

# GOLF GREENKEEPING

and Course Maintenance  
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British Golf Greenkeepers'  
Association  
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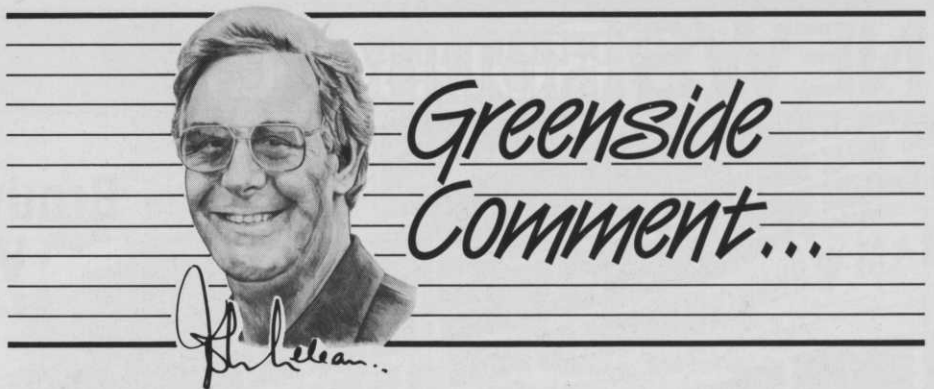
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## TREASURE HUNTERS CONVICTED

Last December we drew attention to the case before local magistrates concerning four young Birmingham men, accused of stealing 448 golf balls from lakes on the Brabazon Course at the Belfry. This was no ordinary ball scavenging affair but a highly organised operation with two men in wet suits scouring the bottom of the six foot deep lakes at night with two others, knee deep on the lake edge, with nets.

The presiding magistrate, realising the legal implications, decided to send the four accused on to the Crown Court for trial by jury. The outcome already widely publicised in the national press was a verdict of guilty, but as two of the accused had outstanding fines from other courts, the Recorder, Mr. Jonathan Goldring said he had decided not to add to their financial commitment, but gave all four a conditional discharge. Strange as it may seem a 'conditional discharge', where someone is found guilty but no punishment imposed is a conviction, despite the appearance to the general public that they have 'got away with it'.

The legal precedent now set, will outlaw the organised mass reclamation of lost golf balls on private property, but is unlikely to be used as a point of law against small boys finding the wayward drive in the woods.

After the verdict a spokesman from the Law Society was quoted as saying "It will be up to each court to look at individual cases, but picking up odd balls on a golf course is not likely to be regarded as a criminal offence".

The court ruling refers only to private courses and a situation arising from a similar foray on a public course could produce a different result.

St. Andrews, one of our best known public courses already has a local bye-law covering the searching for abandoned golf balls.

As we have said before, lost golf balls have always been regarded as one of the few perks for greens staff. Those who climb over the fence specifically to hunt for balls are dishonest whether the law says so or not. Without realising, many of these 'scrumperers' are putting themselves in grave danger and it is unlikely that any golfer's insurance would pay out to someone who was proved to be trespassing with intent to steal by finding, even if they did receive a fatal injury from a well hit ball.

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Grass Seed for the Golf Course  
Chinese grass carp. Nature's way of removing pond weed  
Looking for a new Job?  
How to prepare your curriculum vitae and compose an application letter

## CONVICTION AFTER GOLF BALL THEFT AT THE BELFRY

Four unemployed men from Birmingham were found guilty of theft last month after a two day trial at Warwick Crown Court which will be referred to as the Belfry Golf Ball Case in future legal argument.

The jury convicted them following a four hour deliberation after hearing how police apprehended the four in their car, drying themselves off.

Two men, Stephen Smith 21 and Christopher McGillivray 25 had been diving in the two lakes on the Ryder Cup Course wearing wet suits and two others John Forrester 24 and his brother Peter 22, waded knee deep along the edge of the lakes with ball nets. Their haul of 448 golf balls were claimed to be abandoned by golfers and they had not acted dishonestly by taking them. They all denied theft. Their defence counsel, Mr. Roger Smith said it was more like a modern form of scrumping.

The Recorder, Mr. Jonathan Goldring, imposing a conditional discharge said he had considered imposing fines, but because John Forrester owed £710.00 and his brother Peter £514 in fines from other court proceedings it would be wrong to add these outstanding penalties.

The prosecution in evidence submitted the four men, who all had

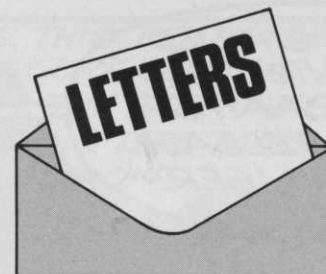
previous convictions for either theft, receiving or dishonesty had searched the bottom of the six foot deep lakes collecting lost balls and it was a straightforward case of theft.

The management of The Belfry stated the lakes were dragged twice a year to collect 10,000 lost balls and they sold them for charity. The 448 balls valued at £224 would now be returned to the Belfry to be auctioned.

After the trial Mr. Rene Brunet, The Belfry's General Manager, said he was delighted with the outcome of the case. He had been told this was a test case in the history of golf and he was sure everyone connected with the game both in the UK and across the world will be happy with the result.

He added "People picking up the odd golf ball are not a problem, but when it is 448, it is an important matter".

**Editors note:**  
(See Greenside Comment)



Dear Sir,

The February issue of *Golf Greenkeeping* has recently come across my desk, a little late and I read with interest Jonathan Peck's article on F.E.P.A. Your editorial comment was also interesting and I hope your members have taken note.

However I cannot let by, your 'Catch 22' comment about us, the trade!

Synchemicals has established a reputation, started by the late Douglas Gooding, for providing a sound and reliable training and advisory service on the safe use of spraying equipment and chemicals with scant reference to our own brands.

The F.E.P. Act is a challenging piece of legislation. To meet that challenge, clubs will need to re-examine their systems of working and will no doubt require more help with training and deciding on products and systems.

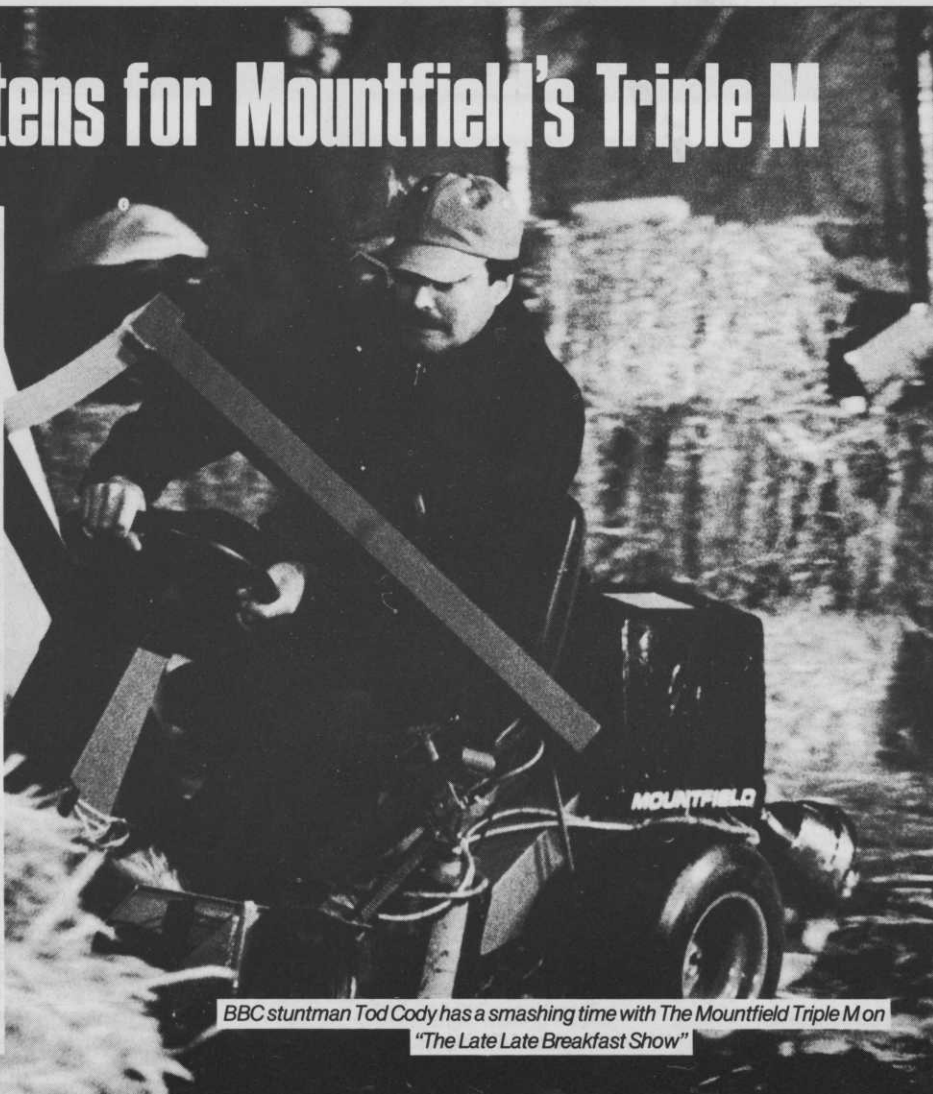
Yours sincerely,  
SYNCHEMICALS LTD.  
Jon Allbutt,  
Technical Manager.

## The pace hottens for Mountfield's Triple M

Addicts of the BBC's late Breakfast Show! might have spotted in the climax of Noel Edmond's recent Great Lawnmower Challenge, the unusual sight of a fiery Mountfield Triple M, wildly out of control and destroying all in its path, including the trophy display.

But disasters are not always what they seem. The crash was a stunt contrived to put a bit of visual life into the final race. The Triple used was not quite what it seemed either. Following some detail modifications, pre-race trials revealed it was capable of speeds in excess of 20 mph. Despite this potency, the Triple M was required to forget its usual impeccable good manners and *not* win the race, but rush around the track before staging a spectacular crash.

In its more sedate role manouverability, speed and a competitive price have been the major selling factors. The 1986 models are more refined than ever, with options for electric start, and five or seven bladed cylinders. The new machines might not be capable of 20 mph but they will cut large areas of grass more quickly and economically than any comparable machine, and with a new production line geared to speed up supply, Mountfield has developed a formidable flagship to lead its equipment range at home and abroad.



BBC stuntman Tod Cody has a smashing time with The Mountfield Triple M on "The Late Late Breakfast Show"