# 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, Hawick on 19 November 2013 at 4.00 p.m.

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Present:- Councillors Z. Elliot (Chairman), A. Cranston, S. Marshall, D. Paterson, G.

Turnbull, R. Smith; Community Councillor Mrs A. Knight (Burnfoot Community

Council and Mr D. Nuttall (Hawick Community Council).

In Attendance:- Legal & Licensing Services Manager (A. Isles), Senior Financial Analyst (A.

Mitchell), Estates Surveyor, Property Officer, Democratic Services Officer (J.

Turnbull).

MINUTES

1. There had been circulated copies of the Minute of the Meeting held on 18 June 2013.

#### **DECISION**

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

### **DECLARATION OF INTEREST**

Mrs A Knight, Burnfoot Community Council, declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the room during the discussion.

## REQUEST FOR FINANCIAL ASSISTANCE CONNECTING CLASSROOMS GROUP

2. With reference to paragraph 3 of the Minute of 18 June 2013 and paragraph 3 of the Minute of 22 August 2013, there had been circulated copies of an application from Connecting Classrooms Group for financial assistance of £1,000.00 towards travel and subsistence costs for five pupils to visit a school in Sierra Leone in October. Links with this school had existed since 2007. As requested by the Sub-Committee, the School had sent details of their financial position as at 8 November 2013 which identified that there was a £500.00 shorfall in their funding requirements.

### **DECISION**

AGREED to award a grant of £500.00 to Hawick High School for the Connecting Classroom Group visit to Sierra Leone.

### **DISCUSSION ON COMMON HAUGH**

3. Councillor Turnbull informed the Sub-Committee that he had been researching the Common Haugh Car Park. He had been able to determine that the former Borders Regional Council had agreed to maintain the car park and that Hawick Common Good would collect all rentals. He had been trying to ascertain if, since reorganisation, a lease had been agreed with Scottish Borders Council (SBC) but had been unable to determine if this was the case. Following a meeting Ward Councillors had on site with Mr Richardson from the Roads Division, he stated there was repair work to be carried out at the exit (Bell Mouth) which was estimated to be in the region of £5,000 to £7,000. The Legal and Licensing Services Manager confirmed that there had never been a lease agreed between the Regional and District as no consensus had been reached. Scottish Borders Council in having the car park listed on the adopted list accepted the car park for public liability insurance but as had been advised at earlier meetings in terms of the Asset Manager's Inspection Policy there was deemed no requirement for repairs at the present time; this was in line with the policy for all SBC car parks. The Chairman referred to the meeting with the Roads Engineer who had

agreed that the Council would pay towards the repairs (approximately £2,500), with Hawick Common Good Fund to pay the remainder. The Sub-Committee agreed that the matter should be deferred for further consideration at a special meeting to be arranged for 12 December 2013 at the Council Headquarters for clarification on the extent of the adopted car park and the location of the areas of land which required to have works carried out. The Roads Engineer would be asked to prepare a report and plan for the meeting and be asked to attend to answer questions from Members.

## DECISION AGREED:-

- (i) To defer consideration of the Common Haugh Car Park until the Meeting of the 12 December 2013; and
- (ii) To request that the Road Engineer prepared a report for consideration at the meeting, to include detailed costings for the works and a plan.

## MONITORING REPORT FOR 6 MONTHS TO END SEPTEMBER 2013 AND INVESTMENT LEVEL DETERMINATION

There had been circulated copies of a report by the Chief Financial Officer which reported that on 29 August the Council had approved the formation of an Investment Fund in accordance with the approved Single Investment Strategy for Common Good and Trust Funds. Common Good Sub-Committees had to determine the level of funding which they wished to transfer into this new Investment Fund. The investment fund was most suitable for funds to be held on a medium to long term basis so sufficient funds should be retained in the SBC Loans Fund for immediate use. Appendix 7 to the report set out the funds which were available for investment and the funds which the Sub-Committee might consider needed to be retained for current activities in the short term. Due to higher than initially anticipated work on properties, total expenditure was projected to be £23,070 in excess of the approved budget for 2013/14 and income was projected to be £525 less than budgeted due, in the main, to minor adjustments to rent and interest outturn projections. To make budget provision for this a budget virement was proposed as set out in Appendix 6 to the report. The report set out details of transactions for the six months to 30 September 2013, the projections of the annual outturn with variances from the current budget, virement to address a required budget change and the projected effect on Revenue and Capital Reserves at 31 March 2014. It also provided information to enable the Sub-Committee to recommend a level of funding to transfer into the New Investment Fund. Members reported that they had reduced the amount of Grants from £33,000.00 as shown in the report to £20,000.00; and that Hawick Rugby Football Club had received £1,000.00 and did not require any further grant relating to the application.

## DECISION APPROVED:-

- (i) The financial performance for 2013/14 as shown in Appendix 2 to the report;
- (ii) The key figures in Appendix 1 to the report, subject to the alternation of the total grants budget to £20,000.00;
- (iii) The Grants Analysis provided in Appendix 3 to the report, subject to the deletion of £1,000.00 provision of underwriting costs for Hawick Rugby Club;
- (iv) The projected balances on Revenue and Capital Reserves as shown in Appendix 4 to the report, subject to the alteration of net expenditure from £33,926.00 to £20,926.00;
- (v) The performance of the Property Portfolio as shown in Appendix 5 to the report.

\* AGREED to RECOMMEND that the sum of £350,000.00 be the level of funding transferred to the New Investment following consideration of the content of Appendix 7 to the report.

### LEASE OF VOLUNTEER PARK AND STAND TO BILL McLAREN PARK LTD

5. There had been circulated copies of a report by Head of Corporate Governance which sought to obtain the views of the Hawick Common Good Fund Sub-Committee regarding a request to indicate support to Bill McLaren Park Ltd for the development of a 3G playing pitch on land currently leased to the Volunteer Park Sports Committee. The Bill McLaren Foundation through its company, Bill McLaren Park Ltd, should it be successful in raising sufficient funding to undertake major improvements to the sporting facilities at the Volunteer Park, proposed to take on a lease of the park and stand in order to proceed with its development and to thereafter manage it for the benefit of the sporting fraternity and wider community. In this event the current lease to the Volunteer Park Sports Committee would be terminated to allow the development to proceed. The proposed improvements included the development of a new 3G synthetic pitch on the Volunteer Park as part of a sports centre for Hawick that would also include facilities at the neighbouring Buccleuch Park. The Volunteer Park Sports Committee was understood to have been consulted on the proposals by the Bill McLaren Foundation and was believed to be supportive of them. Members discussed the report it was felt that there should be a guarantee that existing user groups would be protected. The Legal and Licensing Services Manager reassured Members that the commitment they gave would be for a non-worsening situation with regard to user groups.

### **DECISION**

AGREED to authorise the Head of Corporate Governance to issue a letter (or letters) confirming their support in principle of grant funding applications the Bill McLaren Foundation (or Bill McLaren Park Ltd) might make in respect of their proposed development at the Volunteer Park, Hawick.

### WHITLAW WOOD HOUSE

Councillor Smith informed the Group that he had met with the owner of Whitlaw Wood House 6. who had asked for confirmation of their right of access. The owner was having problems with surface water, specifically over the Winter when the water was freezing and which hindered access up the track. The owner had asked whether it would be possible to dig a shallow ditch and soak away on the right hand side of the track, at the Golf Course verge, to mitigate the surface water problem. The Legal and Licensing Services Manager advised that Scottish Borders Council would not contest the right of access but that no outright grant had been made and any rights were not supported by any duty to maintain access to the house other than the common law position of non impediment. Members had discussed the matter at a meeting on 16 April 2013 and then resolved to take no action following advice from the Flood Prevention Programme Manager. To allow the owner to investigate further his proposed actions, Members considered that a porosity test should be carried out on the land where he proposed to site the soak away at his cost and that the owner of Whitlaw Wood House be required to indemnify the Common Good should any work be carried out for all actions following from such works. The Sub-Committee would consider again when the outcome of the porosity test was known.

## DECISION AGREED:

- (i) To authorise the Estates Surveyor to contact the owner of Whitlaw Wood House and advise him of the decision;
- (ii) To request the Estates Surveyor seek agreement from the owner of Whitlaw Wood House and the Golf Club to a porosity test being carried out; and
- (iii) To request the Estates Surveyor report back to a future meeting of the Sub-Committee

### PROPERTY UPDATE AND SUMMARY

### St Leonard's Farmhouse, Buildings

7. Members discussed the property inspection. The tenant had made improvements. The Chair requested if photographs could be provided for the next meeting.

### **DECISION**

AGREED that the Estates Surveyor provide photographs for the next meeting of the Sub-Committee for further consideration.

### **Music Festival on Hawick Moor**

8. Members were informed that an approach had been made to the Estates Surveyor as to the possibility of using Hawick Moor, which formed part of the leased Pilmuir Farm to hold a Music Festival in 2015. The Festival would take place over 2-3 days. Members expressed concern regarding access and safety and the impact on the current lease of the Farm.

#### **DECISION**

TO DEFER the request to hold a Music Festival in 2015 on Hawick Moor for further consideration.

### **Pilmuir Farmhouse**

9. There was reported continued problems with damp conditions and condensation inside the farmhouse. Noting that Peter Cox had already reported on this, the Property Officer agreed to arrange for a further report and estimate and would report back to the Sub-Committee. The ongoing replacement of old fences had not yet been completed and works would continue next year. It was further reported that the tenant of the farm wished the landlord to consider repairs to the silage pit floor in the coming year.

#### **DECISION**

AGREED To request that the Property Officer:-

- (i) arrange for a report and estimate on the recurrent damp and condensation within the farmhouse and report back to the Sub Committee; and
- (ii) arrange for a price for the silage pit floor to be resurfaced for the next meeting of the Sub-Committee.

### **FUN FAIR IN COMMON HAUGH**

10. The Estates Surveyor asked if a five year agreement might be considered from the Fun Fair to use the Common Haugh.

### **DECISION**

NOTED that the request should be submitted on a single yearly basis.

### **PROPERY INSPECTIONS**

11. The Estates Surveyor and Property Officer agreed to liaise with Members of the Sub-Committee to arrange dates in the early Spring on which to carry out inspections of all leased properties of the Hawick Common Good Fund.

### **DECISION**

NOTED.

### **URGENT BUSINESS**

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

## REQUESTS FOR FINANCIAL ASSISTANCE HAWICK SAXHORN BAND

13. There had been circulated copies of an application from Hawick Saxhorn Band for financial assistance of £4,350 towards the purchase of new instruments. The band promoted community interest in brass band music by giving instruction in brass instruments to band members and by way of a variety of public performances in the community. Representatives from the Band were present at the meeting and assisted members by confirming the price of instruments they wished to buy.

## DECISION AGREED:-

- (i) To award a grant of £2,500 to Hawick Saxhorn Band towards the purchase of new instruments; and
- (ii) That the Band applies to the Community Grant Fund for funding, and that the Club could submit a further request for funding to the Hawick Common Good Fund in the event of a shortfall.

### **PRIVATE BUSINESS**

**DECISION** 

14. 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.

### **URGENT BUSINESS**

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

### SUMMARY OF PRIVATE BUSINESS

### HAWICK GOLF CLUB

1. The Sub-Committee received a verbal report regarding Hawick Golf Club.

### WILLIESTRUTHER COTTAGE, HAWICK

2. The Sub-Committee considered a report from the Head of Corporate Governance.

The meeting concluded at 6.10 pm.



### \* Hawick COMMON GOOD FUND APPLICATION FOR FINANCIAL ASSISTANCE

Applicant Details	
Applicant Details	Hawick Reivers Association
Name and Address of	
Applicant/Organisation:	Hawick
, pp. cente o gameanom	TD9 7HH
Telephone No:	01450 372962
Address to which payment	Mr J Craig c/o JRW 19 Buccleuch St Hawick TD9 0HL
should be made:	
Activities	Hawick Reivers Festival has now become a well-established event in
Please supply a brief	the Hawick Calendar and has grown considerably over the 12 years
description of the activities	since its introduction. It brings visitors to the town from far and wide
of your organisation and	boosting the local economy and helping to raise Hawick's profile. It is
the benefits it brings to the	also greatly enjoyed by the people of Hawick and brings together
local community:	many diverse groups within the community to work to a common
	purpose
Assistance Requested	We are again requesting £2000 towards the overall running costs of
Please indicate the sum	the festival. As you will appreciate we suffered badly with the weather
requested and the	in 2013 and therefore reducing our capital.
purpose for which it will be	For 2014 we hope to introduce a number of innovations including
used:	bringing our main Saturday event out on to the High St to boost trade
	for the shops. We also plan a Reivers Banquet on the Saturday
	evening with entertainment and are aiming to keep the ticket costs
	low to allow families to attend. In addition this year we plan to give
	away (rather than sell) our programmes to try and increase public awareness of the event and boost ticket sales. We have also agreed
	with the Vision 2014 group to publicise their activities for the year
	ahead
	Our two main evening events will take place in the Auld Baths (as the
	town hall is already booked for a wedding)
	As it is 2014 we are also re-siting the fireworks display to Wilton
	Lodge Park and how to simulate the lighting of the Beacons around
	the perimeter of the area.
	The grant which we are seeking would contribute to all the above
	costs and allow us to maintain a policy of inclusivity by keeping many
	events free and allowing us to keep ticket prices low.
When will the donation be	For the festival which commences on 28th March 2014
required:	
If this is a one-off project	
then please give the	
following details –	
D-4- (-):	20th 4- 20th Manuel 2044
Date (s):	28 <sup>th</sup> to 30 <sup>th</sup> March 2014
Estimated total cost:	Approx £18000
Latinated total cost.	Applox 2 10000

Funds already raised by applicant's own efforts:

The group holds a surplus as detailed in the accounts

Funds raised or expected to be raised from other sources (please state sources):

We are projecting an income of approx £13500 from ticket sales, donations and sponsorship during the festival itself. This is based on our experiences in other years (though reduced last year due to weather conditions)

### Other information

If you have other information which you feel is relevant to this application please provide details including details of any previous assistance given:

I would be very happy to attend a meeting and speak to our request for on-going funding if you required this.

We appreciate that we have received funding in other years but we hope also that our successful efforts to sustain the festival and introduce new aspects will make it possible for you to assist us again

### Declaration

I hereby make application for assistance as set out above and certify that the information I have provided is accurate

Signed:

Position Held: Chairman

Date: 20th Dec 2013

Note: All applications from organisations MUST be accompanied by a copy of the latest audited accounts

This completed form, accounts and any supporting details should be submitted to the relevant area office –

Scottish Borders Council Area Offices, Corporate Resources Department, Newtown Street, Duns TD11 3DT. Telephone 01361 882600. (Duns Fund).

Scottish Borders Council Area Offices, Corporate Resources Department, Albert Place, Galashiels TD1 3DL. Telephone 01896 754751. (Galashiels, Lauder and Selkirk Funds).

Scottish Borders Council Area Offices, Corporate Resources Department, High Street, Hawick TD9 9EF. Telephone 01450 375991. (Hawick, Jedburgh and Kelso Funds).

Scottish Borders Council Area Offices, Corporate Resources Department, Rosetta Road, Peebles EH45 8HG. Telephone 01721 720153. (Peebles Fund).

<sup>\*</sup> Insert name of Fund.

HAWICK REIVERS ASSOCIATION
REPORT OF THE DIRECTORS AND
UNAUDITED FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31ST MAY 2013

## CONTENTS OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST MAY 2013

	Page
Company Information	1
Report of the Directors	2
Income and Expenditure Account	3
Balance Sheet	4
Notes to the Financial Statements	6
Chartered Accountants' Report	8
Detailed Income and Expenditure Account	9

### HAWICK REIVERS ASSOCIATION

### COMPANY INFORMATION FOR THE YEAR ENDED 31ST MAY 2013

**DIRECTORS:** 

Dr C S C Elliott Mrs E H Sangster G A Sangster J R Craig K Johnson

**SECRETARY:** 

R W A Bannerman

**REGISTERED OFFICE:** 

28 High Street

Hawick

Roxburghshire TD9 9BY

**REGISTERED NUMBER:** 

SC281910 (Scotland)

**ACCOUNTANTS:** 

JRW

Chartered Accountants 19 Buccleuch Street

Hawick Roxburghshire TD9 0HL

## REPORT OF THE DIRECTORS FOR THE YEAR ENDED 31ST MAY 2013

The directors present their report with the financial statements of the company for the year ended 31st May 2013.

### PRINCIPAL ACTIVITY

The principal activity of the company in the year under review was that of festival organisers.

### **DIRECTORS**

The directors shown below have held office during the whole of the period from 1st June 2012 to the date of this report.

Dr C S C Elliott Mrs E H Sangster G A Sangster J R Craig K Johnson

Other changes in directors holding office are as follows:

R W A Bannerman - resigned 27th August 2012

At the Annual General Meeting all the directors retire, but being eligible, offer themselves for re-election.

This report has been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

### ON BEHALF OF THE BOARD:

R W A Bannerman - Secretary

26th August 2013

## INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MAY 2013

N	otes	2013 £	2012 £
INCOME		11,843	15,832
Purchases		986	1,296
GROSS SURPLUS		10,857	14,536
Administrative expenses		11,712	16,393
OPERATING DEFICIT and DEFICIT ON ORDINARY ACTIVITIES BEFORE TAXATION	2	(855)	(1,857)
Tax on deficit on ordinary activities	3		_
DEFICIT FOR THE FINANCIAL YEAR		(855)	(1,857)

### BALANCE SHEET 31ST MAY 2013

		2013	2012
	Notes	£	£
CURRENT ASSETS			
Debtors	5	100	400
Cash at bank		5,282	5,907
		5,382	6,307
CREDITORS			
Amounts falling due within one year	6	150	220
NET CURRENT ASSETS		5,232	6,087
TOTAL ASSETS LESS CURRENT			
LIABILITIES		5,232	6,087
RESERVES			
Income and expenditure account	7	5,232	6,087
meome and expenditure account	,		
		5,232	6,087
		=====	====

The company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 31st May 2013.

The members have not required the company to obtain an audit of its financial statements for the year ended 31st May 2013 in accordance with Section 476 of the Companies Act 2006.

The directors acknowledge their responsibilities for:

- (a) ensuring that the company keeps accounting records which comply with Sections 386 and 387 of the Companies Act 2006 and
- (b) preparing financial statements which give a true and fair view of the state of affairs of the company as at the end of each financial year and of its surplus or deficit for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the company.

Page 4

### BALANCE SHEET - continued 31ST MAY 2013

The financial statements have been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies and with the Financial Reporting Standard for Smaller Entities (effective April 2008).

The financial statements were approved by the Board of Directors on 26th August 2013 and were signed on its behalf by:

Dr C S C Elliott - Director

Mrs E H Sangster - Director

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST MAY 2013

### 1. ACCOUNTING POLICIES

Accounting convention

The financial statements have been prepared under the historical cost convention and in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008).

### Grants

Grants receivable in respect of expenditure incurred during the year have been included in the Profit and Loss Account.

### **Investment Income**

Bank interest is accounted for when receivable.

### 2. OPERATING DEFICIT

The operating deficit is stated after charging:

Directors' remuneration and other benefits etc

£	£
-	-

2012

2013

2012

### 3. TAXATION

Analysis of the tax charge

No liability to UK corporation tax arose on ordinary activities for the year ended 31st May 2013 nor for the year ended 31st May 2012.

### 4. COMPANY STATUS

The company is limited by guarantee and not having a share capital. The members of the company are the trustees. In the event of the company being wound up, the liability in respect of the guarantee is limited to £1 per member.

### 5. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

		2013	2012
		£	£
Other debtors		100	400

### 6. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

		2013	2012
		£	£
Other creditors		150	220

2012

## NOTES TO THE FINANCIAL STATEMENTS - continued FOR THE YEAR ENDED 31ST MAY 2013

### 7. **RESERVES**

			Income and expenditure account
At 1st June 2012 Deficit for the year			6,087 (855)
At 31st May 2013			5,232

# CHARTERED ACCOUNTANTS' REPORT TO THE BOARD OF DIRECTORS ON THE UNAUDITED FINANCIAL STATEMENTS OF HAWICK REIVERS ASSOCIATION

In order to assist you to fulfil your duties under the Companies Act 2006, we have prepared for your approval the financial statements of Hawick Reivers Association for the year ended 31st May 2013 which comprise the Income and Expenditure Account, the Balance Sheet, and the related notes from the company's accounting records and from information and explanations you have given us.

As a practising member firm of the Institute of Chartered Accountants of Scotland, we are subject to its ethical and other professional requirements which are detailed at http://www.icas.org.uk/accountspreparationguidance.

This report is made solely to the Board of Directors of Hawick Reivers Association, as a body, in accordance with our terms of engagement. Our work has been undertaken solely to prepare for your approval the financial statements of Hawick Reivers Association and state those matters that we have agreed to state to the Board of Directors of Hawick Reivers Association, as a body, in this report in accordance with the requirements of the Institute of Chartered Accountants of Scotland as detailed at <a href="http://www.icas.org.uk/accountspreparationguidance">http://www.icas.org.uk/accountspreparationguidance</a>. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and its Board of Directors, as a body, for our work or for this report.

It is your duty to ensure that Hawick Reivers Association has kept adequate accounting records and to prepare statutory financial statements that give a true and fair view of the assets, liabilities, financial position and loss of Hawick Reivers Association. You consider that Hawick Reivers Association is exempt from the statutory audit requirement for the year.

We have not been instructed to carry out an audit or a review of the financial statements of Hawick Reivers Association. For this reason, we have not verified the accuracy or completeness of the accounting records or information and explanations you have given to us and we do not, therefore, express any opinion on the statutory financial statements.

JRW
Chartered Accountants
19 Buccleuch Street
Hawick
Roxburghshire
TD9 0HL

26th August 2013

# DETAILED INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MAY 2013

	2013		2012	
	£	£	£	£
Income				
Ticket sales	4,351		6,221	
Concert bar & raffle	889		1,821	
Programme sales & adverts	1,398		1,497	
Street collection	-		393	
Stand fees (stall holders)	265		545	
Torch sales			872	
Common good fund	1,000		500	
Ale and mulled wine	449		975	
Reiver merchandise	198		237	
Workshop & lecture fees	60		106	
Street banners	430		455	
Fireworks prize draw	725		460	
Sponsorship & donations	466		1,750	
Coffee morning	400		-	
Craft fayre	1,212		_	
		11,843		15,832
Purchases				
Purchases	506		816	
Reivers Ale Purchases	480		480	
		986		1,296
GROSS SURPLUS		10,857		14.526
		10,657		14,536
Expenditure				
Entertainers	6,425		10,055	
Website	8		72	
Adminstration	741		738	
Advertising	3,204		3,899	
Sites and venues	1,334		1,629	
		11,712		16,393
ALEX DEFLOYE				
NET DEFICIT		(855)		(1,857)