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HAWICK COMMON GOOD FUND SUB-COMMITTEE THURSDAY, 31 MARCH, 2016

A SPECIAL MEETING of the HAWICK COMMON GOOD FUND SUB-COMMITTEE will be held in the **COUNCIL CHAMBER, COUNCIL HEADQUARTERS** on THURSDAY, 31 MARCH 2016 at 2.00 pm.

J. J. WILKINSON,
Clerk to the Council,

24 March 2016

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declaration of Interest	
4.	Minute (Pages 1 - 4) Consider Minute of meeting held on 16 February 2016. (Copy attached),	2 mins
5.	Ancient Order of Mosstroopers (Pages 5 - 6) Consider request from Ancient Order of Mosstroopers (Copy attached).	5 mins
6.	Any Other Items Previously Circulated	
7.	Any Other Items which the Chairman Decides are Urgent	
8.	Items Likely to be Taken in Private Before proceeding with the private business, the following motion should be approved:- "That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act".	
9.	Minute (Pages 7 - 8) Consider the private section of the Minute of Meeting held on 16 February 2016 (Copy attached).	2 mins

10.	Pilmuir Farm (Pages 9 - 18) To consider private report by Service Director Commercial Services (Copy attached)	15 mins
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NOTES

- 1. Timings given above are only indicative and not intended to inhibit Members' discussions.**
- 2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Membership of Sub-Committee:- Councillors G. Turnbull (Chairman), A. Cranston, S. Marshall, W. McAteer, D. Paterson and R. Smith

Mrs A Knight, Burnfoot Community Council
Mr J Little, Hawick Community Council

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**SCOTTISH BORDERS COUNCIL
HAWICK COMMON GOOD FUND SUB-COMMITTEE**

MINUTES of Meeting of the HAWICK
COMMON GOOD FUND SUB-COMMITTEE
held in Lesser Hall, Town Hall, Hawick on
Tuesday, 16 February, 2016 at 4.00 pm

Present:- Councillors G Turnbull (Chairman), W McAteer, D Paterson, Mrs A Knight and Mr J Little.

Apologies:- Councillors: S Marshall, R Smith

In Attendance:- Managing Solicitor (R Kirk), Senior Finance Officer (J Yallop), Estates Surveyor (J Morison), Property Officer (F Scott), Democratic Services Officer (J Turnbull)

Members of Public:- 2

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 17 November 2015.

DECISION

APPROVED the Minute for signature by the Chairman

2. **FINANCIAL ASSISTANCE**

2.1 (i) **Drumlanrig St Cuthbert's Primary School**

There had been circulated copies of an application from Drumlanrig St Cuthbert's Primary School requesting financial assistance of £325.50 to provide swimming lessons to the children in Primary 6. The children would receive a 10 week block of lessons. At the end of the block, the children would have the opportunity to sit the aquatics certificate which would allow them to participate in water sports when on residential and when they moved on to the High School. It would also give school staff knowledge of the children's abilities for selecting the children who would participate in the Hawick inter-school Swimming Gala. The children would also be supporting the Teviotdale Leisure Centre by using their facilities and encourage the children to continue using the facilities available to them when the swimming lessons finished.

DECISION

AGREED to award a grant of £325.00 to Drumlanrig St Cuthbert's Primary School for 10 weeks of swimming lessons for the children of Primary 6.

2.2 (ii) **Escape Youth Services**

There had been circulated copies of an application from Escape Youth Services requesting financial assistance of £5,000 towards the cost of the annual staffing budget of the organisation. The grant would enable Escape to continue to employ two sessional staff for one evening per week working with the S1 up age group on a Tuesday, Thursday, Friday or Saturday evenings at their drop-in provision in Hawick. With the move to larger premises last year, they would benefit from three staff per session rather than two to assist with programme delivery. Ms Snowdon, Manager of Escape Youth Services was in attendance and advised that Escape had carried out fundraising events throughout the year; they were also awaiting the outcome of applications to other funding source, e.g. Children in Need and the Robertson Trust. They had, in 2005, received a grant from the Common Good but had not requested assistance from the Common Good since then. In answer to a question, Ms Snowdon advised that if they were not able to secure funding

this would be detrimental to the service they offered. The Chairman asked for clarification on Common Good grants being used to cover salaries and a copy of the accounts for year ending 31 October 2015, when they had been returned from the auditor. Ms Snowden would also advise of the outcome of pending funding applications. Once this information was received, Councillor Turnbull and the Chief Financial Officer, under delegated powers, would determine if a grant should be paid and the amount. The outcome of which would be reported back to the next meeting of the Sub-Committee.

**DECISION
AGREED**

- (a) to seek clarification on the principle of Common Good grants being used for staff salaries; and**
- (b) the Chairman and Chief Financial Officer, under delegated powers, to determine if a grant was to be paid and the amount of the grant.**

3. MONITORING REPORT FOR NINE MONTHS TO 31 DECEMBER 2015

There had been circulated a report by the Chief Financial Officer providing details of income and expenditure for the Hawick Common Good Fund for the nine months to 31 December 2015, full year projected out-turn for 2015/16 and projected balance sheet values to 31 March 2016. Appendix 1 to the report provided a projected Income and Expenditure position. This showed a projected deficit of £37,719 for the year, which was an increase in the £37,442 deficit reported in November 2015, due to rental income movements. Appendix 2, to the report, provided a projected Balance Sheet to 31 March 2016. It showed a projected decrease in the reserves of £80,512 due to the projected reduction in revenue reserve and the revaluation reserve. Appendix 3 provided a breakdown of the property portfolio showing actual Income and Expenditure to 31 December 2015. Appendix 4 showed the value of the Newton Fund to 31 December 2015. Mr Yallop, Senior Finance Officer, was in attendance and suggested that Hawick Golf Club received a notional grant; this would ensure that the Common Good accounts were transparent. The date for the termination of the Golf Club's rent free period would also need to be clarified. Mr Yallop advised that that Pilmuir Silage pit work was going out to tender and the property expenditure outturn might be significantly different to that detailed in the monitoring report, due to the timing of expenditure between now and the year end. Members discussed the Newton Fund investment and Mr Yallop stated that the dividend for the year was projected to be £9k. This was in line with the first (of two) payments being received in the amount of £5k. The Fund was worth £2k more than originally invested as at the end of December 2015 and the performance had remained steady and above the benchmark.

DECISION

- (a) AGREED the projected Income and Expenditure for 2015/16 as shown in Appendix 1, to the report.**
- (b) NOTED:**
 - (i) The actual projected Balance Sheet value to 31 March 2016, as shown in Appendix 2 to the report;**
 - (ii) The summary of the property portfolio in Appendix 3 to the report; and**
 - (iii) The current position of the investment in the Newton Fund in Appendix 4 to the report.**

4. HAWICK WOODLOT

Mr Morison, Estates Surveyor, was in attendance and advised that there had been a disappointing response to the tender advertisement for Hawick Woodlot, only one person registering an interest. However, the Scottish Woodlot Association had expressed an interest in managing the Woodlot and he introduced Mr Andy Brown and Ms Stephanie Schaffler from the Scottish Woodlot Association. Mr Brown advised that he was the Secretary and co-founder of the Association, which was a non-profit, forestry co-

operative, established in 2012. The Association worked with landowners to manage woodlots and match them to potential woodlot holders who were then able to fell within the woodlot area. The Association had set up six woodlot licences and were working on a further six, including Hawick. Following a site visit that day, Mr Brown suggested the lot be divided into two. He gave an example of a woodlot license granted in south west Dumfriesshire where the woodlot holders were gradually thinning out for firewood, generating a small income of rent for the landowner and managing the woodlot. He suggested that if the Sub-Committee was interested in his proposal there be an 18 month trial period, followed by at least a five year lease. Members thanked Mr Brown for his input and agreed that he present his proposals for Hawick Woodlot to the August meeting for a final decision.

DECISION

AGREED to request that the Estates Surveyor liaise with the Scottish Woodlot Association and present a report back to the August meeting of the Sub-Committee.

5. HORNSHOLE

With reference to paragraph 10 of the Minute of 17 November 2015, Mr Kirk, Managing Solicitor, gave an update on the position regarding Hornshole. Mr Kirk advised that searches going back to 1876 had been carried out; unfortunately they had been unable to establish ownership of the land in question. This meant that although the land had been gifted to Hawick Common Good, it appeared that ownership had not been transferred to the Council and the land still appeared to form part of the Lands and Barony of Cavers. The most recent recorded title affecting this estate was recorded in February 1950 in favour of James Malcolm Palmer Douglas. Mr Kirk explained that the current owner could grant the land in favour of the Council, however this would involve legal costs. Alternatively, a Minute of Agreement could be entered into which would specify the Council would maintain the land; if the estate was sold, it would be subject to the Agreement. Preparation of a Minute of Agreement would again involve solicitors' fees. The Sub-Committee agreed Mr Kirk contact the current owner to ascertain the costs which would be incurred in securing legal title and bring back to the Sub-Committee for a final decision.

DECISION

AGREED

- (a) to request that the Managing Solicitor liaise with the owner to ascertain the legal costs in securing the title of Hornshole; and**
- (b) to present a report to the next meeting of the Sub-Committee.**

6. HAWICK RACE COURSE

With reference to paragraph 8 of the minute of 17 November 2015, Mr Scott, Property Officer, advised that the gates had been locked on to the race course but the moor gates remained open for pedestrian access. Mr Scott would bring back to the next meeting a report on the proposed improvements to the buildings.

DECISION

AGREED to request an update on the proposals for replacement of the buildings at the Race Course.

7. 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 the Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

SUMMARY OF PRIVATE BUSINESS

8. **PRIVATE MINUTE**
Members approved the private section of the Minute of 18 August 2015.
9. **HAWICK MARKET**
The Sub-Committee considered an update by the Estates Manager.
10. **PILMUIR FARM**
The Sub-Committee considered an update by the Property Officer.
11. **PROPERTY UPDATE**
The Sub-Committee considered a briefing note by the Estates Manager.
12. **URGENT BUSINESS**
Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item(s) dealt with in the following paragraph(s) should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed / make an early decision.
13. **FIREPLACES**
The Property Officer advised that there was no local interest in the two disused cast iron fireplaces and he would market further afield.

**DECISION
NOTED**
14. **HAWICK GOLF COURSE**
The Golf Club car park had been damaged by the recent floods. There was a possibility that they could claim from the Bellwin Scheme. Mr Scott would report back. It was also agreed that the Golf Club be invited to the next meeting to give an update on their activities for the year.

**DECISION
AGREED that the Estates Surveyor invite Hawick Golf Club to the May Meeting of the Sub-Committee to give an update on their activities for the year.**
15. **DATE OF NEXT MEETING**
The next meeting would be held on 17 May 2016 at the Lesser Hall, Town Hall, Hawick.

The meeting concluded at 5.20 am

Ancient Order Of Mosstroopers

Area Services Officer
Corporate Resources
Scottish Borders Council
High Street
Hawick
TD9 9EF

SCOTTISH BORDERS COUNCIL 13 March 2016

17 MAR 2016

LICENSING UNIT

Dear Sir/Madam

SCOTTISH BORDERS COUNCIL – HAWICK COMMON GOOD FUND

On behalf of The Ancient Order of Mosstroopers I wish to seek permission for the Club to hold our annual Junior Gymkhana on Hawick Moor on the area beyond The Paddock on Sunday 5th June 2016 and also for our annual Race Meeting on Saturday 25th June 2016.

I look forward to hearing from you

Yours faithfully

J Douglas Telfer (Hon./Sec.)

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