

SCOTTISH BORDERS COUNCIL
SELKIRK COMMON GOOD FUND WORKING GROUP

MINUTE of SPECIAL MEETING of the
SELKIRK COMMON GOOD FUND
WORKING GROUP held in Committee
Room 3, Council Headquarters, Newtown St.
Boswells on Wednesday 8 August 2012 at
1.00 p.m.

Present: Councillors G. Edgar (Chairman), M. Ballantyne.
Flodden 500 Association: Jake Wheelans (Chairman), Andrew Heatlie
(Vice Chairman), Sheila Heatlie (Secretary), Sheila Lockie (Treasurer).
Apologies: Councillor V. Davidson.
In attendance: Legal & Licensing Services Manager, Estates Manager (N.Hastie), Senior
Financial Analyst (A. Mitchell), Committee and Elections Officer
(F. Walling).

FLODDEN 500 ASSOCIATION – MEMORIAL GARDEN

1. The Chairman welcomed the office bearers of the Flodden 500 Association to the special meeting with Members of the Selkirk Common Good Fund Working Group, to discuss in more detail the use of land at the Victoria Hall for a memorial garden. A letter from the Flodden 500 Association had first been considered at the meeting of the Working Group on 5 June 2012, when Members had supported the request for approval to install the garden in principle. However further information had been requested regarding the design and maintenance of the proposed garden and with respect to any legal agreement that needed to be completed to enable the group to occupy the site.
2. The Association's representatives had brought along to the meeting detailed plans to show the layout of the proposed garden which they viewed as an enhancement to the existing grounds. Members were impressed by the design and agreed that the garden would add significantly to the attraction of the site. A significant sum of money had been raised by the Association but external match funding would be required to complete the project. Mr Heatlie confirmed that the Flodden 500 Association would be wholly responsible for the maintenance of the garden, the intention being for the Association to continue in existence and raise funds as required. Although it had been suggested that as part of a major project the whole area adjacent to the building could be incorporated, Mr Wheelans confirmed that the extent of the garden according to the Association's current project was as shown on the plans, that is covering an area up to the line from which the marquee usually stood for the Common Riding. This would obviously not rule out the possibility of an extension to the garden at a later time.
3. It was stressed that the proposal did not constitute a change of use of the land in question. However Mr Wheelans explained that a letter of comfort was required from Scottish Borders Council, as administrator of the Selkirk Common Good Fund, to give Flodden 500 Association control over the piece of ground for a specified time to enable the Association to have the necessary legal basis to bid for match funding to construct the garden. Members were in agreement that such a letter should be prepared but that there should be a caveat added to the letter to ensure that, should the Association cease to exist, the control of the section of land would revert to the Council. The Legal and Licensing Services Manager confirmed that public liability insurance would remain with the Council as owners of the land.

**DECISION
AGREED:-**

- (a) to approve the request from Flodden 500 Association to install a memorial garden on land at the Victoria Hall, Selkirk;**
- (b) that the Legal and Licensing Services Manager liaise with the External Funding Officer and write a letter of comfort to Flodden 500 Association to give control of the section of land in question for the required length of time, thereby providing a legal basis from which the Association could bid for match funding; and**
- (c) that responsibility for construction work and maintenance of the garden would lie with Flodden 500 Association.**

The meeting concluded at 1.30 pm.