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Scott MacCallum visits Dougal Duguid, Head Greenkeeper at Westhill Golf Club, the man at the centre of a civil court case which had major implications for the game...

The end of a nightmare



Above: Dougal Duguid, Head Greenkeeper at Westhill Golf Club

Below: Our circle indicates the location from which Muriel Milne played her stroke

On Thursday June 1 in Aberdeen Sheriff Court a civil law suit decision was made public which, had it gone the other way, would have had earth shattering implications for the entire game of golf.

While this is a reason for greenkeepers throughout the world to breathe great sighs of relief for one man it spelt the end of a long nightmare and the removal of a cloud which had been hanging over himself and his career for almost six years.

Dougal Duguid, Head Greenkeeper at Westhill Golf Club, eight miles west of Aberdeen, was able to celebrate once his lawyer had made the call to tell him that the Sheriff had decided in his favour, eight months after the two day long court case, but since then he has reflected on the outcome and what could have happened if it had gone the other way. He also feels that, despite the positive result, there are still reasons for the greenkeeping profession to move forward with caution.

The incident which resulted in the court action occurred on June 22,

1994, on the 6th hole of the attractive and affluent Aberdeenshire club.

A tough uphill par-3 over water faced lady member, Muriel Milne, but her drive didn't quite have the elevation required to clear the roughed bank some 50 yards in front of the green. She found the ball and prepared to play her recovery shot with a 5-iron. Unfortunately the ball flew up and struck her in the face causing her to lose an eye. The accident was particularly tragic as she already had limited sight in her other eye.

Dougal takes up the story.

"About a year later I learned that the incident was going to lead to a court case," he recalled.

Initially Mrs Milne, who claimed it was caused by her ball rebounding off a stone which had negligently been left on the golf course, sued the golf club and Dougal for £220,000. However, when it was determined that as a member of the club herself it would, in effect, have meant her suing herself she dropped the case against the club and sued Dougal alone for a sum of £107,000.

"The Sheriff said in his judgment that I'd done everything that could possibly have been asked of me and that there was no responsibility on my side whatsoever for what had happened," explained Dougal, as we sat in the attractive clubhouse with views over the hillside course.

"But if the decision had gone the other way I would have jacked in my job. Every time golfers went out on the course I'd have been wondering if they would come in and sue me," revealed Dougal, who ironically lost his own eye while working on a piece of greenkeeping machinery almost 24 years to the day before the decision was announced.

"The last five years have been a nightmare. I've managed to stand up to it fairly well but my wife and daughter have suffered badly. There is no way I'd have put the family through this again I can tell you. I'd have just had to look for another job," said Dougal, well aware, that as the family lived in a tied house, of the sacrifices that would subsequently had to have been made.

Having said that he is delighted with the support he has received for the golf club he has served for 25 years.

"The club was right behind me from the start. It was the club's solicitor who took on my defence and any damages would have been paid by the club and its insurers," said Dougal.

"They could quite easily have turned round once the case against the club had been dropped and said I was on my own, but they couldn't have been more supportive," said Dougal, a point reinforced by the number of members who came up to him to offer their congratulations as we walked down to the place where the incident had occurred.

Having survived such a career threatening episode Dougal can now take a more relaxed view of what might have happened if the result had gone the other way and why golf need not necessarily feel it is out of the woods.

"If I'd lost the case every greenkeeper in Britain, if not the world, would have had to look again at his course, and you must remember that



If I'd lost the case, every greenkeeper in Britain, if not the world, would have had to look again at his course, and you must remember that golf courses tend to be built on fairly poor land. I genuinely believe it would have finished an awful lot of golf clubs.

Dougal Duguid

golf courses tend to be built on fairly poor land. For instance, many courses in Spain and Portugal are built on lava with rocks sticking out of the ground. I genuinely believe it would have finished an awful lot of golf clubs," stressed Dougal.

"What would be classed as an acceptable stone to leave on the course and an unacceptable one which had to be removed if seen?" he asked.

"In future the stone picking on a new course would not just be the fairways but the rough and every other area of the course as well. It would cost an absolute fortune to build a new golf course.

"Even then stones eventually come to the surface and we'd need four or five more staff to go out before any golfer teed off to check every hole for loose stones. Having said that if a stone was just under the surface there is no way you could know it was there," said Dougal.

"It may have meant that every time a golfer visited a club the greenkeeper, if he was to be held responsible, would have had to have a say in whether he or she was allowed on the golf course. Everyone would have had to have proved they had personal accident insurance, as well as third party in case they hit anyone else," said Dougal, painting a picture which aligns playing a round to golf to driving a car.

"Basically it would finish golf for juniors because many of them wouldn't be able to afford to take out cover."

He does believe that the golf unions and the R&A are going to have to look at wording signs to inform people that golf is dangerous and that anyone playing a course should be properly insured before doing so.

The subject of marker posts and ladies' forward tees also raises concerns with the threat of a ball rebounding off a post which had been placed by a greenkeeper.

"We may need to look at markers which are flush to the ground instead," said Dougal.

Asked if he himself thought differently when out on the golf course he agreed that, to a degree, he did.

"We check things a bit more. Being

in the middle of a residential area we have a lot of vandalism with beer cans and bottles finding their way on to the course. We pick them up as soon as we see them now rather than making a note to pick them up on the way back to the sheds. It has certainly made me think a bit more."

Westhill Golf Club has a dry stone dyke bordering part of the course which sports a sign advising people not to climb it. This raises another interesting point.

"If on a Saturday afternoon, when I'm not on the course, someone does climb the wall - and it does happen - and dislodges a stone and a golfer comes along, fails to see it, and hits it would I be liable to be sued?" he asked.

He also poses the question of what would have happened if the Sheriff hadn't been quite so impressed by his diligence on the course.

"In my case the Sheriff said I'd done all that could have been asked of me but there might be another case where a Sheriff decides that the greenkeeper hadn't done enough or it might be that a different Sheriff might take a different view... albeit that my case might give a bit of guidance," he said, while also raising the point that a distinction may have been made had he been a Course Manager and not a Head Greenkeeper.

Dougal recalled that the Sheriff had asked why there were no signs on the banking but that he'd said that he had no way of knowing which area stones were going to come through on a 25 year old course.

These issues are burning and will continue to burn for quite some time but one thing is certain Dougal Duguid can now get back to doing what he is best at, maintaining Westhill Golf Club for the benefit of members and visitors, without his mind wandering off to wonder "What if I lose..."

Anyone with a view on this case and the implications for golf should write to **Scott MacCallum, at BIGGA HOUSE, Aldwark, Alne, York YO61 1UF or email to scott@bigga.co.uk**

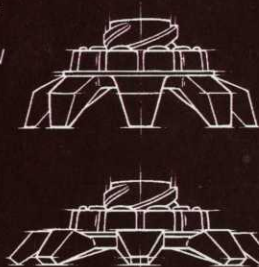


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Laurence Pithie, Director of Maintenance at American Golf (UK) Ltd, provides an insight into the management philosophy of a major golf course operator...



The business of golf



Above: The Blue Mountain Golf Centre, headquarters of American Golf (UK)

American Golf (UK) Ltd was established in August 1993 when the parent company American Golf Corporation took the opportunity to buy five clubs in the south of England. This was the first acquisition for the Santa Monica-based company outside the United States.

David Price, who is also the Chief Executive Officer, owns the company. An attorney by profession, his belief that golf clubs could be run on a better business footing is perhaps even more relevant today than back in 1967 when the first club was purchased in Los Angeles for \$1.

As we begin the new millennium the company owns or operates around 325 golf courses, all of which are in the United States with the exception

of 20 clubs, comprising 26 courses, in the UK. Although the company is based in California, the clubs are spread across many states including Hawaii and consist of Public, Private and Resort clubs. Today over 15,000 people are directly employed by American Golf.

American Golf (UK) Ltd is effectively one of the 10 regional divisions within the company and operates with a certain amount of autonomy being the only region on 'away' territory. Each region is similarly structured and operates within a well-defined company structure and strategy, although the UK does have its own finance department and external legal office. Geary Leathers, from Atlanta, Georgia, is the UK Managing Director and has served

the company for many years, gaining experience on both sides of the 'pond'. Geary leads a team of six Regional Directors who have responsibility for Finance, Acquisitions, Sales, Operations and Maintenance. The UK head offices are found at the Blue Mountain Golf Centre in Bracknell, Berkshire and provide a central location for the now considerable UK operation.

Each of the 20 clubs is similarly structured whether they are a 36-hole resort complex such as St. Mellion International with hotel and time-share lodges, or an 18-hole daily fee course such as Paultons Golf Centre near Southampton. At these clubs, a General Manager has overall responsibility for the property and he or she



Right: One of the five Ransomes E-Plex II greens mowers that are used on courses close to residential areas

liaise very closely with the Superintendent who is responsible for maintaining the golf course, driving range and usually a small number of golf cars. Both the General Manager and Superintendent are responsible to Regional Directors who assist in the smooth running of these facilities. This is a formula inherited from the United States which has stood the test of time, with the benefit that there is good communication, friendliness, effective management and good team spirit where everyone is working for a common goal.

Since 1993 the UK region has expanded considerably, employing over 1000 people, 160 of whom work full time on the golf courses. The objective is for continued growth, acquiring the right product that suits the AG (UK) criteria, which often involves significant investment, both in the clubhouse and on the course or driving range. With regard to the golf course itself, drainage, irrigation, and turf quality issues are usually the main areas where improvement is needed in order to reach the desired standard.

As well as improving the property, much time and investment is made in both people and equipment. Training tends to be on going with the result that the company can offer good career opportunities for those with the right skills, experience and aptitude. An example of this investment in people is that five of the current Super-

intendents were deputies within the company prior to gaining promotion and one of the Superintendents has been promoted to Regional Superintendent with added responsibilities in the given area.

With regard to maintenance equipment, American Golf has worked closely with Textron Turf Care over the last five years, forming a national agreement that has considerable benefits for both companies. This follows on the heels of a similar agreement to that which operates in the United States between Textron and American Golf Corporation that also includes E-Z-GO golf cars. With over 300 courses within the company's portfolio this involves a considerable amount of business.

The agreement provides American Golf with the opportunity to purchase a large range of equipment and golf cars at a cost-effective price and 'tap-in' to a large network of dealers who give valued support and back up when required. As with any major deal there are occasional hiccups along the way. However, it is fair to say that whenever these have occurred, effective communication allied with a genuine desire to help and supported by prompt action have ensured that the wheels stay firmly on track. This has resulted in the attainment of a high level of confidence from both parties since the signing of the initial agreement.

Below: Public courses like Addington need to be maintained on par with private clubs. The redesigned 3rd green surrounds provide the golfer with improved playing conditions



Textron also offers comprehensive parts back up for all equipment and has loaned machines to a number of clubs when the need has arisen. This is especially helpful when grass growth is prolific and unforeseen breakdowns occur. Trialling new machines such as the electric greens mower is also beneficial to both sides and it is here that feedback is so vital. American Golf now has five Ransomes E-Plex II electric greens mowers, the primary reason being the need to operate within closer proximity of residential areas without creating undue noise, especially at weekends when it is essential for staff to prepare the course ahead of play.

At each of the American Golf properties, a mechanic has the responsibility of maintaining and servicing the equipment. Each year Textron provides a training course with the aim of spending time on each of the main items of equipment used in order to run through fault finding, correct servicing procedures and a general hands-on approach to understanding more about each machine. One of the side benefits from these training courses is being able to telephone the appropriate Textron engineer who can then diagnose the problem and offer advice on what form of action to take. Since most clubs have similar equipment, word is soon passed round when common faults develop and these can often be rectified before problems arise. Again

feedback to Textron is vital since all equipment can develop faults and it is preventative action which helps to keep maintenance costs to a minimum and machinery working.

Not all items of equipment for maintaining a golf course can be supplied by Textron but since the current range includes Jacobsen, Ransomes,ushman, Ryan and E-Z-GO, there is a considerable choice. The ordering process is fairly comprehensive, with much advanced planning. This begins with the Superintendent trialling certain types of equipment that will be requested the following year. This is then discussed and agreed with the Director of Maintenance who then coordinates the orders from each of the 20 properties. Once provisional agreement is achieved within the UK, usually around November, a provisional list is then sent to Textron who can then plan its production and delivery time-scales. The agreed order is then placed sometime in January and that allows both sides to complete the transactions in time for the new season. Equipment required outside of this schedule enters the urgent order category and this usually applies to new properties that American Golf has recently acquired. Upon delivery the safe operation of each machine is explained and the eventual invoice signed for payment once satisfactory performance is gained. Perhaps the most important aspect of this agreement or any other is that there has to

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be good and effective communication between each company and in practice this works very well with regular meetings between both parties.

American Golf will continue to expand within the UK, aiming to acquire several properties each year and expanding and improving existing properties. Inner city courses owned by local authorities tend to be the poorer relation, often requiring major investment, whereas proprietary private clubs are usually better served.

All present unique challenges and it is essential that American Golf has the right people to tackle the job in hand. Interest in other countries is also on the increase and it is only a matter of time before the company spreads its wings even further afield. Irrespective of where a course is there is always the need for equipment and materials and establishing a good working relationship with our key suppliers is of great importance.

Below: Golf cars require regular servicing and Textron's training courses ensure that maintenance technicians have a comprehensive understanding of all equipment



BIGGA's Education and Training Manager, Ken Richardson provides information on up-coming training courses and BIGGA's agreement to sell Epani's OnCourse course management software

EDUCATION UPDATE

BIGGA House Training Courses 2000

The BIGGA HOUSE Training Courses have been revamped for the New Millennium to give all greenkeepers greater choice of training at very low costs, thanks to a generous subsidy from the Education and Development Fund, with a choice of residential or non-residential options. Learn to drive your computer and gain a European Computer Driving Licence, learn to manage yourself, manage your team, manage finance and budgets, manage resources, how to give briefings, reports and presentations and gain evidence towards N/SVQ. You will find full details of the BIGGA HOUSE Training Courses 2000 in the leaflet enclosed in this magazine and on the BIGGA website (www.bigga.org.uk) If you do not receive a copy of the leaflet or need further information then contact Ken or Sami at BIGGA House.



Regional Training Courses 2000/2001

We have tried to provide courses and locations requested by previous delegates on our Regional Training Programmes. Full details are given in the leaflet enclosed with this magazine and on our website (www.bigga.org.uk)



New for 2000/01, are courses cover-

ing Computer Skills which will give the chance to obtain a European Computer Driving Licence, a one day course on general horticulture, a one day course on risk assessment and manual handling. Make sure that you book early to make sure of your place.

If the course that you want is not being presented in your Region then contact myself, Sami or your Regional Administrator and we may be able to run further courses.

OnCourse

BIGGA and Epani Systems have now entered an agreement to sell OnCourse™ Golf Course Management Software in the United Kingdom. OnCourse™ gives golf course managers the tools to organise work schedules, keep track of machinery, calculate time and resources needed and monitor supplies and suppliers. Presented in modules, OnCourse™ is user friendly and requires only limited hardware resources and is very easy to use. It was developed by Epani after consulting Golf Course Managers all over the world and this British version was written following extensive consultation with BIGGA members.

OnCourse™ is constantly being modified to meet the demands of golf course managers and regular updates are issued, free, to licence holders, making OnCourse™ a valuable investment for your club.

The OnCourse™ package costs, a



very competitive, £800 + VAT which includes all software, documentation, one year telephone support and one year update contract. Installation and training can be arranged and costs £150 +VAT.

With the cost of hardware falling, you could have a state of the art office management system comprising computer, printer, scanner, MS Windows, MS Office and OnCourse™ for under £1600.

To order your copy, or to request further details and/or a demonstration disk contact the Education and Training Department at BIGGA HOUSE.

The BIGGA Essay Competition

There are just four months left to the closing date for the BIGGA Essay Competition 2000.

The subject is 'Managing Without Chemicals' Is it Possible? What are the Consequences? How would you Cope?

The winners in each category ie. Golf Course Managers/Head Greenkeepers, Assistant Greenkeepers aged 25 years and over and Assistant Greenkeepers aged 25 years and under each receive £500 and have their essay published in Greenkeeper International. Two runners up in each category will receive £100.

Get your thinking caps on sharpen those pencils and get writing your 1500 to 2000 word essay and send it to BIGGA HQ before the closing date of October 27 2000.



Success follows success

Only months after returning from his TORO Student of the Year trip to Massachusetts, New Orleans, Minneapolis and California, Tommy Givnan, Head Greenkeeper at Bowring Municipal Golf Club on Merseyside was present when the twelve members of the Knowsley Metropolitan Borough Council Greenkeepers Academy were presented with their NVQ Level 2 certificates by the Mayor of Knowsley, Councillor Bob Maguire.

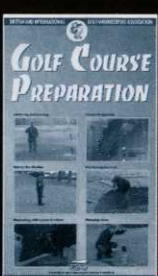
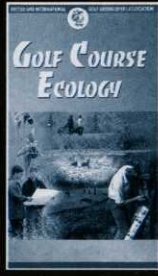
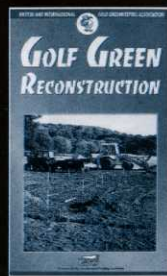
The Academy is based at Bowring and Tommy and his team have been involved in on the job training and assessment.

Academic training has been provided by Myerscough College lecturers Paul Morton and Paul McGrail. Readers of this magazine will remember that the Academy was set up in 1999, using funds obtained from the EC, to offer 12 youngsters the chance to be trained as greenkeepers and, hopefully move into full time posts at golf clubs.

Thanks to Myerscough's links with the Belfry, Academy students have gained valuable work experience on the Brabazon Course, working on the preparations for the Benson and Hedges International Open.

The twelve apprentices now move on to NVQ Level 3 and Knowsley are looking forward to having the Open Champion of the future as they are soon to open a golf academy. At their rate of progress, the Open venue Course Manager could well be a graduate of their Greenkeeping Academy.

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THE INDEPENDENT LEADER IN TURF CARE FINANCE

In May, Tracey Maddison, BIGGA's Membership Services Officer, welcomed almost 80 new members to the Association. This month, she would like to highlight some valuable money saving benefits for members...

Money, money, money!

Do you pay for your own membership subscription?

If you pay for your own subscriptions, then you can apply to the tax office for a refund of 23% of the subscription amount. For example on a Course Manager/Head Greenkeeper fee of £75 that's over £17! And a potential saving of £11.50 for an Assistant Greenkeeper.

The reason for this is that BIGGA is recognised by the Inland Revenue as a legitimate professional body, and membership fees to such bodies are eligible for tax relief.

To benefit, all you have to do, is inform your local tax office that you are paying your own fees, or

send them a completed form (available from BIGGA HQ), or visit www.bigga.org.uk. It couldn't be easier to save money on your membership!

Refund of Education/ Training Fees

Don't forget that all greenkeeping members who pay for their own fees are eligible to apply for a refund. In order to apply you must be able to meet the following criteria:

- You must be a member of BIGGA and have been a member for at least two years.
- You must have paid your own fees and be able to provide proof of payment eg. receipt/credit card slip or statement.
- You must have completed a course or component part of a course and be able to provide evidence of completion e.g. certificate/end of course report etc.

BIGGA welcomes...

Scottish Region

Graeme Beatt, East
 Ewan Brough, East
 Thomas Byrne, West
 James Campbell, Ayrshire
 Donald Clark, West
 Russell S Crighton, Central
 Iain C Elliot, East
 Craig S Irving, Ayrshire
 Alan D Leonard, West
 Ali N MacFadyen, Central
 Stephen McAdams, East
 Scott McLean, East
 Scott R McNeil, East
 Derek Pettigilo, East

Northern Region

Matt Bolton, Northern
 Kevin Crick, N East
 John H Daniel, Northern
 John Dobson, Northern
 Alan Evans, Cleveland

Steven P Foxcroft, N West
 Paul Gawthorpe, Northern
 David Goldstrong, N West
 Stephen Hatfield, Cleveland
 James Hall, N West
 Simon Hardcastle, Northern
 Colin Jones, N Wales
 Kevin O'Neill, N West
 Michael Patrick, Northern
 Mark N Pryce, Northern
 David Trevel, Cleveland
 John A Turner, N West
 Peter Turner, N West

Midland Region

Jacques M Barkhuizen, BB&O
 Malcolm Brooks, E Midland
 David G Collins, E Midland
 Ross P Fitzgerald, BB&O
 Derek Forster, E Midland
 Terry Fuggle, BB&O
 Paul Gethin, BB&O
 Colin Goldfinch, Midland
 Ben Hastie, BB&O

Andrew R Kelly, Midland
 Erik M Kinton, BB&O
 Andrew J Law, BB&O
 Frank C Lewis, Midland
 Lee Randall, BB&O
 Robert T Randall, BB&O
 Nicholas D Smith, Midland
 Alex Smith, BB&O
 Boyd Smith, BB&O
 Aaron D Smith, BB&O
 David Sparrow, E Midland
 Antony Venn, Midland
 Darren M Yates, Midland
 David W Yendall, E Midland

South East Region

Anthony Arter, Essex
 Phillip M Coleman, Kent
 Samuel Cook, Essex
 Judy R Hawkins, Essex
 Lee Histed, Surrey
 Sam Hoggett, Surrey
 Nicholas C Pomfret, Essex
 Chris Venables, Kent

S West & S Wales Region

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 Alistair Bruce, S West
 Kevin Griffiths, S West
 Peter R Morgan, S Wales
 Robin S Nicholas, S West
 Richard J Poneford, S West
 Ben P Shave, S West

Northern Ireland

Stuart D Davidson,
 Kyle Irwin,

Republic of Ireland

James M Fisher
 Con Nugent

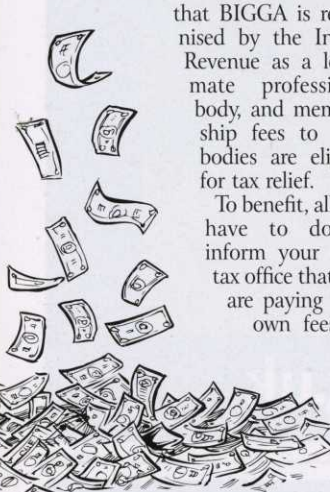
International Members

David F Bartley, Germany

Associate Members

Mark Atkins, Northern
 David M Evans, S West
 Graham F Prosser, N Ireland

Check out August's edition for June's new members!



- If you are starting a course in 2000, you may apply for a refund to be paid on course completion as in point c.
- The course must not be subsidised already by BIGGA.
- The course must be relevant to your job as a greenkeeper.

Members will be able to claim 80% of fees paid up to a maximum of £250. Contact BIGGA HQ for an application form.

And finally...

I would like to thank our Northern Ireland members for making Scott and myself most welcome on our recent visit. Although my third visit to Northern Ireland since I started with BIGGA, this was my first opportunity of seeing some magnificent golf courses and beautiful countryside. And as always it is a pleasure for me to meet our members face to face. So thank you!

A reminder to all members: Unfortunately, the 10% discount on car insurance was withdrawn in December 1999

The Web just got BIGGA

BIGGA relaunched its website in June 2000 in recognition of the increasing access and participation on the internet by Greenkeepers both in the UK and worldwide.

The new expanded site at www.bigga.org.uk has been completely redesigned and replaces the original website set up in July 1996.

A recent survey of members on the use of computers and access to the internet showed their increasing use and importance in Greenkeeping and as a result it was decided to develop the BIGGA site to expand the content and provide additional benefits.

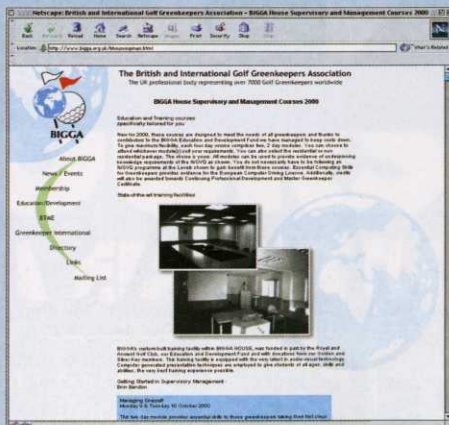
Features of the new site include sections dedicated to Membership, including a member's only area with jobs, a 'bulletin board' style discussion forum, and a searchable database of articles from Greenkeeper International magazine.

The Education & Training section provides career advice, competitions and training course details. There is a product Directory, to search for manufacturers, distributors and service providers.

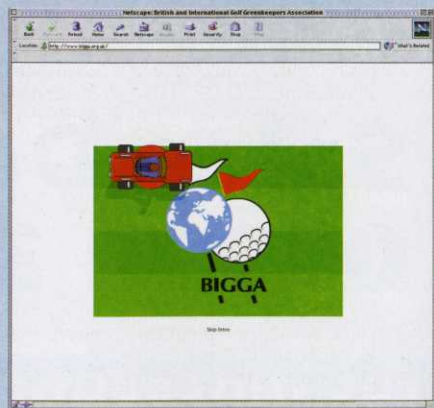
A links section with website hyper-links to hundreds of useful associations, golf clubs and training providers worldwide, offers a tremendous facility to 'surf' to other sites of interest within the industry.

News and events, gives a calendar of important meetings, shows and exhibitions in the greenkeeping diary.

The section dedicated to BTME, the turf industry's largest European indoor trade exhibition and conference, has a hall plan of exhibitors to help you plan your visit, or book stand space, with details of the conference and seminars are included.



www.bigga.org.uk



Extracts from Greenkeeper International, the association's award winning monthly magazine, are updated regularly in keeping with the aim to improve BIGGA's communication both with its members and people involved in greenkeeping and the fine turf industry. We hope you will visit the site and find it worthwhile, returning to on a regular basis, there are easy ways to let us know what you think and what you would like to see. We look forward to receiving your e-mail.