

**SCOTTISH BORDERS COUNCIL**  
**SELKIRK COMMON GOOD FUND SUB COMMITTEE**

MINUTE of MEETING of the SELKIRK COMMON GOOD FUND SUB COMMITTEE held in Committee Room 2, Council Headquarters, Newtown St Boswells on Wednesday 11 June 2014 at 3.00 p.m.

-----

Present: Councillors G. Edgar (Chairman), M. Ballantyne, V. Davidson  
Community Councillor T. Combe.

In attendance: Solicitor (J. Webster), Senior Financial Analyst (A. Mitchell), Estates Surveyor (J. Morison), Property Officer (T. Holmes), Democratic Services Officer (F. Walling).

-----

**ORDER OF BUSINESS**

1. The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

**MINUTES**

2. There had been circulated copies of the Minutes of 25 February 2014 and of the Special meeting of 23 April 2014.

**DECISION**

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

3. With regard to paragraph 4 of the Minute of 23 April 2014 Project Manager, Graeme McMurdo, updated Members with regard to the 'Bannerfield Active' project. He advised that tenders for the work were due back by 24 June 2014. Included in the Invitation to Tender was a request for bidders to suggest how an additional £5,000 could be spent on play equipment. Mr McMurdo confirmed that the types of equipment to include in the play park had been decided but it had been left to bidders to suggest and detail designs in the tender which could be compared against the wishes of local children. Proposals would also be compared and checked by the Parks and Open Spaces section to ensure value for money. Members agreed to the principle of contributing £5,000 specifically towards play equipment for the project subject to the provision of further information in the form of a play equipment budget.

**DECISION**

**AGREED:-**

- (a) **to contribute £5,000 towards play equipment as part of the 'Bannerfield Active' project; and**
  - (b) **that the play equipment budget and details of the equipment to be purchased would be circulated by email for approval by Members before the payment was implemented.**
4. With reference to paragraph 2 of the Minute of 23 April 2014, Mr McMurdo gave an update in relation to the proposed 2G pitch at Pringle Park, Selkirk. It was hoped that planning permission would be obtained in the near future. However as tenders were not yet out he did not expect work to begin before early 2015.

**DECISION**

**NOTED**

**PROPERTY UPDATE**

5. Property Officer, Mr Tom Holmes, reported that work on the Court House Coffee Shop had been completed. The tenant was pleased with the work and planned to re-open in time for the Common Riding later in the week. Roof work on farm buildings at Linglie Farm, which was grant funded, had commenced. Members were given information about the circumstances around which the work had been temporarily halted. A quote for replacement windows at Linglie Farmhouse and cottages had been accepted and the company would liaise with the tenant in respect of the timing of the work. Discussion continued on quotes received for work needed on farm buildings at Smedheugh, the total of the quotes for individual sheds being £14k. Members were aware that work was required on a number of properties owned by the Common Good. The Estate officer was asked to present, for the next meeting, a schedule of works needed. The schedule should include a quote for the ridge, only, on the straw shed at Smedheugh; a list of jobs for which quotes have already been obtained with an indication of priorities; and a list of work required on other property.

**DECISION**

- (a) **NOTED the update.**
- (b) **AGREED that a schedule be prepared by the Estates Surveyor for presentation at the next meeting to include:-**
- (i) **a quote for a ridge on the roof of the straw shed at Smedheugh;**
  - (ii) **a list of property repairs for which quotes have been obtained with an indication of priorities; and**
  - (iii) **a list of work required on other Common Good property.**

**PHONE MAST SITE AT LINGLIE FARM**

6. With reference to paragraph 7 of the Minute of 23 April 2014, Solicitor, Ms Webster, circulated at the meeting a briefing update with regard to the lease for the mast site at Linglie Farm. She advised that negotiations regarding the draft lease had been ongoing between the tenant (Everything Everywhere) and the Council's legal section for some time but that matters had been stalled in relation to the level of indemnity by the tenant. The existing lease stated that the tenant would keep the owner fully and effectually indemnified against all actions or proceedings etc brought against the owner due to the tenant's negligence. The proposed lease limited their indemnity in relation to the landlord to a maximum of £5m and stated that the maximum liability in relation to the subject matter of the lease was also limited to £5m for both parties. Clarification had been sought from the tenant's agent, who had advised that this appeared to be industry standard and that they were not in a position to change. However the Council's insurance officer had advised that any limitation to the indemnity or liability was against Council policy. It was noted that there had been no insurance claims in respect of the current lease for the mast site since the original lease was set up with Orange in 1997, and that under the new lease the tenant was obliged to maintain the apparatus and premises in a good and safe state of repair and condition throughout the period of the lease. Members were reminded that a new 20 year lease gave security of income and removed the threat of the lease being terminated in the short term. Mr Morison confirmed that the tenant had a risk assessment in place in relation to the mast site and that the site carried no specific identified risks. Members discussed the situation and were aware that to proceed with limited indemnity would be against current Council policy. However, given the low level of risk to the Council and bearing in mind that the level of indemnity within the new lease was apparently industry standard, Members agreed to recommend to Council that the tenant's position be accepted.

**DECISION**

- \* **AGREED to recommend that, in respect of the lease of the phone mast site at Linglie Farm, Council accepts a limitation in the level of the lessee's indemnity in relation to the liability of the Council as landowner, to a maximum of £5m.**

**CULTURAL SERVICES REVIEW**

7. Members had a brief discussion on possible implications to the future management of the Victoria Hall of the proposals relating to the Cultural Services Review. It was noted that there should not be any change assuming the proposed Trust continued with the maintenance agreement currently in place with the Council. However it was considered appropriate to delay further discussion until after the full report to Council on the Review which was due in October. In the meantime the Senior Financial Analyst was asked to extract and circulate to Members of the Sub Committee the running costs and income for the Victoria Hall over the past three years.

**DECISION****AGREED:-**

- (a) **to continue consideration of the implications to the Common Good of the Cultural Services Review at a future meeting of the Sub Committee once full details of the proposals were available; and**
- (b) **that details of the running costs and income for the Victoria Hall over the past three years be circulated to Members of the Sub Committee.**

**APPLICATION FOR FINANCIAL ASSISTANCE**

8. There had been circulated copies of an application from The Haining Charitable Trust for a contribution of £4,000 towards the preparation of a Landscape and Management Plan for the Haining Estate. Members were given time to read an additional document circulated at the meeting, pertaining to the conservation Management Plan for The Haining designed landscape. It was outlined in the application that, on the death of the former owner of the Haining, the house and grounds were bequeathed to a trust – The Haining Charitable Trust – to utilise the estate as a cultural and recreational amenity for the good of the people of Selkirkshire and the wider public. The Trustees were progressing to make The Haining available to the community as a public amenity, including an art gallery in the main house, artisan studios in the old coach house, a restaurant and garden structures. It was explained that a contribution from the Common Good would in turn release other funding already pledged from Historic Scotland and the Heritage Lottery Fund. Members discussed the application at length. Members were supportive of the plans for The Haining and recognised the estate's significant potential as a public amenity for the good of the community and as a tourist attraction. However Members were reluctant to contribute to the initiative at this development stage having also noted the apparent strength of the Trust's accounts. Councillor Davidson moved that a contribution of £1,000 be given towards the project but her motion was not seconded. The application was therefore declined but Members agreed that this should not preclude the Trust from applying for financial assistance at a future stage when implementation and development of the plans might more directly involve the people of Selkirk.

**DECISION**

**DECIDED not to give a grant to The Haining Charitable Trust towards the preparation of a Landscape Management Plan.**

**URGENT BUSINESS**

9. Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in paragraph 10 should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

**FINANCIAL MONITORING**

10. In response to a Member's question regarding the Selkirk Common Good Fund 2013/14 accounts the Senior Financial Analyst advised that he would circulate the accounts to Members when finalised.

**DECISION  
NOTED**

*The meeting concluded at 4.35 pm.*



**\* SELKIRK COMMON GOOD FUND  
APPLICATION FOR FINANCIAL ASSISTANCE**

<p><u>Applicant Details</u> Name and Address of Applicant/Organisation:</p>	<p>Scott's Selkirk Association  c/o Vivien Ross 15 High Street Selkirk TD7 4BZ</p>
<p>Telephone No:</p>	<p>01750 22217 / 07802 349989</p>
<p>E-mail address:</p>	<p>scottsselkirk@vivross.co.uk</p>
<p>Address to which payment should be made:</p>	<p>As above</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>Scott's Selkirk was a millennium project that has become part of Selkirk's annual events calendar. The town reverts to the period when Sir Walter Scott was sheriff. There are re-enactments of some of his court cases in his courtroom. There is Christmas market, and musical entertainment and drama in several town centre venues. There are horse and carriage rides around the town and lots of street entertainment. The town's 3 bands play, the country dancers perform, and much, much more. The main catering venue is Meg Dods' Kitchen where there is day-long musical entertainment and a closing ceilidh, The day finishes with a torchlight procession and superb fireworks display.</p> <p>Over the years a lot of equipment has been purchased – staging, tunnel tents, pop-up gazebos and market stalls</p> <p>All this is housed in the "Green Shed" in West Port. Until recently the property was shared with the Criminal Justice Team vehicles. When they moved to Galashiels Scott's Selkirk took on not only the rent of the whole property, but also responsibility for the water rates and exterior repairs.</p> <p>While the property is now also used by several other town groups it is better for insurance purposes if the whole rent can continue to be charged to Scott's Selkirk</p> <p>The other groups storing their equipment in the property – Selkirk Christmas Illuminations Group, Selkirk Operatic Society, and Association of Selkirk Clubs and Societies (ASCS) – are all properly</p>

	<p>constituted groups with their own bank accounts</p> <p>The Illuminations Group puts all the funds they raise into maintaining the town's Christmas lights.</p> <p>ASCS put on a Panto in the Victoria Hall every 2 years and the proceeds all go towards a community group or project</p>
<p><u>Assistance Requested</u></p> <p>Please indicate the sum requested and the purpose for which it will be used:</p>	<p>Scott's Selkirk are requesting £1,200 from the Common Good Fund to cover the annual rent. They will cover the cost of water rates and repairs. The rent has increased substantially since the property is now all in the name of Scott's Selkirk, plus the other costs were not previously our responsibility</p>
<p>When will the donation be required:</p>	<p>As soon as possible</p>
<p>If this is a one-off project then please give the following details –</p> <p>Date (s):</p> <p>Estimated total cost:</p> <p>Funds already raised by applicant's own efforts:</p> <p>Funds raised or expected to be raised from other sources (please state sources):</p>	<p>n/a – annual cost</p>

<p><u>Other information</u> 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>The equipment stored in the property is not only used at the annual Scott's Selkirk event – it is available for hire at affordable rates to other community groups – thereby helping them to sustain the running of their events all across the borders – from Eyemouth to Hawick, Galashiels, and Melrose, plus many other locations</p>
<p><u>Declaration</u> I hereby make application for assistance as set out above and certify that the information I have provided is accurate</p> <p>Signed: Vivien Ross</p> <p>Position Held: Independent examiner</p> <p>Date: 26<sup>th</sup> June 2014</p>	
<p><b>Note: All applications from organisations MUST be accompanied by a copy of the latest audited accounts</b></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.





## **INDEPENDENT EXAMINER'S REPORT**

**Scott's Selkirk Association – Charity No: SC 033918**

I report on the accounts of Scott's Selkirk Association for the year ended 28 February 2014 as attached .

### **Respective responsibilities of management committee and examiner**

The committee is responsible for the preparation of the accounts in accordance with the terms of the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006. The management committee considers that the audit requirement of Regulation 10(1)(d) of the Accounts Regulations does not apply. It is my responsibility to examine the accounts as required under section 44(1)(c) of the Act and to state whether particular matters have come to my attention.

### **Basis of Independent examiner's statement**

My examination is carried out in accordance with Regulation 11 of the Charities Accounts (Scotland) Regulations 2006. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts and seeks explanations from the committee concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the view given in the accounts.

### **Independent examiner's statement**

In the course of my examination, no matter has come to my attention

1. which gives me reasonable cause to believe that in any material respect the requirements:
  - a) to keep accounting records in accordance with Section 44(1)(a) of the 2005 Act and Regulation 4 of the 2006 Accounts Regulations, and
  - b) to prepare accounts which accord with the accounting records and comply with Regulation 9 of the 2006 Accounts Regulationshave not been met, or
2. to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Vivien Ross  
Accountancy and taxation services  
15 High Street, Selkirk TD7 4BZ

Date: 1st April 2014



## Scott's Selkirk Association

### Statement of Financial Activities Incorporating an Income and Expenditure Account for Year ended 28th February 2014

	Unrestricted Funds	Restricted Funds	Total Funds 2014	Total Funds 2013
	£	£	£	£
<b>Incoming Funds</b>				
Incoming resources from Generated Funds				
Voluntary Income	0	0	0	0
Investment Income	0	0	0	0
Incoming resources from Charitable Activities	18,966		18,966	33,349
<b>Total Incoming Resources</b>	<b><u>18,966</u></b>	<b><u>0</u></b>	<b><u>18,966</u></b>	<b><u>33,349</u></b>
<b>Resources Expended</b>				
Cost of Generating Funds	0		0	0
Charitable Activities	21,074	0	21,074	37,009
Governance Costs	0		0	0
<b>Total resources Expended</b>	<b><u>21,074</u></b>	<b><u>0</u></b>	<b><u>21,074</u></b>	<b><u>37,009</u></b>
<b>Net Incoming/(Outgoing) Resources</b>	<b>-2,108</b>	<b>0</b>	<b>-2,108</b>	<b>-3,660</b>
Fund Balances 1st March 2013	10,211	0	10,211	13,871
Fund Balances 28 February 2014	<b><u>8,103</u></b>	<b><u>0</u></b>	<b><u>8,103</u></b>	<b><u>10,211</u></b>
<b>Analysis of Net Assets by Fund</b>				
	Unrestricted Funds	Restricted Funds	Total 2014	Total 2013
Tangible Assets	0	0	0	0
Current Assets	8,103	0	8,103	10,211
Current Liabilities	0	0		
	<b><u>8,103</u></b>	<b><u>0</u></b>	<b><u>8,103</u></b>	<b><u>10,211</u></b>

**Scott's Selkirk Association**

**SC033918**

**Trustees**

**March 2013 - February 2014**

Edith Scott  
Irene Strafford  
Dick Marks  
Tom Combe  
Sheena Combe  
Lorna Douglas  
Chris Lightfoot  
Steven Lightfoot

Chair  
Treasurer  
Secretary

# Scott's Selkirk

2013/2014

## Income

Shop & Collecting Tins	12,175.62
Stalls	819.00
Costume & Equipment Hire	2,261.00
Donations & Sponsors	873.44
Miscellaneous	40.00
Rent Received	650.00
Outside Events & Fundraising -net	551.54
Interest net	0.00
Net Proceeds - Meg Dods Kitchen	1,155.75
Net Proceeds - Ceilidh / Concert	440.00
	<b>18,966.35</b>

28/02/2013	14,733.36
	745.00
	877.00
	1,317.39
	12,787.00
	650.00
	1,204.02
	0.00
	1,077.12
	-42.00
	33,348.89

<b>Expenditure</b>	
Rent / Storage	1,302.04
Administration	1,574.57
Shop Stock	3,150.90
Shirra Books	0.00
Marketing	2,771.20
Costumes / Props	17.78
Entertainment Costs	2,045.00
Equipment Hire / Purchase	3,843.54
Donations made	0.00
Shop Expenses - Annual	6,252.42
- Repairs	0.00
Miscellaneous	117.00
	<b>21,074.45</b>

28/02/2013	1,059.23
	2,883.53
	1,861.28
	0.00
	4,079.40
	123.54
	3,823.00
	15,986.53
	250.00
	6,443.35
	52.76
	446.35
	37,008.97

shop profit  
2772.30  
6428.73

-2108.10  
-3660.08

**21,074.45**

**21,074.45**

Opening Bank  
Opening Cash in Hand

**10,126.85**  
**84.00**

Closing - Cash In Bank

**8,005.09**

OPENING BANK & CASH

**10,210.85**

Closing - Cash in hand  
CLOSING BANK & CASH

**97.66**

**8,102.75**

**29,177.20**

**29,177.20**

## **Statement of funds**

Restricted funds	0.00	28/03/2013
Unrestricted funds	10,210.85	10,210.85
Total Funds	10,210.85	10,210.85

**28/02/2014**

28/03/2013

**0.00**  
**8,102.75**  
**8,102.75**

Irene Strafford

Irene Strafford  
Treasurer

1st April 2014

