

SCOTTISH BORDERS COUNCIL
LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTE of the MEETING of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held in the LEADER'S OFFICE, Council
Headquarters, Newtown St Boswells on 19
June 2014 at 2.30 pm.

Present:- Councillors D. Parker (Chairman), J. Torrance.
Apologies:- Councillor I. Gillespie, Community Councillor A. Smith.
In Attendance:- Solicitor (H. MacLeod), Senior Financial Analyst (A. Mitchell), Estates Surveyor
(J. Morison), Democratic Services Officer (F. Henderson).

MINUTE

1. The Minute of Meeting of 24 February 2014 had been circulated.

DECISION

NOTED for signature by the Chairman.

APPLICATION FOR FINANCIAL ASSISTANCE – LEADER LEISURE CENTRE

2. With reference to paragraph 3 of the Minute of 24 February 2014, there had been circulated copies of the certificate registering Lauder Community and Leisure Centre as a Scottish Charitable Incorporated Organisation, a copy of the Memorandum of Association of Leadervale Leisure Limited, a copy of the Business plan for Lauder Leisure Centre and a copy of the up to date accounts in respect of Leadervale Leisure Ltd which had been provided in an attempt to clarify the position. Mr Mitchell highlighted that the charitable status certificate referred to Lauder Community and Leisure Centre and not Leadervale Leisure Limited and a constitution had not been provided. During discussion it was highlighted that the Business Plan supplied contained no financial basis, there was no evidence provided that applications had been made to other funding sources, no breakdown of income was supplied and no projections. Following discussion, it was agreed that the information provided remained insufficient to make a decision and that further information be sought and presented to the Lauder Common Good Fund Sub-Committee at its next meeting scheduled to be held on 26 August 2014.

DECISION

AGREED that consideration of the application be further deferred to 26 August 2104 to allow the following information to be supplied:-

- **Detailed Business Plan with finance details**
- **Evidence of applications made to other funding sources**
- **A breakdown of income**
- **Details of financial projections**
- **A copy of the constitution for the Lauder Community and Leisure Centre**

LAUDERDALE COMMUNITY COUNCIL

3. There had been circulated copies of an application for financial assistance from the Lauderdale Community Council to help with the supply of new flower boxes in Lauder which was part of the on going Lauder in Bloom project. The application was in the sum of £480 and further explained that additional funding was being raised by sponsoring planters within the town.

DECISION

AGREED to award a grant of £480 to the Lauderdale Community Council in respect of new flower boxes for the Lauder in Bloom project.

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

Minute

1. The Sub-Committee noted the Private Minute of the meeting of 24 February 2014.

URGENT BUSINESS

2. 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 keep Members informed.

Heating Upgrade for Lauderhill Farmhouse

3. Mr Morrison provided a verbal update on progress with the installation of a new boiler and central heating system at Lauderhill Farmhouse.

The meeting concluded at 2.40 pm.

Monitoring Report for 6 Months to end September 2014

Report by the Chief Financial Officer

Lauder Common Good Sub Committee

28 October 2014

1 PURPOSE AND SUMMARY

- 1.1 **This report sets out details of transactions for the 6 months to 30 September 2014, the projections of the annual outturn with variances from the proposed budget and the projected effect on Revenue and Capital Reserves at 31 March 2015.**
- 1.2 The outturn is projected to be in line with the proposed budget for 2014/15, which has been based upon prior year activity, anticipated expenditure and rental income. The net budget expenditure of £6,226 can be funded from Revenue reserves and takes no account of possible income of £5,000 from any extension of access rights to the proposed Muircleugh Windfarm. Approval of the proposed budget is sought.

2 RECOMMENDATIONS

- 2.1 **It is recommended that the Common Good Sub Committee**
- (a) approves:-**
- (i) the financial performance for 2014/15 as shown in Appendix 2**
 - (ii) the proposed budget for 2014/15 as shown in Appendix 2;**
- and**
- (b) notes:-**
- (i) the key figures shown in Appendix 1**
 - (ii) the Grants Analysis provided in Appendix 3**
 - (iii) the projected balances on Revenue and Capital Reserves as shown in Appendix 4**
 - (iv) the performance of the Property Portfolio as shown in Appendix 5.**

3 PROJECTED OUTTURN 2014/15

- 3.1 Appendix 1 brings together key financial data on the Revenue performance and Balance Sheet situation for 2014/15.
- 3.2 Appendices 2 to 5 provide details on the Revenue budget in an extended format, Grants paid and payable, Revenue and Capital reserves and the performance of the Property Portfolio.
- 3.3 No provision has been made in the budget or projected outturn for possible income of £5,000 from a requested extension to the access option for the proposed Muircleugh Windfarm.
- 3.4 Property expenditure is budgeted at a higher level than last year due to the work being undertaken on the cottage on Lauder Hill as agreed last year.
- 3.5 The Renwick Bequest is not shown in the balances since it was fully utilised last year for the work in the park.
- 3.6 Taking all of the above into consideration the Common Good Fund is projecting total expenditure of £35,990 and income of £20,536 supplemented by a draw down of £9,228 from the Revaluation Reserve, resulting in an outturn net expenditure of £6,226.

4 REVENUE & CAPITAL RESERVES

- 4.1 Appendix 4 shows the effect on accumulated reserves of the projected outturn for 2014/15.

5 INVESTMENT

- 5.1 Following the Council's approval on 12th December 2013 of the Lauder Common Good Sub Committee's proposal to invest £195,000 in the Newton Fund, the transfer of funding was made. On 31 March 2014 this investment had a Market Value of £198,817 and during 2013/14 and the first quarter of the current year it is performing ahead of target.

6 IMPLICATIONS

6.1 Financial

There are no financial implications, other than those explained above in Sections 3, 4 and 5.

6.2 Risk and Mitigations

No significant risk to the financial position of the fund is identified.

6.3 Equalities

It is anticipated that there are no adverse equality implications arising from the proposals contained in this report.

6.4 Acting Sustainably

Whilst there are no economic, social or environmental effects arising from the proposals contained in this report, there are, through the activities reported upon, positive impacts upon the quality of community life and improvements in local amenities. The potential improvement in levels of income through the use of the new investment fund will act to make the Common Good Fund more sustainable in the future.

6.5 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to the Scheme of Administration or Scheme of Delegation arising from the proposals contained in this report.

7 CONSULTATION

- 7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and all comments received have been incorporated into the final report.

Approved by

David Robertson - Chief Financial Officer Signature

Author(s)

Name	Designation and Contact Number
Andrew R S Mitchell	Senior Financial Analyst, Corporate Finance. 01835 824000 Extn 5974

Background Papers:

Previous Minute Reference:

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Andrew Mitchell can also give information on other language translations as well as providing additional copies.

Contact us at Andrew Mitchell, Senior Financial Analyst, Corporate Finance, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 824000 Extn 5974
Fax: 01835 825011, email: amitchell@scotborders.gov.uk

LAUDER COMMON GOOD

Appendix 1

Key Figures on Projections for 2014/15

		Projected Outturn for year to 31.3.15		
		£	£	£
Revenue Reserve Opening Balance				33,204
Income				
	Property Rents		9,905	
	Newton Fund Dividends		4,400	
	Interest from funds held by SBC		150	
	Interest from Loan to Golf Club		550	
			<u>15,005</u>	
Expenditure				
	Net Central Support Services			
	Recharge	4,231		
	Property Costs	12,000		
	Grants	5,000		
		<u>21,231</u>		
Excess of Regular Expenditure over Income				<u>6,226</u>
Projected Revenue Reserve Balance at year end				<u><u>26,978</u></u>

Projected Outturn for 2013/14 Capital Reserve

Capital Reserve Opening Balance	203,627	
Projected movement in year	<u>0</u>	
Projected Capital Reserve Closing Balance		<u><u>203,627</u></u>

Liquid Funds

The Assets of Lauder Common Good include funds held by SBC rather like a Common Good Fund's Current Bank Account

	£
As at 31 March 2014 the balances on this account was	<u><u>9,485</u></u>

Loan Funds

The Common Good fund made a loan to Lauder Golf Club of £25,000 which will be repaid in full by 1.7.2022

	£
At the start of the year the outstanding balance was	21,256
Principle to be repaid in the current year is	<u>2,320</u>
Projected outstanding loan at the year end	<u><u>18,936</u></u>

Investment

A £195,000 transfer of funds into the Newton Fund was approved and made in 2013/14. The fund has performed ahead of target and the changes in valuation are shown below.

	£
External Investment - Newton Fund cost	195,000
Newton Fund valuation 31.3.2014	198,817

LAUDER COMMON GOOD FUND

REVENUE BUDGET MONITORING 2014/15

Description	Proposed Current Budget for the year to 31.3.15	Actual Transactions to 30.9.2014	Over spend to date against full year budget	Under spend to date against full year budget	Projected Outturn for year to 31.3.15	Projected over spend for year against full year budget	Projected under spend for year against full year budget
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	£	£	£	£	£	£	£
Expenditure							
Property costs	12,000	9,205		2,795	12,000	0	
Central support recharges	9,762	0		9,762	9,762	0	0
Administration	0	0		0	0	0	0
Depreciation	9,228	0		9,228	9,228	0	0
Donations and contributions	5,000	480		4,520	5,000	0	0
Total Expenditure	35,990	9,685	0	26,305	35,990	0	0

SCOTTISH BORDERS COUNCIL

Appendix 3

LAUDER COMMON GOOD FUND

DONATIONS AND CONTRIBUTIONS PAID AND APPROVED 2014/15

	Date Approved	£	£	£
Proposed Budget for 2014/15				5000
Paid as at 30 September 2014				
New Flower Boxes	19.6.14		480	
Total paid as at 30 September 2014			<u>480</u>	
Approved but not paid as at 30 September 2014				
Total approved but not paid as at 30 September 2014			<u>0</u>	
Total paid and approved as at 30 September 2014				480
Remaining Budget available for 2014/15				<u><u>4,520</u></u>

SCOTTISH BORDERS COUNCIL

Appendix 4

LAUDER COMMON GOOD FUND

PROJECTED RESERVES AT 31 MARCH 2015

Revenue Reserve

	£
Balance as at 31 March 2014	33,204
Less projected net expenditure for 2014/15	<u>-6,226</u>
Projected balance at 31 March 2015	<u>26,978</u>

Capital Reserve

	£
Balance as at 31 March 2014	203,627
Projected movement during 2014/15	0
Projected balance at 31 March 2015	<u>203,627</u>

Monitoring Report for 6 Months to end September 2014

Report by the Chief Financial Officer

Lauder Common Good Sub Committee

28 October 2014

1 PURPOSE AND SUMMARY

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- and**
- (b) notes:-**
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6.5 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to the Scheme of Administration or Scheme of Delegation arising from the proposals contained in this report.

7 CONSULTATION

- 7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and all comments received have been incorporated into the final report.

Approved by

David Robertson - Chief Financial Officer **Signature**

Author(s)

Name	Designation and Contact Number
Andrew R S Mitchell	Senior Financial Analyst, Corporate Finance. 01835 824000 Extn 5974

Background Papers:

Previous Minute Reference:

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Fax: 01835 825011, email: amitchell@scotborders.gov.uk



**LAUDER COMMON GOOD FUND
APPLICATION FOR FINANCIAL ASSISTANCE**

<p><u>Applicant Details</u> Name and Address of Applicant/Organisation:</p> <p>Telephone No:</p> <p>E-mail address:</p>	<p>Lauderdale Library c/o The Old Jail Mid Row Lauder TD2 6SZ</p> <p>Cathy Rooney (Treasurer) T. 0131 536 5975</p> <p>Cathy.rooney@tesco.net</p>
<p>Address to which payment should be made:</p>	<p>Bank of Scotland Lauderdale Library Treasurers Account Branch: Newtown St Boswells Sort Code: 80-17-91 Ac No. 00407900</p>
<p><u>Activities</u> Please supply a brief description of the activities of your organisation and the benefits it brings to the local community:</p>	<p>Lauderdale Library was established over 12 years ago following a survey of local residents by Lauderdale Community Council on the development of local facilities and amenities.</p> <p>The Library is run entirely by volunteers (12 at present). It has over 2500 books covering all fiction genres, junior fiction, childrens' picture books, history, biography and a local reference section. There are about 150 borrowers from Oxton, Lauder and Blainslie and the surrounding areas. Visitors call in while researching the area or their family history. It is also used as a public information point (eg: windfarm applications)</p> <p>The Library also manages the Bill Hardie Archive and sells locally authored books on the history of Lauderdale.</p>
<p><u>Assistance Requested</u> Please indicate the sum requested and the purpose for which it will be used:</p>	<p>Approximately £1000 pa is required to cover the cost of electricity and insurance. It is anticipated that these funds will be required each year for the next 5 years until SBC investment of the Lauderdale Library and Ormiston Trust Fund starts to pay out an annual return to cover the running costs of the Library.</p>
<p>When will the donation be required:</p>	<p>Immediately to cover recent electricity bill.</p>
<p>If this is a one-off project then please give the following details -</p>	<p>Not applicable.</p>

<p><u>Other information</u></p> <p>If you have other information which you feel is relevant to this application please provide details including details of any previous assistance given:</p>	<p>Between 2001 and 2012, the Library was located in the Smiddy at the Leader Leisure Centre but relocated to the Old Jail when the premises became vacant (due to closure of the Registrar's Office) and a local businesses expressed an interest in renting the Smiddy.</p> <p>Around £5,300 was raised from Awards for All by the Library Committee to refurbish the Old Jail. This was supplemented with £500 of Library funds and a significant amount of volunteer time to enable the move. The Library re-located to the Old Jail in August 2012 and has successfully operated from there for 18 months.</p> <p>Before the Library moved to the Old Jail, Bill Walker (Library vice-convenor and Kate Hankey (secretary) met with the Common Good/Town Hall Trustees, SBC Property and SBC Legal personnel to clarify liabilities. Kate and Bill were given verbal assurance that the Library Trust Fund (~£30,000; no disbursement for several years due to historical over-payment and the need to re-build capital) and Common Good Funds were due to be better invested so as to increase income generated but that the Library would be helped out in the interim if necessary.</p> <p>The running costs (electricity and insurance) incurred by the Library since moving to the Old Jail are rapidly depleting Library funds (funds are raised primarily through surplus book sales with the main aim of purchasing books to keep our lending stock current and in good order) hence the application for interim funding while the Library Trust Fund is re-invested with the aim of covering or significantly contributing to Library running costs in the future.</p>
<p><u>Declaration</u></p> <p>I hereby make application for assistance as set out above and certify that the information I have provided is accurate</p> <p>Signed:</p> <p>Position Held: <i>Treasurer, Lawderdale Library</i></p> <p>Date: <i>10th February, 2014</i></p>	
<p>Note: All applications from organisations MUST be accompanied by a copy of the latest audited accounts</p>	
<p>This completed form, accounts and any supporting details should be submitted to the Democratic Services Team Leader, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA for all funds. Telephone 01835 825005</p>	

* Insert name of Fund.

LAUDERDALE LIBRARY TREASURER'S REPORT 2013

Date	Item	£
01/11/2012	Balance br fwd	712.38
30/11/2012	Book donors	49.20
31/12/2012	Book donors	19.00
26/03/2013	Book donors	14.80
11/04/2013	Income from book sales	19.00
14/05/2013	Scottish Borders Council grant for electricity	636.00
17/05/2013	Book sales	11.50
25/06/2013	Book donors	18.40
08/08/2013	Sale of antique books	100.00
	Total Income	867.90
	Balance at 30 September 2013	413.30

Date	Item	Running costs £	Old Jail refit £	Book resale £	Book acquisitions £
22/11/2012	Kate Hankey expenses	16.01			
31/12/2012	Scottish Hydro Q3 std.chg.	32.80			
23/01/2013	Kelso Graphics display panels	96.00			
11/04/2013	Lauderdale Dev Forum book sale			12.50	
11/04/2013	Andrew Mercer book sale			5.00	
11/04/2013	Kate Hankey expenses	11.55			
13/04/2013	Scottish Hydro Q4 stg. chg.	32.80			
13/06/2013	Scottish Hydro Jul/12-Mar/13	635.68			
26/07/2013	Scottish Hydro Apr/13-Jun/13 (meter rdg)	98.10			
26/07/2013	Keegan & Pennykidd insurance	169.60			
02/09/2013	Kate Hankey book purchases				56.94
	Totals	1,092.54	0.00	17.50	56.94
	Total expenditure	1,166.98			

Notes:

Note 1. Electricity bills reimbursed by Scottish Borders Council following email correspondence (attached)

Note 2. KH Cash Purchases: Pens, packing tape, books 16.01 Postage, labels, card 11.55

Note 3. Income from Book Sales at Lauderdale Library

	Copies sold	Retail Price	Cost Price reimbursed
Through Time and Place by A Mercer @ £6.50 per copy	1	6.50	5.00
LDT Books:			
1 copy sold @ £15 per copy	1	15.00	10.00
1 copy sold @ £5 per copy	1	5.00	2.50
P&P		4.00	
Net Library Income from Book Sales		30.50	17.50
			9.00

Note 5. No income from SBC Library Fund received during 2012/13

Note x No rates payable on Old Jail (see letter from SBC 18 March 2013).

Accounts prepared by Cathy Rooney, Treasurer 25 November 2013

28/11/13
SBC Nov '13

ACCESS RIGHTS TO MUIRCLEUGH WIND FARM, LAUDER

Report by Service Director Commercial Services

LAUDER COMMON GOOD SUB COMMITTEE

28 October 2014

1 PURPOSE AND SUMMARY

- 1.1 **This report seeks to obtain the approval of Lauder Common Good Sub Committee to grant a further Option Agreement for access rights over Lauder Common to Airvolution Energy in connection with a proposed wind farm on Muircleugh farm.**
- 1.2 In May 2011 Scottish Borders Council on behalf of Lauder Common Good entered into an Option Agreement for access rights over a small part of Lauder Common.
- 1.3 The 2011 agreement terminated on 28 February 2014 but Airvolution are considering a new planning application for a seven mast wind farm.
- 1.4 The wind farm developer, Airvolution, has requested a new Option Agreement until April 2017. The terms of the proposed Option include a payment of £5,000 to Lauder Common Good fund.

2 RECOMMENDATIONS

- 2.1 **I recommend that Lauder Common Good Sub Committee agrees to grant a new Option Agreement to Airvolution for access rights over a small section of Lauder Common. The terms of the Option Agreement include a payment to the Common Good Fund of £5,000, an extended Option Period until a maximum of April 2020 subject to certain planning conditions and payment of the Council's legal fees.**

3 BACKGROUND & PROPOSALS

- 3.1 There have been several attempts over the last few years to develop a wind farm on Muircleugh which neighbours Lauder Common.
- 3.2 The access road to Muircleugh is over Lauder Common and is quite narrow. The delivery of the large turbines requires larger turning areas at each end of the road to Muircleugh. There will also be areas of oversail at the entrance to the access road. The increased turning areas will be formed with hardcore. (see attached plan with areas shaded green)
- 3.3 In 2011 the Council entered into an Option Agreement and lease with Airvolution for the access rights. That agreement was for three years and terminated in February 2014.
- 3.4 Airvolution have requested for the Option Agreement to be re-newed for an extended period which will give more time for the planning process.
- 3.5 The provisionally agreed terms for the new Option Agreement include a payment of £5,000 to the Common Good fund and the payment of the Council's legal fees up to £5,000. The 2011 agreement did not include an Option Fee, just a rent if the wind farm was to proceed.
- 3.6 The extension of the Option Agreement is subject to a planning application being submitted but still to be determined or other delays which are generally out with Airvolution's control.
- 3.7 The ground lease agreed in 2011 is still in force and does not require to be re-newed or adjusted if a further option is agreed.
- 3.8 If the wind farm proceeds the Common Good Fund will receive an annual rent of £1,500 /MW for a 27 year period in terms of the said lease. The current proposal for a 21MW wind farm would give an annual rent of £31,500.

4 IMPLICATIONS

4.1 Financial

The potential income of £5,000 to the Common Good Fund for the Option Agreement is useful as there are few costs associated with the Option Agreement and the Common Good fund require to maintain other assets such as the Town Hall.

4.2 **Risk and Mitigations**

There is little risk in granting the Option Agreement but a greater risk that the wind farm will not be granted planning permission which will result in no lease and no annual income to the Common Good fund.

4.3 **Equalities**

It is anticipated there will be no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in this report.

4.4 **Acting Sustainably**

There are no significant effects on the economy, community or environment.

4.5 **Carbon Management**

There are no significant effects on carbon emissions.

4.6 **Rural Proofing**

Not applicable because no new Council policy or strategy is being requested.

4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, the Service Director Interim Projects and Clerk to the Council have been consulted and their comments have been incorporated into the report.

Approved by

Service Director Commercial Services

Signature

Author

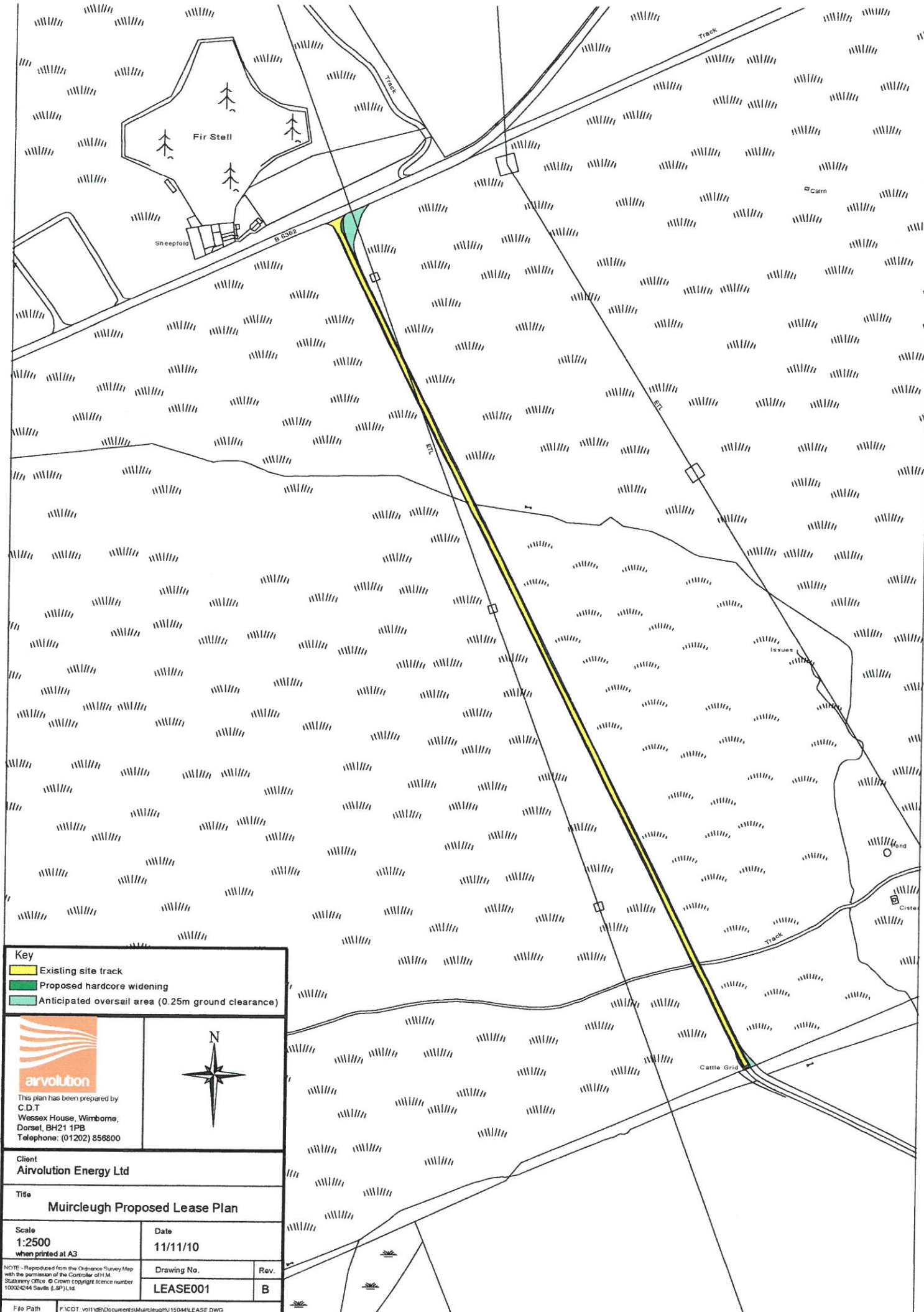
Name	Designation and Contact Number
James Morison	Estates Surveyor, Property & Facilities 01835 824000

Background Papers: None

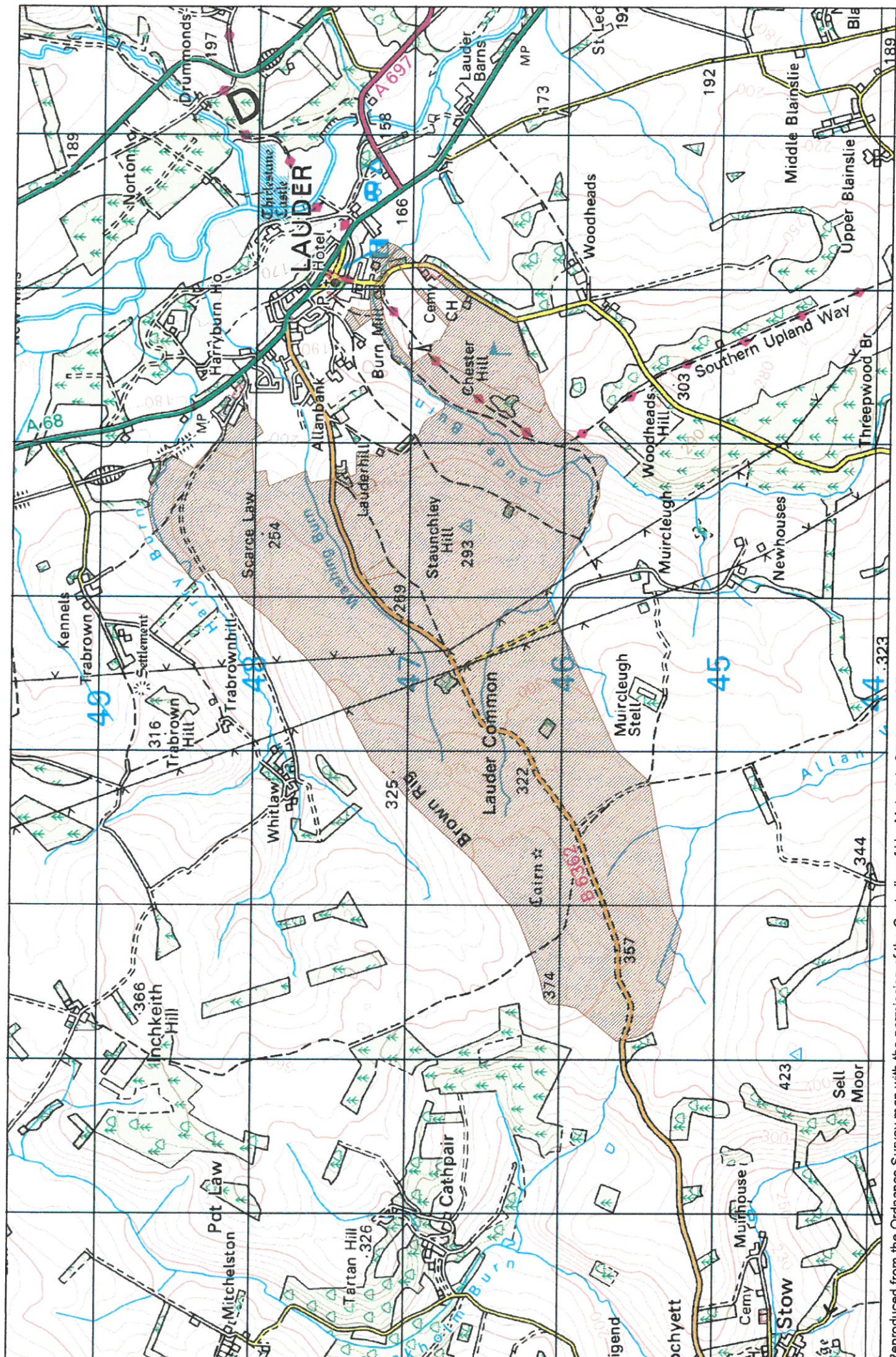
Previous Minute Reference: 26th January 2011

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Key Existing site track Proposed hardcore widening Anticipated oversail area (0.25m ground clearance)		
This plan has been prepared by C.D.T Wessex House, Wimborne, Dorset, BH21 1PB Telephone: (01202) 856800		
Client Airvolution Energy Ltd		
Title Muircleugh Proposed Lease Plan		
Scale 1:2500 <small>when printed at A3</small>	Date 11/11/10	
<small>NOTE: - Reproduced from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office © Crown copyright licence number 100024214 Savills (UK) Ltd</small>		
Drawing No. LEASE001	Rev. B	
<small>File Path F:\CDT_v011110\Documents\Muircleugh\15044\LEASE.DWG</small>		



Date: 26 January 2011
 SLA: LA 09049L
 Scale: 1:31641

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