

**SCOTTISH BORDERS COUNCIL**  
**HAWICK COMMON GOOD FUND SUB-COMMITTEE**

MINUTE of MEETING of the HAWICK  
COMMON GOOD FUND SUB-COMMITTEE  
held in the LESSER HALL, HIGH STREET,  
HAWICK on 16 April 2013 at 4.00 pm

-----

Present:- Councillors Z. Elliot (Chairman), A. Cranston, S. Marshall, D. Paterson,  
G. Tumbull; Community Councillor Mr D. Nuttall (Hawick Community Council).

Apology:- Councillor R. Smith.

In Attendance:- Legal and Licensing Services Manager, Senior Financial Analyst (A. Mitchell), Estates  
Surveyor, Property Officer (Hawick), Democratic Services Officer  
(F. Walling).

**MINUTES**

1. There had been circulated copies of the Minutes of the Meeting held on 19 February 2013 and the special meeting of 12 March 2013.

**DECISION**

**APPROVED the Minutes for signature by the Chairman.**

**PROPERTY ISSUES**

**Hawick Moor**

2. With regard to paragraph 8 of the Minute of 19 February 2013 the Property Officer updated Members regarding work to the racecourse on Hawick Moor. As it had become apparent that the course rails were in a poor state of repair and presented possible safety risks the rails had been removed and replacement rails obtained from Musselburgh racecourse at a total cost of £3,300 for 5 furlongs in length. It was understood that the Hawick Common Riding Race Committee had agreed to donate £1000 towards the cost, and that there may be a further donation forthcoming. Members agreed that the balance of the cost should be met by the Hawick Common Good Fund and that the new rails be erected as soon as possible. The previously identified drainage and grass seeding works that were required had now been completed. The race course would be inspected as part of the round of site inspections to be carried out by Members of the Sub Committee.

**DECISION**

**AGREED that the balance of the cost towards the purchase of replacement railings for the race course on Hawick Moor be funded by Hawick Common Good Fund, on the understanding that a donation of £1000 had already been received towards the total cost of £3,300.**

**Pilmuir Farm**

3. With reference to paragraph 5 of the private Minute of 19 February 2013, the Estates Surveyor reported that he had received a communication from the agent to the tenant of Pilmuir Farm in which three areas of concern were detailed in relation to the responsibility of Hawick Common Good as landlord of the property. The first complaint was that the Common Good had done nothing tangible to address the damp conditions inside the farmhouse which the tenant believed was the responsibility of the landlord. The second issue related to the roller door which had been erected to replace swing doors on an outbuilding used to store feed. It was alleged that there had been an unacceptable delay in this work being carried out. The swing doors had been temporarily left in place when the new door was erected with the result that, in strong winds, the manager's leg

was injured when trapped by a swing door. Due to this injury the tenant claimed he had been required to recruit replacement labour to cover a busy period. Furthermore, now that the swing doors had been removed there was a gap at the top of the new roller door which allowed birds to access the stored animal feed, which was contrary to Animal Health regulations. Planned additional work to fill this gap had not yet been carried out. The tenant was therefore unhappy with the contractor who had been employed by the landlord to carry out the work on the doors, and had no confidence in this firm which had also been given the contract to remove and replace the straw shed at Pilmuir Farm. This was the third area of concern listed by the agent. The tenant also believed that the proposed new shed was not fit for purpose. Members discussed at length the issues raised and agreed that the Estates Surveyor write a response to the agent, in consultation with the Legal and Licensing Services Manager and Property Officer. It was noted that Pilmuir Farm would be included as part of the inspections carried out by Members of the Sub Committee.

#### **DECISION**

**AGREED that the Estates Surveyor, in consultation with the Legal and Licensing Services Manager and Property Officer, write to the agent of the tenant of Pilmuir Farm in response to the issues raised.**

#### **Fields at St Leonards**

4. Members were informed that the field drains needed repairing in an area of ground at St Leonards. The tenant had succeeded in draining away a volume of water that had collected in a corner of one of the fields but further work was required, for which a local contractor would be employed. A claim was being made by the Council against Scottish Water for damage to the drains that had occurred during installation of a new water pipe.

#### **DECISION**

**NOTED**

#### **PREMISES INSPECTIONS**

5. Members discussed and agreed arrangements pertaining to their site inspections of property owned by the Common Good.

#### **DECISION**

**AGREED that site inspections would be held on Thursday 2 May, starting at the gates to the racecourse at 2 pm.**

#### **PRIVATE BUSINESS**

##### **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 the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of Part I of Schedule 7A of the Act.**

### **SUMMARY OF PRIVATE BUSINESS**

#### **Minutes**

1. Members approved the private sections of the Minutes of 19 February 2013 and 12 March 2013 and received an update on property issues relating to Hawick Golf Course and the access to Whitlaw Wood House.

*The meeting concluded at 5.15 pm*