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PEEBLES COMMON GOOD FUND SUB-COMMITTEE
TO BE HELD ON WEDNESDAY, 29TH JUNE, 2016

Please find attached the Appendix in respect Item on the agenda for the above meeting

4.	**Minute.** (Pages 1 - 6) Minute of Meeting of 25 May 2016 for approval. (Copy to follow)	2 mins

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SCOTTISH BORDERS COUNCIL
PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the PEEBLES COMMON GOOD FUND SUB-COMMITTEE held in the Council Chamber, Memorial Hall, Innerleithen on 25 May 2016 at 5.00 p.m.

Present:- Councillors W. Archibald (Chairman), C. Bhatia, K. Cockburn (during para 8), G. Garvie, G. Logan. Community Councillor L Hayworth.

Apology:- Councillor S. Bell.

In Attendance:- Capital and Investments Manager, Solicitor (G. Nelson), Estates Officer (J. Morison), Democratic Services Officer (K. Mason).

Members of the Public:- 1 .

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1. **MINUTE**

The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 31 March 2016 had been circulated.

DECISION
NOTED.

2. **ORDER OF BUSINESS**

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.

3. **URGENT BUSINESS**

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 make an early decision.

4. **ACCESS TRACK – PEEBLES COMMON GOOD – VENLAW WOODLAND**

The Estates Manager advised on a request received from Mr Scott Rae who had a garage to the rear of his house, where the access to the garage was up the grass track which was part of the Common Good's Venlaw woodland. Mr Rae had requested permission to scrape off the soil and grass up the grass track so that he could get his car into the garage in wet weather when the ground was muddy. Mr Rae thought there was stone beneath the grass which would give a solid base. The track was a core path and the Estates Manager had consulted with the Council's outdoor access officer, who did not object as long as the core path was closed for as short a time as possible and the work was carried out safely. Also any excess soil would have to be disposed of appropriately so that the area was left clean and tidy. Mr Rae was in attendance and he answered Members' questions.

DECISION
AGREED to permit Mr Scott Rae to scrape off the soil and grass up the grass track which was part of the Common Good's Venlaw woodland subject to liaising with the Core Paths Team and ensuring that the track was left in a tidy condition.

5. **ACCESS RIGHTS TO THE GEORGE MEIKLE KEMP MEMORIAL, MOY HALL**

With reference to paragraph 8 of the Private Minute of Meeting of 2 March 2016, there had been circulated copies of a report by the Service Director Assets and Infrastructure on the access rights to the George Meikle Kemp Memorial at Moy Hall seeking approval to change the access rights subject to a preferred route being agreed for a new general use path from Peebles to Eddleston. George Meikle Kemp was the designer of the Scott Monument in Edinburgh. Peebles Town Council acquired the Kemp Memorial with access rights from the A703 at Moy Hall in 1935. The neighbouring farmer was seeking planning permission for a

new house and proposed to change the access route to the Kemp Memorial. The formal consent of the Peebles Common Good Sub-Committee was required to change the access rights to the Kemp Memorial and a condition of this change of access could be that the new cycle track was routed through the grass field instead of along the edge of the A703. Mr Jeremy Cunningham, Sustrans and Mr Stewart Anderson, representing the neighbouring farmer were in attendance. Mr Anderson advised he had discussed the report by the Service Director of Assets and Infrastructure with his clients James and Kenneth Watson. He advised that his clients were not opposed to the proposed Sustrans path and had said from the outset that, where they were able, they would make land available to improve the route and its safety. It was helpful to see the plans for Options 1 and 2 as detailed in the report. Option 1, the ideal route, was unfortunately not possible because the path passing on the west side of Moy Hall would have too great an impact on the amenity of that house. If Option 1 was all that would satisfy the Sub-Committee and Sustrans then his clients had decided that they would prefer to withdraw their application for planning consent for the new house and the new road junction. However, by way of compromise, his clients were able to offer Option 3 as detailed in his submission. Mr Anderson explained this option gave Sustrans all that it was asking with the exception of the short section on the west side of Moy Hall and greatly improved the safety of the route. Sustrans might even be able to negotiate further improvements with the proprietor of Moy Hall. In any event, and as noted on the plan in the Service Director's report, safety at the pinch point could be improved by widening of the pavement, raising kerbs, or possibly even by provision of a metal safety barrier. There was one further important point Mr Cunningham raised relating to road safety at Moy Hall and which had not been mentioned in the Report regarding Access Rights to the George Meikle Kemp Memorial at Moy Hall. A fundamental aspect of the current planning application that his clients had made for the new house and new road junction was that it would make a major improvement to road safety for access to and from Moy Hall. The present access was constructed almost a century ago and, in view of the huge increase in road speeds, was now unsafe. It was steep, it met the A703 at an acute angle, and it had very limited visibility to the south. There had been a considerable number of accidents on this stretch of the A703 in past years and an improvement in safety at Moy Hall was much needed. The design for the new junction addressed all of these weaknesses and had the full support of Roads Planning at Scottish Borders Council. Mr Cunningham asked if consideration of the matter could be deferred to a future meeting to allow for further negotiations to ascertain if they could arrive at a solution which satisfied all parties concerned.

DECISION
AGREED to continue consideration of the matter to a future meeting of the Sub-Committee.

6. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2016**

There had been circulated copies of a report by the Chief Financial Officer providing details of the income and expenditure for the Peebles Common Good Fund for the year 2015/16 including balance sheet values as at 31 March 2016 and the proposed budget for 2016/17. Amended Appendixes 1, 2 and 3 were tabled at the meeting. Appendix 1 provided the actual income and expenditure for 2015/16. This showed a surplus of £10,480 for the year and a projected surplus of £22,020 for 2016/17. Appendix 2 provided a balance sheet value as at 31 March 2016. It showed a decrease in the reserves of £33,730, mainly due to depreciation. Appendix 3 provided a breakdown of the property portfolio showing actual rental income and property expenditure to 31 March 2016 where applicable and the 2015/16 depreciation charge. Appendix 4 showed the value of the Newton Fund to 31 March 2016. In response to a question raised, the Capital and Investments Manager undertook to ascertain income and expenditure in respect of parks. Members unanimously agreed that the proposed budget for 2016/17 as detailed in Appendix 1 to the report for grants and other donations be increased from £21,000 to £36,000.

DECISION
AGREED:-

(a) **to note the actual income and expenditure for 2015/16 detailed in Appendix 1 to the report;**

(b) **the proposed budget for 2016/17 as shown in Appendix 1 to the report as amended in that the proposed budget for 2016/17 for grants and other donations be increased from £21,000 to £36,000.**

(c) **to note the final balance sheet value to 31 March 2016 as detailed in Appendix 2 to the report;**

(d) **to note the summary of the property portfolio detailed in Appendix 3 to the report; and**

(e) **to note the current position of the investment in the Newton Fund detailed in Appendix 4 to the report.**

7. **APPLICATIONS FOR FINANCIAL ASSISTANCE**

DECLARATION OF INTEREST
Community Councillor L. Hayward declared an interest in the following application.

(a) **Peebles Community Trust**
There had been circulated copies of an application for financial assistance from Peebles Community Trust in the sum of £1,500 to instruct a specialist lawyer to draw up revised Articles of Association for the Trust, which would enable them to undertake a Community Right to Buy bid for land or buildings, or to accept the transfer of an asset. In order to do this, the trust needed to have Articles of Association which were compliant with the recently adopted Community Empowerment (Scotland) Act. Members discussed the application and a suggestion was submitted that Peebles Community Trust be granted a loan in the sum of £1,500.

Vote

Councillor Garvie, seconded by Councillor Archibald, moved that the application be continued to a future meeting to allow for sight of up to date accounts

As an amendment, Councillor Bhatia, seconded by Councillor Logan moved that Peebles Community Trust be granted a loan for £1,500 with a time limit being put in place.

Vote
Motion - 2 votes
Amendment - 2 votes

Councillor Archibald exercised his casting vote in favour of the motion and accordingly the application was continued to a future meeting to allow up to date accounts to be submitted to the Sub-Committee.

DECISION
AGREED that consideration of the application be deferred to a meeting to be held on 29 June 2016 to allow Peebles Community Trust to submit a copy of up to date accounts.

(b) **Peebles Scout Group**
There had been circulated copies of an application for financial assistance in the sum of £20,000 from Peebles Scout Group towards the provision of a new Scout

Hut. The current Scout Hut dated back to 1911 and desperately needed to be replaced to secure the future of the Scout Group for generations to come. The Hut was used nightly by the group for their core activities and provided a base for any additional activities outwith the Group's regular meetings. Despite its current condition, Peebles Scout Hut was a major factor in the success of Peebles Scout Group as it contributed to the sense of identity of the Group Members and provided continuity of belonging as the young people progressed through the various Sections during their Scouting career. The new building would be available to the Community outwith regular meetings of the Scout Group and the Group's research confirmed that there was demand from Community Groups for a Hall of this size in Peebles.

Vote

Councillor Logan, seconded by Councillor Archibald, moved that Peebles Scout Group be granted the sum of £10,000.

As an amendment Councillor Bhatia, seconded by Councillor Garvie, moved that Peebles Scout Group be granted the sum of £20,000.

On a show of hands Members voted as follows:-

Motion - 2 votes
Amendment - 2 Votes

The Chairman exercised his casting vote in favour of the motion and accordingly Peebles Scout Group was granted the sum of £10,000 subject to securing the other elements of fundraising.

DECISION
AGREED to grant the sum of £10,000 to Peebles Scout Group, subject to the Group securing the other elements of fundraising.

(c) **Peeblesshire Youth Trust**
There had been circulated copies of an application for financial assistance from Peeblesshire Youth Trust in the sum of £10,000 to assist the Trust in their work, specifically to deliver the Peebles element of their Achieve Your Potential Course. Three primary schools in Peebles all engaged with, and valued, the course as a key way of assisting vulnerable children in the transition to the High School. Members discussed the application and although supportive of the work of the Trust, they expressed concern that the application was for core funding. Mrs Haslam, Programme Manager, Peebles Youth Trust was in attendance and explained that the application was based on the amount of pupils attending the course from Peebles Schools.

DECISION
AGREED to refuse to grant Peeblesshire Youth Trust the sum of £10,000.

MEMBER
Councillor Cockburn joined the meeting during discussion of the following item.

8. **NEW LEASE TO PEEBLES TENNIS CLUB, SPRINGHILL ROAD, PEEBLES**
There had been circulated copies of a report by the Service Director Assets and Infrastructure on the current lease with Peebles Tennis Club seeking approval for a new lease and to carry out tree works at the tennis courts. Peebles Tennis Club was granted a 25 year lease in 2000 for the lease of the tennis courts and clubhouse at a rent of £1 if asked. The Club had plans to renovate the tennis courts and clubhouse but required a longer lease in order to raise the grant funding. The tall Cypress trees were causing

problems and it was proposed to replace them with a hedge. In response to a question raised the Estates Officer advised that the Tree Preservation Officer supported the Club's plans to remove the Cypress trees. Community Councillor Hayward pointed out that there was an error in the Council's website in relation to the planning application. Members agreed to defer consideration of the report until more information was received from Peebles Tennis Club in relation to their financial position.

DECISION
AGREED to defer consideration of the report to a meeting of the Peebles Common Good Fund Sub-Committee to be held on 29 June 2016.

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 to the Act.

SUMMARY OF PRIVATE BUSINESS

9. **LAND SALE AT ELIOTS PARK, PEEBLES**
The Sub-Committee agreed to the recommendation in the report to sell an area of land at Eliots Park, Peebles**.**

The meeting concluded at 6.25 p.m.

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