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LAUDER COMMON GOOD FUND SUB-COMMITTEE TO BE HELD ON WEDNESDAY, 29 JUNE, 2022

**Please find attached the Report in respect to Item 10 on
the agenda for the above meeting**

10.	Application for Admission of a New Burgess (Pages 3 - 6) Consider report by Principal Solicitor. (Copy attached.)	15 mins
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THE ADMISSION OF A NEW BURGESS IN LAUDER

Report by Director of Finance and Corporate Governance

LAUDER COMMON GOOD FUND SUB COMMITTEE

29th June 2022

1 PURPOSE AND SUMMARY

1.1 This report proposes that the Lauder Common Good Committee grant a Burgess Ticket to Mr Robert Elliot Landells.

1.2 A request has been submitted by Mr Robert Elliot Landells, a resident of Lauder that he be granted a Burgess Ticket in respect of the former Royal Burgh of Lauder. He holds the title to a Burgess Acre, called 'Captain's Acre' registered in the Land Register of Scotland under title number BER 9056. Evidence of this ownership has been produced. The Lauder Common Good Committee have admitted Burgesses and Honorary Burgesses on previous occasions. All Burgesses other than Honorary require to be resident in Lauder and to own one of the Burgess Acres. Burgess Tickets entitle individuals to exercise control over the grazing rights on Lauder Common, part of Lauder Common Good.

2 RECOMMENDATIONS

2.1 I recommend that the Committee agrees:-

- (a) to grant the request for a Burgess Ticket to Mr Robert Elliot Landells; and**
- (b) to instruct the Chief Legal Officer to issue the appropriate Burgess Ticket.**

3 BACKGROUND

- 3.1 Lauder became a Royal Burgh by virtue of a Charter granted by King James IV in 1502. From Historic records it is clear that there have been Burgesses in Lauder from at least 1502. In earlier times, Burgesses would have exercised grazing rights on Lauder Common as individuals but, from the latter half of the 19th Century, those rights have been exercised collectively through and by the Lauderhill Sheep Company (the Company"). All the proprietors of the Company are Burgesses and the Company pays an annual fee for the grazings to the Common Good.

4 Current Request

- 4.1 A request has been submitted by Mr Robert Elliot Landells, a resident of Lauder that he be granted a Burgess Ticket in respect of the former Royal Burgh of Lauder. To become a Burgess one must be resident in Lauder and own one of the Burgess Acres. Evidence has been produced to show that Mr Landells fulfils these requirements. He owns the Burgess Acre known as Captain's Acre and resides at an address within the former Royal Burgh. The Burgess Ticket will entitle Mr Landells to participate in the operation of the Company.
- 4.2 Consultation has already been carried out through Mr Michael Middlemiss on behalf of the existing burgesses. There were no objections to Mr Landells' application.

5 IMPLICATIONS

5.1 Financial

All costs associated with the granting of the request can be met within budget.

5.2 Risk and Mitigations

- (a) If the Sub-Committee does not consider this request there is a risk that it would be seen to be acting in an inconsistent manner, having granted such requests on previous occasions. This risk would be mitigated by adopting the recommendation in this report.

5.3 Integrated Impact Assessment

It is anticipated that there are no adverse equality implications.

5.4 Sustainable Development Goals

There are no adverse sustainability implications

5.5 Climate Change

There is no impact on carbon management.

5.6 **Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

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

There are no changes to the Scheme of Administration or Scheme of Delegation.

6 **CONSULTATION**

- 6.1 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. Any comments received will be incorporated in the final report.

Approved by

Name

Title

Author(s)

Name	Designation and Contact Number
Hannah MacLeod	Principal Solicitor, 01838 825 216

Background Papers: [insert list of background papers used in compiling report]

Previous Minute Reference: [insert last Minute reference (if any)]

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