning. Paddy and Brian had completed an inspection of the Clubhouse. "It's amazing the transformation hard work and a bit of inspiration can bring," beamed Paddy.

The brothers were well pleased. The record entry for the day's Open Competition and the sale of all the tickets for the Gala Night were good omens for the days ahead.

The competition began with the first group of players starting to play at 8.00 am.

The competition was a great success. The course was in fantastic condition, the greens were immaculate and the sun shone all day. Having Simon, the Club chef, barbecuing burgers and hot dogs at the Coffee Dock had gone down really well with both golfers and spectators.

Malcolm had been so busy in the Shop selling merchandise that it was late in the afternoon before he realised that the jackets to be given as prizes had not yet arrived. Despite several calls to both Sportsgear Ltd and Paul Milton's personal mobile number Malcolm got no reply. "It looks like we are going to have to give £50 gift vouchers for the Shop as prizes instead," Malcolm explained to a disappointed Brian, "And the jackets will be completely useless even if we do get them later on."

Brian and Paddy were in for another disappointment. At 5.00 pm Paddy took a call on his mobile phone from Julia Armstrong of Appearance Matters Ltd. Julia explained that unfortunately they had double booked Ian Shanks and he would not be available to attend the Gala Night. However, they had asked David McNaughton to attend instead. Paddy was shocked and shouted, "Dancing Dave, that DJ on our local radio station?"

Julia assured Paddy that David would do a great job. Paddy was unconvinced but there was nothing he could do – David was already on his way. When Paddy discussed this with Brian they agreed that they would have to inform everyone who had purchased a ticket for the dinner – they did not want a riot when disappointed fans turned up and discovered Ian was not coming. They quickly posted the sad news on their Twitter feed and Facebook site. They promised to refund the cost of the tickets of anyone who decided not to attend because of this.

The Coffee Dock had been busy all day with thirsty golfers breaking for a drink and something to eat. Play had been slow but generally the players were good humoured even when they had time to spare whilst they ate. The competition went on so long that the chef had to return to the Clubhouse to supervise preparation for the evening's dinner so Calum was drafted in to cook the beef burgers and sausages for the final part of the afternoon.

By 7.00 pm Paddy and Brian were pleased with how the Open Competition had gone. Standing in the main entrance of the Clubhouse they were greeting guests for a drinks reception before the dinner. They were surprised to see James Brown pulling up in the carpark clutching some blackened lettuces. As James approached the entrance he began to shout and wave the lettuces. "Look what your idiot greenkeepers have done with your chemicals! All my crops are black. I can't fulfil my orders with Harrisons. I'm ruined!" He started to pull the flowers out of the stone trough and threw them around the carpark shouting, "See if you like having your plants ruined!"

Brian managed to move James into a side room where James told him that the undiluted fertiliser from the fractured barrel had seeped into nearly all of his outside vegetable beds, ruining the crops he needed to fulfil the next month's orders with Harrisons. It would also cost him a fortune to clean up the contaminated land.

Fortunately, the dinner itself was a success. Dancing Dave proved to be a competent guest speaker but the brothers calculated that thirty of the two hundred people who had originally purchased tickets had stayed away and taken up their offer of a refund because Ian Shanks was not making an appearance.

Charlie was fed up. He and Calum were sitting in one of the back offices in the Clubhouse. Despite all their hard work only Ozie had received an invitation to the Gala Night. Ozie had already given him a major telling off for the accident with the fertiliser barrel and he knew he had not heard the last about that incident. Charlie felt Ozie was always on his back. He never seemed to get any praise and felt he was badly paid. He grumbled to Calum who tried to console him by saying, "Once the band starts we'll go in and get a drink."

Calum realised that Ozie had left his brand new iPhone 10 on the office table. He picked it up intending to hand it back to Ozie the next time he saw him. Charlie said, "Let me have a look at Ozie's phone, I haven't seen an iPhone 10 up close before."

Calum handed the phone to Charlie who then dropped it into his pocket remarking, "Well, that can do instead of a bonus this month."

Calum was shocked. "You can't do that!" he exclaimed.

"Watch me!" said Charlie as he walked out of the room.

Calum could not believe what he had just witnessed. Usually Charlie was quite a sensible lad and Calum had never seen him take anything that did not belong to him.

"Never mind," he told himself, "Charlie doesn't mean that. He'll give the phone back to Ozie when he sees him."

Helen and her boyfriend Damien had spent a very pleasant evening at a photographer's exhibition at the Blooms and Buds gallery.

"Let's go on to the dance at the Golf Club," Helen suggested as they prepared to leave the gallery around 10.00 pm. Sally had just sent her a text to say that the band was great and there was lots of room – no one would care if they turned up.

Meanwhile things were getting noisy at the Golf Club. Rory McClean was sitting in the upstairs floor of the bar. He had been the runner up in the Open Competition and had been sulking all night; in fact he had done little other than drink beer since the dinner began. Rory's brother Todd had also taken part in the competition and he tried to cheer Rory up by pointing out that he hadn't even come in the top 20. This made Rory even angrier and he told his brother to shove off.

Rory's friend Sophia Wilson approached him and, in an effort to make conversation, said quite innocently, "Never mind Rory, maybe you'll win next year."

At this, Rory exploded and shoved Sophia against the safety rail around the mezzanine. This was made of wrought iron so it was very painful when Sophia's elbow hit one of the balustrades. Sophia danced around in pain, rubbing her elbow. Rory pushed past her and rushed down the stairs, spilling his beer which landed over Sally as she danced on the floor below. Her new silk dress was ruined; she knew she would never be able to remove the stain. Sophia's boyfriend, Neil Long, stepped in front of Rory. Rory was a good friend but Neil was upset with Rory for pushing Sophia.

Neil asked quietly, "What was that all about, Rory?"

Rory yelled, "What are you going to do about it?" and then landed a punch on Neil's nose. Neil crumpled to the floor.

By this time Sophia had recovered from the pain in her elbow. Rory was totally shocked by what he had done and was ineffectually trying to help Neil up. Sophia got Rory to help her get Neil out to her car which was parked in the Club carpark. She dropped Rory off at his home and then took Neil to Holywell General Hospital; by this time his nose was swelling up, making it hard to breathe. The doctor in the A and E department advised him that his nose was badly bruised and that the swelling should reduce after a week or so. Their evening ruined, Sophia drove Neil home.

Todd had followed Sophia out into the car park. He was relieved that Sophia had taken Rory away but now he did not know how he was going to get home. He had been depending on Rory for a lift home as he did not own a car. He really did not want to go back into the Clubhouse so he began to wander around the carpark. It was at this point that he noticed that the keys were still in the ignition of a beautiful Volvo XC60 car parked near the Clubhouse. It had a registration number PJH 1000. Todd guessed that this must be Paddy's car. Paddy lived in the next road to Todd's house. Todd decided that he would borrow Paddy's car, drive it to Paddy's house and then walk home from there. He had always wanted to drive a really nice car.

Todd really enjoyed the drive, it was the best part of the whole day. He was concentrating so hard he did not notice the uniformed figure of Constable Lewis Jones who was operating a vehicle check point outside Holywell. Constable Jones raised his torch and signalled Todd to stop but Todd just drove straight past him. Lewis was a local man and actually recognised Todd. "I wonder why young McClean is driving one of the Hunter's cars," he mused as he noted down what had happened.

Todd parked the car in Paddy's driveway, locked it and pushed the keys through Paddy's letterbox before walking home. What he did not know was that Paddy's teenage daughter Tracy had been watching all of this from her bedroom window.

After Rory left the Clubhouse, several of the other golfers had started fighting and a brawl ensued.

Sally phoned Helen and said, "Get here quick, there's a fight going on."

Helen had taken Damien down to Hamilton Bay in her car before heading to the Clubhouse – Damien had taken a photo of the Bay in the evening light and the two were now driving back up Seaview Road towards the Golf Club. As she sped along Seaview Road Helen clutched her phone under her chin; she was driving at about 65 miles per hour because she did not want to miss any excitement at the Club. She did not notice a police car parked at the side of the road. Constables Nolan and McMinn were in the car. They saw Helen talking on her mobile phone and they also noticed that she was eating popcorn out of a bag resting on her knees. As she continued along Seaview Road, the Police Officers watched as, still on her mobile phone and eating popcorn, she attempted to cross the main carriageway and turn right into the Golf Club entrance. She made no attempt to slow down as she performed this manoeuvre. As she crossed the carriageway she dropped her phone and bent down to pick it up; this made her lose all control of the car and she crashed into the path of an oncoming black Volkswagen Golf, driven by Sean Agnew.

Sean was on the way home to his house near Hamilton Bay after a day of cycle races held at the velodrome situated just outside Holywell. Sean had been delighted because he had won all of the races in which he competed. He had really enjoyed the day and the slap-up supper provided for everyone after the races had finished. He had been driving below the speed limit of 40 miles per hour and was totally shocked when Helen's car cut across his lane and ploughed into the front of his car on the driver's side.

Both drivers got out of their cars. No one was injured, but Sean's car was badly damaged, as was the bonnet of Helen's car. Constables Nolan and McMinn quickly arrived on the scene. They dealt with Helen but after a while Constable Nolan also noticed that Sean seemed to be extremely agitated and was unable to stand still; he kept hopping from one foot to another. Nolan noticed a small bottle sitting on the passenger seat of Sean's car bearing the label 'Lance Strongarm Cyclists' EPO'. Constables Nolan and McMinn seized the bottle and arranged for an analysis of its contents by the forensic laboratory the next day. The results of the analysis confirmed that the substance was in fact an illegal performance enhancing drug, which was a controlled drug.

Constable Nolan advised Sean that he was arresting him on suspicion of possession of a controlled drug. The police officers told Sean, Helen and Damien that they would be taken down to Holywell Police Station and that they would arrange for a breakdown recovery lorry to remove the damaged cars.

Helen and Paul co-operated with the officers but Sean promptly sat down on the grass verge at the edge of the road and refused to move. It was only after an hour that he finally agreed to go with the police constables and then only because he was too cold to "sit it out" any longer.

As this was going on Arthur Brent, one of the people who had taken part in the golf competition, remembered that after his round he had left his golf shoes in the Shop because they had been hurting his feet. He had brought clothes and shoes to change into for the dinner. Arthur thought now would be a good time to go and retrieve the shoes before it got any later. His left foot was still aching and he had been limping all evening and complaining to anyone who would listen about how sore his foot was. Arthur had drunk several gins before the meal and had consumed a bottle of red wine with his dinner. Despite the best efforts of his wife, Lillian, Arthur refused to stay at the dinner and insisted on going to the Shop to get his shoes.

Arthur started to weave his way across the carpark. It was only now that he began to wonder how he would get into the Shop but he was not going to back down and admit that Lillian had been right. When he got to the Shop he was not surprised to find that the front door was locked. However, he noticed the sash window beside the front door and, on the off chance, tried to push up the lower part of this window; it was unlocked! Arthur opened the window and struggled over the sill into the building. He entered the Shop and turned on the light. Arthur searched the Shop but could not find his shoes. However, he came across a pile of very expensive new cashmere sweaters and decided to try one on. He went into the changing cubicle at the front of the Shop to see what he looked like in this new jumper.

Meanwhile Ozie had decided to go home. As he was leaving the Clubhouse he was surprised to see a light on in the Shop. He decided to investigate. He used his master key to unlock the door of the Shop, stepped inside and walked towards the store room at the back of the premises.

At this point Arthur became aware someone else was in the Shop. He did not want any kind of confrontation so he quietly slipped out of the cubicle, still wearing the new jumper. Arthur was cross. He had lost his shoes and had just had a horrible shock. His left foot was still really sore. He decided that he was owed the sweater to make up for the miserable end to his evening. Arthur could hear someone in the store room so he decided that now was a good opportunity to leave the building. As he left the Shop he turned the master key (which Ozie had left in the lock of the front door) to prevent whoever was in the shop coming out after him. He took the key, intending to leave it back in the Clubhouse and then find Lillian.

As Arthur limped across the carpark he recognised Charlie talking to another man. Arthur saw Charlie hand the man a phone and overheard him say, "You're getting that new iPhone 10 at a great price."

When Arthur got back to the Clubhouse he discovered that Lillian had already gone home. He guessed that this was because she was annoyed at him. He left the master key on the counter in the Reception area and rang for a taxi. When the taxi arrived, and still wearing the jumper, he went home.

Lillian was surprised to find the new jumper on the bedroom floor the following morning but, because she was still cross with Arthur, refused to ask him anything about it; she just picked it up and put it in the wash basket. When she did her next clothes wash she completely ruined it by accidentally putting it in a hot wash. She was surprised that Arthur did not complain about this.

Around this time Paddy checked his phone and noticed that Tracy had sent him a text: "Why did Todd McClean leave your car home? Are you ok?" Paddy felt a chill go down his spine as he realised that he had left the keys in his car earlier on. He rang Tracy who was able to reassure him that the keys were in the house and the car was fine. "I'll sort that one out in the morning," he told Tracy, "There is too much happening here for me to leave now."

Fortunately, the fight following Rory's departure had quickly fizzled out without anyone getting hurt. Marcus Maloney had been an onlooker and had greatly enjoyed watching what he felt was the only excitement of the evening. Indeed he had been jumping up and down so hard that his silver cigarette case fell out of his pocket. Another guest, Jonathon ("Jonny") Kane, picked it off the floor and handed it back to Marcus.

Around midnight, Marion Brown suddenly noticed that the wallpaper was coming away from the wall in the downstairs bar. Just as she was about to mention this to her companions, a brick fell out of the wall. Fortunately it did not hit anyone but Marion's scream brought Brian rushing over to her table. As he arrived, another brick dropped from the wall. Brian realised that there was something seriously wrong with the wall. He quickly explained matters to Paddy and to Dancing Dave who came up with a brainwave. He announced that the night would end with a conga line out into the grounds. Paddy took up position at the head of the line and led everyone out onto the golf course, around the first and second hole and then back to the carpark.

By this time, Brian and the staff had brought the guests' coats out onto a trestle table which they had moved out from the building. Laughing and exhilarated, the guests all left to go home. Marcus Maloney's car was parked at the back of the carpark. As he unlocked the driver's door a man approached him. Marcus recognised him as the man who had given him back his cigarette case earlier that evening. The man was much bigger than Marcus. He growled in a low menacing voice, "You'd better give me that ciggy case if you don't want to end up the same way as young Long did – or even worse!" Marcus saw that the man had a large brass knuckle duster on his right hand which he waved under Marcus' nose.

Marcus was really frightened so he gave the man his cigarette case. The man then walked away. Much shaken, Marcus went to his friend Jennifer Burnett's house. Jennifer was having supper with her husband Alan who had just returned from an away match which he had played for his rugby team. Jennifer and Alan said that Marcus should report the matter to the police and offered to drive him to the station.

As they turned into Holywell High Street Marcus saw Jonny walking along the pavement. He could see the street lights glinting off the knuckle duster which was still on Jonny's hand. Given courage by Alan's presence he wound down the window and shouted, "Hey you! I'm going to report you!"

Hearing Marcus's voice but unable to work out from where the shouts were coming, Jonny panicked and began to run down the street. Jennifer parked the car and Marcus and Alan sprang out and started to run after Jonny. Jennifer followed and a minute later was surprised to find that Marcus and Alan had stopped and Marcus was picking something up from the pavement. "You'll never guess," he grinned, "The cigarette case has just dropped out of that guy's pocket, he doesn't even know it's gone! Look, it's not even damaged."

Marcus was delighted but he decided to report the incident anyway; he could give such a good description he thought the police would have no problem identifying the culprit.

When Paddy and Brian ventured back into the Clubhouse, the brothers noticed that a dozen more bricks had dropped from the bar wall. It was obvious that the grout which Andy and Bobby had hoped would tie the bricks together had not been able to fulfil a task for which it was not designed. Brian was furious. "Those idiot builders!" he shouted to Paddy, "Look, you can see straight through those gaps in the wall."

Paddy suggested that it would be wise for them to leave the building and join the staff in the carpark. As they walked out of the Clubhouse the brothers became aware of a strong burning smell and clouds of smoke rising into the night sky from the direction of the Coffee Dock. By the time they reached the scene of the fire the Coffee Dock was in ruins. Simon turned to Calum and asked whether he had remembered to damp down the BBQ with water after he had finished that afternoon. Calum was adamant that he had done this and that the fire was completely out before he left the Coffee Dock.

Once everything had been thoroughly soaked in water, everyone decided to go home. They were all very tired and depressed. On his way past the Shop Paddy heard someone calling. The keys were not in the lock. Brian mentioned that he had noticed the master key on the counter in Reception just as he was leaving the Clubhouse. He ran back to collect the key and used it to unlock the door. A very angry Ozie met them. By this time he had been locked in the Shop for over two hours. He explained what had happened but had no idea who had locked him in.

By 1.30 am Paddy, Brian and the staff finally went home. When he got to his house, Ozie realised that he had accidentally brought home a book on golf which he had lifted in the Shop in order to occupy himself whilst he was locked in. It was quite an expensive book so Ozie made a mental note to bring it back the following day.

On the morning of the 6th June Paddy and Brian surveyed the wreckage in the Clubhouse. They had collected Brenda Casement on the way. She confirmed their worst suspicions. The bricks used for the wall of the bar were of completely the wrong shape; the builders should have used specialised, slightly curved bricks which actually dovetailed into each other. She explained that the whole bar wall would have to be dismantled and rebuilt using the correct bricks. She had even worse news for the

brothers. When she looked at the glass wall in the restaurant she exclaimed, "I can't believe that wall is actually standing up!"

She showed Brian and Paddy places where the glass panels had already begun to crack. "That wall should have been built of triple glazed, toughened safety glass," she said, "This is only the sort of glass one uses in domestic buildings. It should never have been used in panels of this size."

Again, she had to tell Paddy and Brian that the glass wall would have to be removed and replaced with panels made from the correct type of glass. All of these works would cost thousands of pounds and would delay the re-opening of the Clubhouse by months.

Meanwhile, Ozie had realised that his phone was missing. He was so upset by this that he forgot to bring the book back to the Shop when he rushed back to the Clubhouse to see whether he could find his phone. He bumped into Paddy and explained that he would bring the book back the following day but that he was very worried about his phone. Despite looking everywhere the phone did not turn up. Eventually, Ozie realised that it must have been stolen. He then remembered that he had downloaded an app which allowed him to use his laptop to track the location of his phone.

He drove to Holywell Police Station where Constable Alison Murphy helped him to use the app. The phone was located at the house of Alfred Tucker. Tucker was a well-known small-time thief. Unfortunately, Constable Murphy was not able to get to Tucker's house until late that evening.

When Constable Murphy arrived at Tucker's house she asked him where the phone was. To begin with he denied everything but finally he admitted that he had bought the phone for £60 from someone called Charlie whom he had happened to meet in the carpark of the Golf Club the previous evening. Alfred professed to be totally surprised that the phone had been stolen. When Constable Murphy asked him to produce the phone he said that he had sold it to a man he had met in a pub that afternoon. Alfred said that he did not know who the man was. When Constable Murphy contacted Ozie he tried to use the app again but whoever had bought the phone had been smart enough to disable the tracking device at his end. The phone was gone for good.

Paddy and Brian were still trying to work out how the Coffee Dock had caught fire. Then Paddy remembered that Ronald Hobart had powerful CCTV cameras dotted around his property. Ronald was more than happy to share the video recordings from the previous evening with the brothers. One of his cameras had caught someone leaving the Shop about the time Ozie said he had been locked in. Paddy recognised the figure's distinctive limp – Arthur Brent had been complaining to him about his sore foot every time he bumped into him the previous evening. "Hey," shouted Paddy, "I know that man. And what's he doing wearing that sweater. He was only wearing a shirt earlier on."

Ronald had a camera situated on his boundary fence at the north east corner of Home Park. This was pointed along the boundary between the grounds of the market garden

and the golf course. When they looked at the footage from this camera they noticed a figure move towards the Coffee Dock. Both Brian and Paddy recognised Mike Coulter, whom they had dismissed after the incident with the cannabis plants. They were stunned to see Mike take a firelighter out of his pocket and set fire to the door of the Coffee Dock before running away towards the service strip. Ronald agreed to make the footage from both cameras available to the police.

On the evening of 6th June, Constables David McCann and Miriam Lewis were dispatched to Mike Coulter's home to question Mike about the incident the previous night. Mike's front garden was bounded by a high hedge with a gate giving access to the front path. Constable Lewis went to the front door of the house whilst Constable McCann took up position at the back door which opened onto a laneway running behind the house.

When Mike heard the doorbell he looked out of his living room window and saw Constable Lewis. He immediately ran out of the house through the back door, only to collide with Constable McCann. At this point, Mike kicked Constable McCann on the shin; this caused Constable McCann to lose his grip on Mike who turned and ran down the lane. Unfortunately for Mike he then bumped into Constable Lewis who managed to catch hold of him and then to handcuff him.

"We meet again, Mr Coulter," said Constable McCann as they led him to the police car.

As they got out of the police car on the busy street outside Holywell Police Station, Mike told Constable Lewis he was going to complain about police brutality. Constable Lewis gave the back of Mike's head a slap and joked, "You don't know the meaning of the word!" before leading him off to the interview room and getting him a cup of coffee and a bun to keep him going until his interview started. Mike enjoyed the bun but he was annoyed that Miriam had slapped him especially as this had been in front of so many people.

When Paddy and Brian got back to the Clubhouse they discovered a letter which had been hand delivered by Denise Watters. In the letter, Denise stated that she had been at the Open Competition the previous day and had taken the opportunity to look round the greenkeeper's Hut and storage shed. She had spoken to a very nice young man called Charlie who had explained that Brian and Paddy had managed to save money by hiring equipment rather than buying it. She had also noticed the brothers' two new cars in the carpark. She could only assume that the Bank's loan had not been used for its stated purpose and therefore she intended to take action against them immediately. The brothers looked at each other in horror. This was going to be another problem. All their plans lay in ruins.

"Why did we ever allow Emily to talk us into this?" groaned Paddy.

"And why did we allow Wilton to egg us on to do all the works on the golf course?" asked Brian, "We could have saved thousands if we had left the course as it was!"

"We are just too easily led," agreed Paddy, "We are too innocent and trusting for our own good."

SECTION A INSTRUCTIONS

In addition to the narrative set out on pages 2 to 29 you have been provided with a series of statements which appear in answer book A. These statements purport to set out civil actions which could arise from the events described in the narrative.

There are 25 correct statements; the rest are incorrect.

You should place an "x" in the box next to each of the statements which you believe to be correct.

You should not make any mark at a statement which you believe to be incorrect. With the exception of your anonymous number, you should not make any other marks on the answer book.

You will receive marks for each correct statement which you identify with an "x".

However, if you identify a statement as correct when it is, in fact, incorrect, the same amount of marks will be deducted as are awarded for a correct answer.

SECTION B INSTRUCTIONS

In addition to the narrative set out on pages 2 to 29, you have been provided with extracts from various statutes (the “statutory provisions”) set out on pages 32 to 40 and a series of statements which appear in answer book B. These statements purport to set out offences with which various individuals might be prosecuted under the statutory provisions arising out of the events described in the narrative.

There are 25 correct statements; the rest are incorrect.

You should place an “x” in the box next to each of the statements which you believe to be correct.

You should not make any mark at a statement which you believe to be incorrect. With the exception of your anonymous number, you should not make any other marks on the answer book.

You will receive marks for each correct statement which you identify with an “x”.

However, if you identify a statement as correct when it is, in fact, incorrect, the same amount of marks will be deducted as are awarded for a correct answer.

Criminal Damage (Northern Ireland) Order 1977

Article 3 – (1) A person who without lawful excuse destroys or damages any property belonging to another intending to destroy or damage any such property or being reckless as to whether any such property would be destroyed or damaged shall be guilty of an offence.

(2) A person who without lawful excuse destroys or damages any property, whether belonging to himself or another –

(a) intending to destroy or damage any property or being reckless as to whether any property would be destroyed or damaged; and

(b) intending by the destruction or damage to endanger the life of another or being reckless as to whether the life of another would be thereby endangered;

shall be guilty of an offence.

(3) An offence committed under this Article by destroying or damaging property by fire shall be charged as arson.

Misuse of Drugs Act 1971

Section 5 – (2)...it is an offence for a person to have a controlled drug in his possession....

(3)...it is an offence for a person to have a controlled drug in his possession...with intent to supply it to another...

(4) In any proceedings for an offence under subsection (2) above in which it is proved that the accused had a controlled drug in his possession, it shall be a defence for him to prove —

(a) that, knowing or suspecting it to be a controlled drug, he took possession of it for the purpose of preventing another from committing or continuing to commit an offence in connection with that drug and that as soon as possible after taking possession of it he took all such steps as were reasonably open to him to destroy the drug or to deliver it into the custody of a person lawfully entitled to take custody of it; or

(b) that, knowing or suspecting it to be a controlled drug, he took possession of it for the purpose of delivering it into the custody of a person lawfully entitled to take custody of it and that as soon as possible after taking possession of it he took all such steps as were reasonably open to him to deliver it into the custody of such a person.

Section 6 – (1) Subject to any regulations under section 7 of this Act for the time being in force, it shall not be lawful for a person to cultivate any plant of the genus *Cannabis*.

(2) Subject to section 28 of this Act, it is an offence to cultivate any such plant in contravention subsection (1) above.

Motor Vehicle (Construction and Use) (Amendment No. 5) Regulations (Northern Ireland) 2003

125A – A person shall not drive a motor vehicle on a road if he is using –

(a) a hand-held mobile telephone; or

(b) a hand-held device of any kind specified in paragraph (4).

Offences Against the Person Act 1861

Section 16 – A person who without lawful excuse makes to another a threat, intending that that other would fear it would be carried out, to kill that other or a third person shall be guilty of an offence and liable on conviction on indictment to imprisonment for a term not exceeding ten years.

Section 18 – Whosoever shall unlawfully and maliciously by any means whatsoever wound or cause any grievous bodily harm to any person, with intent to do some grievous bodily harm to any person, or with intent to resist or prevent the lawful apprehension or detainer of any person, shall be guilty of felony, and being convicted thereof shall be liable to be imprisoned for life or to be fined or both.

Section 42 – Any person who unlawfully assaults or beats any other person shall be guilty of an offence under this section ...

Section 47 – Whosoever shall be convicted upon an indictment of any assault occasioning actual bodily harm shall be liable to imprisonment for a term not exceeding 7 years...

Police (Northern Ireland) Act 1998

Section 66 – (1) Any person who assaults, resists, obstructs or impedes a constable in the execution of his duty, or a person assisting a constable in the execution of his duty, shall be guilty of an offence.

Public Order (Northern Ireland) Order 1987

Article 18 – (1) A person who in any public place uses –

(a) disorderly behaviour; or

(b) behaviour whereby a breach of the peace is likely to be occasioned,

shall be guilty of an offence.

Article 22 – (1) A person who, without lawful authority or reasonable excuse (proof of which lies on him), has with him in any public place any offensive weapon shall be guilty of an offence.

(2) In paragraph (1) “offensive weapon” means any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him or by some other person.

(3) A person guilty of an offence under paragraph (1) shall be liable —

(a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both; or

(b) on conviction on indictment, to imprisonment for a term not exceeding 4 years or to a fine, or to both.

Road Traffic (Northern Ireland) Order 1981

Article 90 – (1) Subject to the provisions of this Part, it shall not be lawful for any person to use, or to cause or permit any other person to use, a motor vehicle on a road or other public place unless there is in force in relation to the user of the vehicle by that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third-party risks as complies with the requirements of this Part.

...

(4) Any person who contravenes paragraph (1) shall be guilty of an offence under this Order.

Article 172 – (1) ... any person who, without having the consent of the owner or other lawful authority, takes or attempts to take, a motor vehicle, trailer or cycle for his own or another's use or, knowing that any motor vehicle, trailer or cycle has been taken without such authority, drives or attempts to drive it or allows himself to be carried in or on it shall be guilty of an offence under this Order.

(2) If on proceedings on indictment for an offence under this Article the jury is satisfied, or, on summary proceedings under this Article the court is satisfied, that the defendant acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked for it, the defendant shall not be liable to be convicted of the offence.

Article 175 – (1) If in any case, owing to the presence on a road or other public place of a mechanically propelled vehicle, an accident occurs whereby —

(a) injury is caused to any person other than the driver of that vehicle; or

(b) injury is caused to any animal other than an animal in or on that vehicle or owned by the driver of that vehicle; or

(c) damage is caused to any property other than that vehicle or property in or on that vehicle or property of the driver or owner of that vehicle,

the following provisions of this paragraph shall have effect —

(i) the driver of the vehicle shall, if the vehicle is not stationary after the occurrence of the accident, stop the vehicle,

(ii) the driver of the vehicle shall keep the vehicle stationary at or near the place where the accident occurred for such period as is reasonable in all the circumstances having regard to the provisions of sub-paragraph (iii),

(iii) the driver of the vehicle shall give to any constable on demand and to any other person who on reasonable grounds requires him to do so, his name and address, the name and address of the

owner of the vehicle and the identification mark or number of the vehicle,

- (iv) the driver of the vehicle shall if for any reason he does not give the particulars mentioned in sub-paragraph (iii) or (whether or not those particulars are given) the accident has directly or indirectly resulted in injury to any other person, forthwith report the accident and give those particulars and, where the vehicle is a motor vehicle, produce his certificate (within the meaning of Article 97(4)) at a police station or to a member of the Royal Ulster Constabulary so, however, that it shall be a good defence to any person charged under paragraph (2) with a contravention of the provisions of this sub-paragraph to prove that he had good cause for such contravention and that he reported the accident and gave the particulars at a police station or to a member of the Royal Ulster Constabulary as soon as was reasonably practicable after the occurrence of the accident.

(2) Every person who knowingly contravenes any of the provisions of paragraph (1) shall be guilty of an offence under this Order.

Article 180 – (1) A constable in uniform may require any person driving a mechanically propelled vehicle on a road or other public place or any person riding a cycle on a road or other public place to stop, and any person who fails to stop when he is so required shall be guilty of an offence under this Order.

Road Traffic (Northern Ireland) Order 1995

- Article 9 – A person who causes the death of, or grievously bodily injury to, another person by driving a mechanically propelled vehicle dangerously on a road or other public place is guilty of an offence.
- Article 10 – A person who drives a mechanically propelled vehicle dangerously on a road or other public place is guilty of an offence.
- Article 11 – (1) For the purposes of Articles 9 and 10 a person is to be regarded as driving dangerously if (and, subject to paragraph (2), only if) –
- (a) the way he drives falls far below what would be expected of a competent and careful driver; and
 - (b) it would be obvious to a competent and careful driver that driving in that way would be dangerous.
- (2) A person is also to be regarded as driving dangerously for the purposes of Articles 9 and 10 if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.
- (3) In paragraphs (1) and (2) “dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of those paragraphs what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.
- (4) In determining for the purposes of paragraph (2) the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.
- Article 12 – If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, he is guilty of an offence.
- Article 12A – (1) This Article has effect for the purposes of Articles 11A, 12 and 14.
- (2) A person is to be regarded as driving without due care and attention if (and only if) the way he drives falls below what would be expected of a competent and careful driver.
- (3) In determining for the purposes of paragraph (2) what would be expected of a careful and competent driver in a particular case, regard shall be had not only to the circumstances of which he could be expected

to be aware but also to any circumstances shown to have been within the knowledge of the accused.

(4) A person is to be regarded as driving without reasonable consideration for other persons only if those persons are inconvenienced by his driving

Article 13 – (1) The following provisions apply for the interpretation of Articles 14 to 21.

(2) In those Articles ... “the prescribed limit” means, as the case may require —

(a) 35 microgrammes of alcohol in 100 millilitres of breath,

(b) 80 milligrammes of alcohol in 100 millilitres of blood, or

(c) 107 milligrammes of alcohol in 100 millilitres of urine, ...

Article 15 – (1) A person who, when driving or attempting to drive a mechanically propelled vehicle on a road or other public place, is unfit to drive through drink or drugs is guilty of an offence.

(5) For the purpose of this Article, a person shall be taken to be unfit to drive if his ability to drive properly is for the time being impaired

Article 16 – (1) If a person –

(a) drives or attempts to drive a motor vehicle on a road or other public place, or

(b) is in charge of a motor vehicle on a road or other public place,

after consuming so much alcohol that the proportion of it in his breath, blood or urine exceed the prescribed limit he is guilty of an offence.

(2) It is a defence for a person charged with an offence under paragraph (1)(b) to prove that at the time he is alleged to have committed the offence the circumstances were such that there was no likelihood of his driving the vehicle whilst the proportion of alcohol in his breath, blood or urine remained likely to exceed the prescribed limit.

(3) The court may, in determining whether there was such a likelihood as is mentioned in paragraph (2), disregard any injury to him and any damage to the vehicle.

Theft Act (Northern Ireland) 1969

Section 1 – (1) A person is guilty of theft if he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it; and “thief” and “steal” shall be construed accordingly.

(2) It is immaterial whether the appropriation is made with a view to gain, or is made for the thief's own benefit.

Section 8 – (1) A person is guilty of robbery if he steals, and immediately before or at the time of doing so, and in order to do so, he uses force on any person or puts or seeks to put any person in fear of being then and there subjected to force.

Section 9 – (1) A person is guilty of burglary if –

(a) he enters any building or part of a building as a trespasser and with intent to commit any such offence as is mentioned in subsection (2); or

(b) having entered any building or part of a building as a trespasser, he steals or attempts to steal anything in the building or that part of it, or inflicts or attempts to inflict on any person therein any grievous bodily harm.

(2) The offences referred to in subsection (1)(a) are offences of stealing anything in the building or part of a building in question, of inflicting on any person therein any grievous bodily harm or raping any person therein and of doing unlawful damage to the building or anything therein.

Section 21 – (1) A person handles stolen goods if (otherwise than in the course of the stealing), knowing or believing them to be stolen goods, he dishonestly receives the goods, or dishonestly undertakes or assists in their retention, removal, disposal or realisation by or for the benefit of another person, or if he arranges to do so.

(2) A person guilty of handling stolen goods shall, on conviction on indictment, be liable to imprisonment for a term not exceeding fourteen years.

Vehicle Excise and Registration Act 1994

Section 29 – (1) If a person uses, or keeps, a vehicle which is unlicensed he is guilty of an offence.

(2) For the purposes of subsection (1) a vehicle is unlicensed if no vehicle licence or trade licence is in force for or in respect of the vehicle.

SECTION C INSTRUCTIONS

In addition to the narrative set out on pages 2 to 29 you have been provided with a series of statements which appear in answer book C. These statements purport to set out rights which parties mentioned in the narrative would require over the lands of other parties also mentioned.

There are 25 correct statements; the rest are incorrect.

Using only the information contained in the narrative, you should place an "x" in the box next to each of the statements which you believe to be correct.

You should mark as correct all rights identified in the narrative whether or not they would have been granted during the period covered by the narrative or may still require to be granted after that period has ended.

You should not make any mark at a statement which you believe to be incorrect. With the exception of your anonymous number, you should not make any other marks on the answer book.

You will receive marks for each correct statement which you identify with an "x".

However, if you identify a statement as correct when it is, in fact, incorrect, the same amount of marks will be deducted as are awarded for a correct answer.