

SCOTTISH BORDERS COUNCIL
HAWICK COMMON GOOD FUND WORKING GROUP

MINUTE of MEETING of the HAWICK COMMON
GOOD FUND WORKING GROUP held in the
Tower Mill, Heart of Hawick on 18 September
2012 at 4.00 p.m.

Present:- Councillors A. Cranston, Z. P. Elliot, S. Marshall, D. Paterson (from para 4),
R. Smith, G. Turnbull.

In Attendance:- Legal and Licensing Services Manager, Senior Financial Analyst (A. Mitchell),
Estates Manager, Estates Surveyor (J. Morison), Property Officer – Hawick,
Committee and Elections Office (F. Walling).

MINUTE

1. There had been circulated copies of the Minutes of Meetings held on 19 June 2012 and 29 June 2012.

DECISION

APPROVED the Minutes for signature by the Chairman.

**FEASIBILITY OF COMMUNITY OWNED WIND FARM ON HAWICK COMMON GOOD
LAND AROUND PILMUIR**

2. With reference to paragraph 2 of the Minute of 16 November 2010, Mr Maybury from 'A Greener Hawick' (AGH) was in attendance at the meeting to give Members the results of a high-level feasibility study of windpower potential on the Hawick Common Good Land located to the south of Hawick. Mr Maybury explained that, when the Common Good Fund Working Group had given permission to carry out the study, a tender for the work had been put out and this had been won by Realise Renewables (RR). An Executive Summary of the RR report had been circulated to Members with the full detailed report including photomontages being available to view at the meeting. The report indicated that a wind energy project on the Hawick Common Good Land appeared to be feasible and, if the right financial support could be secured, it would be economically viable. However there were a number of constraints that may hinder the further development of a project, the main one being the restriction placed on further wind turbine development within the Eskdalemuir seismic monitoring station's safeguarding zone, which covered Hawick. Other technical constraints were also referred to and listed in the summary. Furthermore there were some objections to wind turbine development on Hawick Common Good Land. The report pointed out that without the buy-in of the community a project on the Common Good Land would be difficult to progress. Of the consenting issues the key matters were likely to be the cumulative landscape and visual impacts with operational and consented windfarms already located in the area. However the report went on to detail five possible project options in terms of number and heights of turbines and identified the most profitable project (3 x 80 m base-to-tip turbines) and the project that would provide the greatest rate of return (1 x 80 m base-to-tip turbine). Should the project be taken forward the report recommended the steps that should be taken from initial stages through to construction. Key to success would be a development project that clearly linked the benefits of the project directly to a strong shared vision for the future of Hawick and the surrounding rural areas. In conclusion Mr Maybury advised that AGH had decided not to take the project further at this time, pointing out that the organisation had insufficient manpower to push forward a major project and that there would be an objection from the Ministry of Defence at the planning stage.
3. Members thanked Mr Maybury for the work carried out by AGH and commended the comprehensive nature and quality of the report. There was agreement that the feasibility

study had been a useful exercise should the project be taken forward in the future. In response to a question about mitigation of seismic vibration created by wind turbines Mr Maybury confirmed that the technology was there and it was hoped there would be a resolution to this type of constraint to the development of projects in the near future. In the discussion that followed it was recognised that there were already huge divisions in Hawick about turbines on Common Good Land and that in general the views within the community about wind farms tended to be polarised. It was agreed that until there was community backing the scheme could not be taken forward but the level of work carried out to produce the report was appreciated.

DECISION

NOTED the report.

FINANCIAL OUTTURN 2011/12

4. There had been circulated copies of a report by the Chief Financial Officer setting out a monitoring statement of the financial outturn for 2011/12, variances against the 2011/12 final budget and the effect upon Revenue and Capital Reserves at 31 March 2012. The main points of the report were highlighted by the Senior Financial Analyst. The total expenditure for the year was £213,903, which was £49,356 below the budget for expenditure of £263,259. The total income of £135,391, including funding from the Revaluation Reserve of £35,853, was £4,983 less than the budget. This was due mostly to the declining income from the Common Haugh Market. The resultant decrease in Revenue Reserves of £78,512 was £44,373 less than the budget had required. A new appendix 1 had been produced which showed key information on the performance and activities of the Common Good Fund. Following discussion with regard to the Fund's current investments and the amount in the SBC higher interest Capital Loans Fund the Financial Analyst indicated that he would bring a report to the next meeting regarding the level of funds that should be maintained in the SBC Revenue Loans Fund.

DECISION

AGREED:-

- (a) **to approve the financial performance for 2011/12 as shown in Appendix 2 of the report; and**
- (b) **to note the key figures shown in Appendix 1 of the report; the details of Grant payments shown in Appendix 3; the balances on Revenue and Capital Reserves as shown in Appendix 4; the Balance Sheet as at 31 March 2012 provided in Appendix 5; and the performance of the property portfolio shown in Appendix 6 of the report.**

BUDGET AND MONITORING REPORT 2012/13

5. There had been circulated copies of a report by the Chief Financial Officer setting out a proposed budget for the year to 31 March 2013, details of transactions for the 3 months to 30 June 2012 and projections of the annual outturn with variances from the final budget and effect on Revenue and Capital Reserves at 31 March 2013. The Senior Financial Analyst explained that Income and Expenditure was projected to be in line with the proposed budget for 2012/13. A new appendix 1 had been produced to show key information on the performance and activities of the Common Good Fund. There was projected total expenditure of £197,040 and income of £105,244 supplemented by a draw of £35,853 from the Revaluation Reserve, resulting in an outturn net expenditure of £55,943 in line with the budget. It was pointed out that, of the total grant budget for the year of £33,000 there was just over £9,000 remaining available for grants for the rest of the year. Expenditure other than running costs included the property cost in the current year of Pilmuir Cottage restoration and the cost of a replacement shed at Pilmuir Farm. Appendix 5 to the report showed the current position with regard to the property portfolio and anticipated rents. In response to a question about whether there were any outstanding rents it was explained that

the collection of rents was dealt with by Customer Services. However the Financial Analyst advised that he would check the status with regard to any outstanding rents for the next meeting.

DECISION

AGREED:-

- (a) to approve the proposed budget for 2012/13;
- (b) to note the key figures shown in Appendix 1 of the report; the financial performance for 2012/13 as shown in Appendix 2 and Grants Analysis provided in Appendix 3; the projected balances on Revenue and Capital Reserves shown in Appendix 4; and the performance of the Property Portfolio as shown in Appendix 5 of the report.
- (c) that Members be provided with information at the next meeting on the status with regard to any outstanding rents.

FINANCIAL ASSISTANCE REQUESTS

Connor Telfer

6. There had been circulated copies of an application from the father of Connor Telfer, a member of the Scottish U18 Cycling squad, for grant assistance towards the cost of a Track Bike and T.T. Bike. Connor was racing for Hawick and Scotland U18 teams and participated in many events at Scottish and national level. Members discussed the application and in particular whether the Common Good Fund should be used to financially assist individuals. It was agreed that the policy on donations needed to be reviewed to ensure objectivity and consistency in processes.

VOTE

Councillor Turnbull moved that the application be continued until the policy had been revised. The motion was not seconded.

Councillor Paterson moved that a grant of £500 be awarded. The motion was not seconded.

Councillor Elliot, seconded by Councillor Marshall, moved that a grant of £300 be awarded. On a show of hands members voted as follows:-

*In favour of a grant of £300 – 4 votes
Against a grant of £300 – 1 vote*

Accordingly it was decided that a grant of £300 be awarded.

DECISION

- (a) **DECIDED** that a grant of £300 be awarded to Connor Telfer.
- (b) **AGREED** that a policy with regard to donations from the Common Good Fund be prepared for consideration and agreement.

URGENT BUSINESS

7. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

Hawick PSA Choir

8. There had been circulated copies of an application from Hawick PSA Choir for financial assistance of £700 to cover the basic costs of putting on a concert to raise funds for The Margaret Kerr Unit. Members discussed the application and pointed out that the Council had contributed towards for concert in previous years. However it was also noted from the accounts submitted that there had been a surplus from the concert accounts in both the previous years.

DECISION

AGREED to DECLINE the funding request from Hawick PSA Choir.

PRIVATE BUSINESS

9. **DECISION**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix I to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part I of Schedule 7A of the Act.

SUMMARY OF PRIVATE BUSINESS

Whitlaw Wood House

1. Members received an update from the Estates Manager.

HAWICK MOOR RACECOURSE

10. The Property Officer raised the issue of the access road to Hawick Moor Racecourse and explained that the road was deteriorating significantly despite approximately £500 per year being spent on patching repairs. The road was owned by the Common Good but was used for access to the Moor as part of Common Riding festivities and for race meetings. Numerous complaints were received about the condition of the road. Members were advised that a proper repair of the road would cost in the region of £15k - £20k. Members agreed unanimously that, although the road served the residents of the town, the Common Good Fund could not justify the expenditure to carry out a full repair to the road at this time.

DECISION

AGREED that patching work, to the limit of £500, be carried out again this year to the access road to Hawick Moor Racecourse and the issue be looked at again next year.

COMMON HAUGH CAR PARK

11. With reference to paragraph 4 of the Minute of 17 June 2010, the Property Officer gave an update about resurfacing work they felt was required to the Common Haugh Car Park. Members were reminded that although the car park site was owned by the Common Good this was on Scottish Borders Council's list of car parks that were "adopted for maintenance purposes". However the Legal and Licensing Manager confirmed that Environment and Infrastructure officers had decided that re-surfacing this car park was well down on the list of priorities and that therefore the Council would not be carrying out resurfacing work in the near future. Three quotes for resurfacing had been passed from the Roads section to the Property Officer, the cheapest of which was £14,250. The Property Officer pointed out that any work carried out should take place before the onset of winter weather if possible. There were differing views expressed by Members as to whether the Common Good should fund this work. It was felt that there was pride for the town in this free car park and that, as owner, the Common Good should stop its deterioration so that it would continue to be well used. However Councillor Turnbull believed that if the Common Good funded the repair work the future maintenance may also fall to the Common Good.

DECISION

AGREED to continue the discussion on funding the resurfacing of the Common Haugh Car Park to the next meeting.

URGENT BUSINESS

12. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.
13. Councillor Marshall passed on a request from the widow of Mr George Harrow for permission to put a bench in his memory in the paddock on Hawick Moor.

DECISION

AGREED to give permission for a bench to be placed on Common Good land in the paddock on Hawick Moor and that the property officer liaise with the family regarding the location .

PRIVATE BUSINESS

14. DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7A of the Act.

SUMMARY OF PRIVATE BUSINESS

Minutes

1. The Working Group noted the private Minutes of meetings held on 19 June 2012 and 29 June 2012.

Common Haugh Market Site

2. The Working Group received an update on lease arrangements.

St Leonards Farmhouse tenancy and grazing agreements

3. The Working Group received an update by the Estates Manager.

The meeting concluded at 6.15 pm