

SCOTTISH BORDERS COUNCIL

MINUTE of Meeting of the INNERLEITHEN
COMMON GOOD FUND SUB-COMMITTEE
held in Council Chamber, Memorial Hall,
Innerleithen on Thursday, 27 October, 2016
at 3.00 pm

Present:- Councillors G. Garvie, (Chairman), S. Bell, G. Logan.
Community Councillor Marshall Douglas.

In Attendance:- Chief Financial Officer, Principal Solicitor (H. MacLeod),
Democratic Services Officer (K. Mason), Business Director,
LIVE Borders (L. Wood) (para 4).

Member of the Public:- Mr Ross McGinn, Chairman, Innerleithen Community Trust.

1. **APPOINTMENT OF CHAIRMAN**

Councillor Logan, seconded by Councillor Bell moved that Councillor Garvie be appointed Chairman of the Sub-Committee.

DECISION

AGREED that Councillor Garvie be appointed Chairman of the Sub-Committee.

2. **MONITORING REPORT FOR 6 MONTHS TO 30 SEPTEMBER 2016**

There had been circulated copies of a report by the Chief Financial Officer providing details of the assets held by the Innerleithen Common Good Fund as at 30 September 2016, a full year projected revenue out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. The report advised that the Memorial Hall was recognised as a Common Good asset on 1 April 2015 – the Chief Financial Officer undertook to check that date. The table in paragraph 3.3 of the report detailed how the three elements of the Hall were valued and depreciated during 2015-16. Appendix 1 to the report provided a projected Income and Expenditure account for the year to 31 March 2017. Appendix 2 to the report provided a projected balance sheet as at 31 March 2017. It showed a projected decrease in the reserves of £17,039. Paragraph 3.3 of the report referred to the three elements of the hall at transfer on 1 April 2015, the Chief Financial Officer undertook to check that date. It was noted that there was a risk with any property that works would be required during its life, which the Common Good did not hold funds for. This risk was mitigated by agreements in place between Scottish Borders Council and LIVE Borders. Operational costs were met by LIVE Borders and major repairs by Scottish Borders Council. The Solicitor advised that Members of the Common Good Fund were, as owners of the Memorial Hall, landlords to the managers of the facility - LIVE Borders. In discussing the condition of the meeting rooms in the Memorial Hall which were in a challenging state therefore unattractive to let, Members were advised that the responsibility for revenue repairs lay with LIVE Borders and maintenance responsibilities were with the Council. The Solicitor confirmed there was a 25 year agreement with LIVE Borders to manage the Memorial Hall. Mr McGinn advised that several years ago Innerleithen Community Trust had actioned a condition survey on the building, this had been checked over by Mr G. Smith, Property Officer, but the survey would be out of date now. He further explained that Innerleithen Community Trust had no funding but in previous years there had been commitments from individuals and businesses which could possibly be revived.

DECISION

(a) AGREED the projected income and expenditure for 2016/17 detailed in Appendix 1 of the report as the revised budget for 2016/17.

(b) NOTED the projected balance sheet value as at 31 March 2017 as detailed in Appendix 2 of the report.

3. INNERLEITHEN COMMON GOOD - REVIEW OF HERITABLE ASSETS IN FORMER BURGH OF INNERLEITHEN

With reference to paragraph 6 of the Minute of Meeting of Council of 31 March 2016, there had been circulated copies of a list of assets prepared by the Council's Legal Services. Council at the meeting held on 31 March 2016 agreed that the Innerleithen Common Good Fund Sub-Committee would, at an early opportunity, review the list of assets and confirm its agreement with Officers that these had been correctly identified. Any reallocation of assets to the Common Good as a result of the review would be agreed with the Section 95 Officer. The Principal Solicitor gave background information of the methods of determining whether a property was on the Common Good Account. She had inspected Minutes of Burgh meetings which were a useful tool to establish if property was common good and a determination also had to be made on whether the property was inalienable or alienable. In discussing Innerleithen Library and Victoria Park, and having heard legal advice from the Principal Solicitor, Members agreed to accept the information provided in the list of assets and that there be no changes made to the list. A question was raised about the Jubilee Clock on the building previously known as the Cleikum Mill, which had now been developed into flats. Mr McGinn advised that the Town Council Minutes of 1903 stated that the clock was to be retained in the ownership of the public. He advised he would forward a copy of an extract of the Minute to the Principal Solicitor to enable her to investigate the ownership of the clock. A suggestion was made that the title deeds of the flats could be used to establish if the owners had a responsibility to maintain the clock. Members went on to discuss Provosts' robes and chains. The Principal Solicitor advised that if the Innerleithen Provost's Chain pre-dated 1975 and was of a civic nature then it should be listed in the Common Good. Mr McGinn confirmed it was gifted to the town in the early 1920's by expatriates from South Africa. The Chief Financial Officer undertook to ascertain if the chain was insured and who was responsible for its custody.

DECISION

AGREED that:-

- (a) the assets had been correctly identified;**
- (b) Mr McGinn would provide a copy of the Town Council Minutes of 1903 to the Principal Solicitor to enable her to investigate the ownership of the clock; and**
- (c) the Chief Financial Officer would ascertain if the Innerleithen Provost's chain was insured and who was responsible for its custody.**

4. LIVE BORDERS - MANAGEMENT OF THE MEMORIAL HALL

Mr Lindsay Wood, Business Director, LIVE Borders was in attendance to update the Sub-Committee on the management of Innerleithen Memorial Hall. He gave background information in relation to the establishment of LIVE Borders and advised of a restructure which was currently taking place. In regard to the Memorial Hall he advised that there were 3 regular hires each week which provided a regular income stream. The Chairman advised that the Sub-Committee together with Innerleithen Community Council and Innerleithen Community Trust would be happy to work in partnership with LIVE Borders to make the Memorial Hall a better place for the Community. Mr Wood was not aware of any queries for office space within the Memorial Hall. He suggested that both he and Alan Scott (also LIVE Borders) be invited to future meetings to take things forward. It was agreed that copies of the condition survey carried out several years ago should be made available for discussion at the next meeting which would take place in January 2017.

DECISION

AGREED that

- (a) the Sub-Committee together with Innerleithen Community Council, Innerleithen Community Trust and LIVE Borders should work together to make the Memorial Hall a better place for the Community;
- (b) representatives from LIVE Borders be invited to future meetings of the Sub-Committee; and
- (c) a copy of the condition survey for the Memorial Hall be made available to Members of the Sub-Committee for discussion at the next meeting.

5. **DATE OF NEXT MEETING**

Members agreed that the next meeting of the Sub-Committee take place in January 2017 on a date to be determined.

DECISION

AGREED that the next meeting of the Sub-Committee take place in January 2017 on a date to be determined.

The meeting concluded at 4.00 pm