

SCOTTISH BORDERS COUNCIL
PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the PEEBLES COMMON
GOOD FUND SUB-COMMITTEE held in the Council
Offices, Rosetta Road, Peebles on Wednesday, 16
January 2013 at 5.00 p.m.

Present:- Councillors W. Archibald (Chairman), S. Bell, N. Buckingham, G. Garvie.
Mrs A. Kubie, Royal Burgh of Peebles and District Community Council.

Apologies:- Councillors C. Bhatia, G. Logan.

In Attendance:- Legal and Licensing Services Manager, Senior Financial Analyst (A. Mitchell),
Estates Manager (N. Hastie), Committee and Elections Officer (K. Mason).

Members of the Public:- 0.

MINUTE

1. The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 26 November 2012 had been circulated.

**DECISION
APPROVED.**

2. With reference to paragraph 4 of the Minute, Members agreed to ascertain which Councillor had been appointed to serve on Peebles Silver Band and to ask them to seek the Band's opinion over the possible acquisition of a bandstand for Tweed Green, Peebles.

DECISION

AGREED that the appropriate Councillor liaise with Members of Peebles Silver Band to seek their views on the acquisition of a bandstand for Tweed Green, Peebles.

HERITABLE ASSETS

3. With reference to paragraph 7 of the Minute of 26 November 2012, there had been circulated copies of a report by the Estates Manager advising that heritable common good assets could be defined as land and buildings which had been vest (put in ownership) in the Council by virtue of succession through the various reforming statutes and were derived from the Common Good estates of the former burghs and could be better described as fixed assets. The Council held an Asset Register of all Common Good Fund fixed assets. This was in addition to the list of non heritable assets such as artefacts and accounts reflecting money held. The Asset Register had been compiled from historical and title information held by the former District Councils and their predecessors. It should be noted that over the many years this information had been the subject of great debate and intense scrutiny and continued to be so. The ongoing review of the register by legal officers was continuing, although in respect of Peebles was completed and reported to the then Working Group in 2010. During the review not only were titles examined but Council minutes and accounts were reviewed. Historically the ownership of the assets had been acquired (a) through the terms of the Burgh Charter being a grant of title from the Sovereign or, (b) by disposition (title deed) from other parties. The report detailed the types of common good heritable assets and their valuation under the International Financial Reporting Standards (IFRS) rules which differentiated from Operational and Non Operational assets, the Five Year rolling programme of revaluations and explained when Market

Value or Depreciated Replacement Value would be applied and the valuation used where the assets were deemed Community Assets.

DECISION

NOTED the report.

MONITORING REPORT FOR 9 MONTHS TO END DECEMBER 2012

4. There had been circulated copies of a report by the Chief Financial Officer setting out the latest approved annual budget, details of transactions for the 9 months to 31 December 2012 and variances between them together with projections of the annual outturn with variances from the final budget, the effect on Revenue and Capital Reserves at 31 March 2013 and details of the performance of the property portfolio. Income and Expenditure was projected to produce a surplus of income over expenditure of £404 to transfer to the Revenue Reserve, which was £594 greater than the current budget of a net expenditure of £190.

DECISION

- (a) **APPROVED the financial performance for 2012/13 as shown in Appendix 2 to the report.**
- (b) **NOTED**
- (i) **the key figures shown in Appendix 1 to the report**
 - (ii) **the Grants Analysis provided in Appendix 3 to the report;**
 - (iii) **the projected balances on Revenue and Capital Reserves as shown in Appendix 4 to the report; and**
 - (iv) **the performance of the Property Portfolio as shown in Appendix 5 to the report.**

APPLICATIONS FOR FINANCIAL ASSISTANCE

5. (a) Peebles Arts Festival
There had been circulated copies of an application from Peebles Arts Festival for financial assistance in the sum of £2,000 towards this year's Festival taking place from 23 August to 1 September 2013.

DECISION

AGREED to grant the sum of £2,000 to Peebles Arts Festival 2013.

- (b) Peebles Youth Facilities Initiative
There had been circulated copies of an application from Peebles Youth Facilities Initiative for financial assistance in the sum of £700 towards set up and planned costs to facilitate their proposal for the building of a skate/bmx/scooter park in Peebles. The Legal and Licensing Services Manager advised that the Council's Parks Manager was aware of the project and a Council Official had helped the applicant with their consultation. The Parks Manager was of the opinion that the project should be supported because there was a need for this kind of facility, as evidenced in the Group's research. Members were minded to grant the application and asked for an update on the position in six months.

DECISION

AGREED

- (a) **to grant the sum of £700 to Peebles Youth Facilities Initiative towards set up and planned costs to facilitate their proposal for the building of a skate/bmx/scooter park in Peebles; and**

- (b) that Peebles Youth Facilities Initiative be asked to provide a report to the Sub-Committee in six months giving an update on their initiative.

LEASE OF OLD CORN EXCHANGE, HIGH STREET, PEEBLES

6. With reference to paragraph 3 of the Minute of 26 November 2012, the Estates Manager advised that he had received a letter of thanks from Peebles High School for use of the premises on 8/9 December 2012 for their fund raising exercise which had been extremely successful.
7. With reference to paragraph 2 of the Minute of 26 November 2012, the Estates Manager advised that initial costs relating to planning and building standards applications in respect of renovation and improvement of the premises would cost approximately £2,000. In referring to the part of the building leased by Ish'Uze he explained that he had met with Mr Ian Jenkins to discuss a new temporary lease and advised that an assessment of the rental had been carried out and the rent for such a direct lease would be an increase from £8,000 per annum as sub rent to £9,500 per annum direct to the Council. A "to let" advertisement board would be erected at the premises next week. The Estates Manager advised that four enquiries had been made regarding renting the premises and because of this Members were minded, in the meantime, to delay the submission of planning and building standard applications for the renovation and improvement of the premises.

DECISION

NOTED the position.

URGENT BUSINESS

8. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Sub-Committee 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.

VICTORIA PARK, PEEBLES

9. Councillor Bell asked if Scottish Gas Network had reinstated Victoria Park to an acceptable standard following the laying of the gas main. He also referred to the poor condition of some of the paths within the Park noting that not all of the Park was in the Common Good. The Legal and Licensing Services Manager advised that Victoria Park was recorded as a Common Good Asset but managed under the Local Authority.

DECISION

AGREED to ask the Parks Manager to provide a report, to the next meeting of the Sub-Committee, on (a) reinstatement by Scottish Gas Network of the Park following laying of the gas main, and (b) the future maintenance of the paths within the Park

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 Paragraphs 6 and 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

Minute

1. The Working Group approved the private section of the Minute of Meeting of 26 November 2012.

Request for Land Lease or Purchase at Neidpath Grazing Field

2. With reference to paragraph 3 of the private section of the Minute of 26 November 2012, the Estates Manager briefed the Working Group on the up-to-date position regarding the request for Land Lease or Purchase at Neidpath Grazing Field.

The meeting concluded at 5.50 p.m.