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HAWICK COMMON GOOD FUND SUB-COMMITTEE WEDNESDAY, 20 JANUARY 2021

A SPECIAL MEETING of the HAWICK COMMON GOOD FUND SUB-COMMITTEE will be held VIA MICROSOFT TEAMS on WEDNESDAY, 20 JANUARY 2021 at 5.00 PM.

THE MEETING WILL BE LIVE STREAMED TO THE PUBLIC AND A LINK WILL BE ON THE COUNCIL WEBSITE.

J. J. WILKINSON,
Clerk to the Council,

14 January 2021

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declaration of Interest	
4.	Minute (Pages 3 - 6) Consider Minute of meeting held on 8 December 2020. (Copy attached),	2 mins
5.	Proposed Donation of Artwork to the National Galleries of Scotland (Pages 7 - 8) Consider Briefing Paper by the Principal Solicitor. (Copy attached).	10 mins
6.	Financial Assistance (Pages 9 - 14) Paragraph 2.3 of the Minute of 8 December 2020 and application considered at the meeting of 2 September refers. (Copy attached for information).	5 mins
7.	Facility for Campervans at the Common Haugh Consider update by Estates Strategy Surveyor.	5 mins
8.	Any Other Items the Chairman Decides are Urgent	
9.	Any Other Items Previously Circulated	
10.	Private Business	

	<p>Before proceeding with the private business, the following motion should be approved:-</p> <p>“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 6 of Part 1 of Schedule 7A to the aforementioned Act”,</p>	
11.	<p>Private Minute (Pages 15 - 16)</p> <p>Consider Private Minute of the meeting held on 8 December. (Copy attached).</p>	2 mins

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 Committee:- Councillors G. Turnbull (Chairman), S. Marshall, W. McAteer, D. Paterson, C. Ramage, N. Richards, Mr J Campbell (Hawick) and Mr W Fletcher (Burnfoot)

Please direct any enquiries to Judith Turnbull Tel No. 01835 826556
Email: Judith.Turnbull@scotborders.gov.uk

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

MINUTES of Meeting of the HAWICK
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Tuesday, 8
December 2020 at 4.00 pm

Present:- Councillor G Turnbull (Chairman), W McAteer, S Marshall, D Paterson,
C Ramage, N Richards. Mr J Campbell (Hawick CC) Mr W Fletcher (Burnfoot
CC) (from para 2.2)

In Attendance:- Estates Strategy Surveyor (N Curtis), Managing Solicitor (R Kirk), Pensions
and Investment Manager (K Robb), Property Officer (F Scott), Project
Manager (R Warrington), Democratic Services Officer (J Turnbull).

1. MINUTE

There had been circulated copies of the Minute of the meeting held on 2 September 2020.

DECISION

**APPROVED the Minutes of the meetings held on 2 September for signature by the
Chairman.**

2. MATTERS ARISING FROM THE MINUTE

2.1 With regard to paragraph 3 of the Minute of 22 September 2020, Mrs Robb advised that Hawick
Reivers Association had reimbursed £566.00 to Hawick Common Good.

2.2 With reference to paragraph 4.2 of the Minute, relating to Hawick Recreation Association's
request for a grant of £7,374.00. It was noted that the Association had been advised that the
Council were not liable for the heating system at the Auld Baths. Mr Scott, Property Officer
advised that the original quotation, received with the application, had been forwarded to the
Council's Heating Engineer. However, approval was still awaited and modifications might be
required. The Committee were concerned at the delay and asked that the matter be
progressed timeously. It was noted that at the last meeting, the Association had been asked to
apply for funding from alternative sources and advise with progress of their application to the
Community Fund. Once this information had been ascertained and the heating costs quantified
a Special Meeting of Hawick Common Good was to be arranged. It was also noted that Hawick
Recreation Association would fund 10% of the costs.

2.3 MOTION BY COUNCILLOR MARSHALL

Councillor Marshall seconded by Councillor Turnbull, moved that Hawick Common Good Fund
50% of the new heating system, when costs had been quantified. The Council to consider
contributing 50% of the costs. The Motion was unanimously agreed.

DECISION

AGREED

- (a) **To fund 50% of the costs for a new heating system at The Auld Baths, Hawick, the
figure to be advised to Members when quantified;**
- (b) **To request that the applicant advise of the outcome of funding applications
submitted to alternative sources;**
- (c) **The Council to consider funding 50% of the heating costs;**
- (d) **That the tenancy agreement for the Auld Baths be clarified; and**
- (e) **A Special Meeting of the Hawick Common Good to be arranged when costs had
been quantified.**

(Note: Following the meeting Mr Kirk advised that in terms of the Scheme of Administration the Committee did not have the vires to ask the Council to consider paying 50% of the costs of the new heating system.)

3. FINANCIAL ASSISTANCE

3.1 Hawick Volunteers Group

There had been circulated copies of an application for financial assistance from Hawick Volunteers requesting £13,424.00 to re-wild the Hornshole site. The Chairman thanked Mr Hogg, Chair of Hawick Volunteers Group, for joining the meeting remotely. The Sub Committee congratulated the Group on their detailed application and welcomed the support from the community and volunteers for the project. Mr Hogg advised that because of additional funding received, the assistance required was now £10,724.00, the Group also continued to explore other sources of funding. The Sub-Committee unanimously agreed the funding and that the amount be rounded up to £11,000.00

DECISION

AGREED to award £11,000.00 to Hawick Volunteers Group for the re-wilding of the Hornshole site.

3.2 Future Hawick

There had been circulated copies of an application from Future Hawick requesting £9,500.00 for the Town of the Horse Project. The grant was required to fund a Business Plan and Quantity Surveyor's report which would enable other funding options to be explored. The Chair thanked Mr Bouglas, Project Leader, for joining the online meeting. The Sub-Committee discussed the application and raised concern that there was no Project Plan with associated costs, resources from other sources/organisation and details of a public consultation. In response to questions Mr Bouglas advised that SOSE required a Business Plan to enable other funding options to be assessed. The Business Plan would also inform a public presentation/consultation on what the Town of the Horse project was looking to achieve at St Leonard's Park (Hawick Moor). Future Hawick was also setting up a Steering Group for the Project which would include representatives from other organisations in the town. Any new building would use renewable green energy and the Business Plan would provide further details. Mr Bouglas advised that the Business Plan would be completed, ready for public presentation by May/June 2021. The Sub-Committee agreed to award Future Hawick £9,500.00 for a Business Plan and Quantity Surveyor's report.

DECISION

AGREED to award £9,500.00 to Future Hawick for a Business Plan and Quantity Surveyor's report for the Town of the Horse project.

4. APPLICATION FOR USE OF COMMON HAUGH

There had been circulated copies of an application from K Stuart Family Fund Fair for use of the Common Haugh for a Family Fun Fair, from Sunday, 21 March 2021 to Saturday 3 April 2021. The supplement to the application explained that if Covid-19 restrictions were still in place, the applicant would put fencing around the area to control numbers and have a track and trace system in place. There would also be a one way system, social distancing and hand sanitiser stations. Officers advised that because of flood protection works, space was limited and there was also restricted use for parking of cars, buses and campervans. The Wee Haugh was also been occupied as a laydown site by the Flood Protection team. Because of limited space available at the Common Haugh, the Sub-Committee unfortunately refused the application. However, it was hoped they would be able to welcome the Family Fun Fair back to Hawick in the near future.

DECISION

REFUSED the application from K Stuart Family Fun Fair for use of the Common Haugh for a Family Funfair in March/April 2021.

5. MONITORING REPORT FOR SIX MONTHS TO 30 SEPTEMBER 2020

With reference to paragraph 7 of the Minute of 2 September 2020, there had been circulated copies of a report by the Executive Director Finance & Regulatory providing details of income and expenditure for the Hawick Common Food Fund for the six months to 30 September 2020, a full year projected out-turn for 2020/21 and projected balance sheet values at 31 March 2021. The Pensions and Investment Manager, Mrs Robb highlighted the main points of the report. Appendix 1 to the report provided the projected income and expenditure position for 2020/21. This showed a projected surplus of £3,553 for the year, which was less than previously reported due to the proposed reduction in the Property Income budget. Appendix 2 provided a projected balance sheet value as at 31 March 2021 and showed a projected decrease in reserves of £34,848, the main reason for which was reduction in rental from the Common Haugh car park. Appendix 3 provided a breakdown of the property portfolio showing projected income for 2020/21 and actual property expenditure to 30 September 2020. Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 30 September 2020. It was anticipated that this would increase in the next monitoring round. It was noted that reduction in rental income of £9,474 was due to Covid-19 restrictions restricting rental, flood protection works and reduced rental from Hawick Market. Mrs Robb advised that at the next meeting the Sub-Committee might consider further investment in the Aegon Asset Management Fund from the income received from the Pilmuir servitude and the sale of timber.

DECISION

- (a) AGREED the projected income and expenditure for 2020/21 in Appendix 1 as the revised budget for 2020/21.**
- (b) NOTED within the appendices to the report the:-**
 - (i) projected balance sheet value as at 31 March 2021 in Appendix 2;**
 - (ii) summary of the property portfolio in Appendix 3; and**
 - (iii) current position of the Aegon Asset Management Investment Fund in Appendix 4.**

6. HAWICK MARKET

With reference to the paragraph 13.4 of the Minute of 2 September 2020, the Estates Strategy Surveyor, Mr Curtis, confirmed that Geraud Markets had served notice and no longer ran Hawick Market. The interim measures now in place was that a stallholder collected rental and reimbursed Hawick Common Good. Income from the market was £45 to £85 per week. Mr Curtis asked that the Sub-Committee consider the future for Hawick Market. Following discussion it was agreed that the market was important to the town and the traders. Members asked for a report to the March meeting, on options for Hawick Market, to include location of the market – to retain in the Common Haugh or if there was an alternative appropriate site (Wee Haugh, Civic Space, former Armstrong's site); an open day; if there were other interested parties in managing the market and how to encourage more stallholders. In response to question Mr Curtis advised that a large stall was £25.00, Medium stall was £20.00 and car boot stall £10.00.

DECISION

AGREED that officers bring back a report to the March meeting on options for the future of Hawick Market.

7. URGENT ITEM

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.

8. FACILITY FOR CAMPERVANS AT THE COMMON HAUGH

It was requested that officers investigate the creation of sluice facility for campervans at the Common Haugh to empty their WCs. Mr Curtis advised that a manhole with drainage facility would need to be installed and he would advise of costs and maintenance requirements the next meeting. The Sub-Committee also to consider charging campervans for use of the Common Haugh or if this should remain free of charge. It was noted that Future Hawick had agreed to contribution of £500.00 for the works.

DECISION

AGREED to request officers provide an update at the Special Meeting on the costs associated with installation of a sluice facility for campervans at the Common Haugh.

9. PROPERTY UPDATE

9.1 Toilets at Hawick Moor

With reference to paragraph 13.1 of the Minute of 2 September 2020, Mr Scott, Property Officer, advised that asbestos would be removed from the building on 11 December at a cost of £750.00. Once the asbestos was removed he would progress the demolition of the toilets.

9.2 Pilmuir Farm

Mr Curtis advised that St Leonard's Moss at Pilmuir Farm would be included in the Local Development Plan as a local biodiversity site in recognition of the areas benefits to wildlife.

DECISION

NOTED the property updates.

10. PRIVATE BUSINESS

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 Paragraphs 6 and 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

11. PRIVATE MINUTE

Members approved the Private Minute of Hawick Common Good Fund Sub Committee held on 2 September 2020.

12. MATTERS ARISING FROM THE MINUTE

Officers provided updates on matters arising from the Minute of 2 September 2020

13. PROPERTY UPDATE

The Sub-Committee considered updates on Acreknowe Reservoir, the Woodlands and St Leonard's Cottage.

The meeting concluded at 6.35 pm



Proposed Donation of Artwork to the National Galleries of Scotland

Briefing Paper by Hannah MacLeod

HAWICK COMMON GOOD FUND SUB-COMMITTEE

20 JANUARY 2021

1 PURPOSE AND SUMMARY

This report is to advise Members of the Hawick Common Good Fund Sub-Committee of the results of the public consultation carried out in terms of the Community Empowerment (Scotland) Act 2015 in respect of the proposal to donate to the National Galleries of Scotland, a portrait of the Earl of Minto by George Chinnery.

The consultation was carried out through Citizens Space, and was advertised on the Council's website. It opened on 14 September 2020 and closed on 7 December 2020. The consultation advised the public of the proposed donation, explained the reasons for the proposal, and requested comments.

2. BRIEFING

Twenty responses were received to the consultation. Of those, the majority were positive and provided comments such as "a good solution", a "sensible and appropriate" solution, and "very important for the preservation of the painting".

Seven of the twenty responses noted an objection to the proposed donation. Of these seven responses, three objected to the notion of donation – they wished the portrait to be sold, and the proceeds to go to the Hawick Common Good.

Three of the objections wished the portrait to be restored by the HCG fund and then hung in Hawick. One responder highlighted that the town had the availability of the Town Hall, the library, the museum, Heritage Hub, and Tower Mill, and questioned why the painting could not be accommodated in any of these places.

The seventh of the non- supportive responses asked that the following questions be considered before any decision was made:

- Has the council considered the value that could be obtained for the picture if it was sold on the open market?
- Is the picture ever likely to be displayed by NGS or will it be permanently in storage?
- Has it been assessed by curatorial staff on its value to the history of the Scottish Borders and been judged significant?

Members will recall that the proposal to donate was formulated in light of various factors, including the cost of restoring the painting, the cost of insuring the painting, its significant size and the lack of suitable hanging space in the town, and the preference for retaining the painting within public ownership in terms of the Museum Association Code of Ethics.

3 Next Steps

In accordance with the 2015 Act, Members should now consider the comments received in response to the consultation and decide whether to proceed with the donation or not.

Author(s)

Name	Designation and Contact Number
Hannah Macleod	Principal Solicitor Tel No. 01835 825215

Background Papers:

Previous Minute Reference:

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below.

Contact us at Judith Turnbull, Scottish Borders Council, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 826556 Email: Judith.turnbull@scotborders.gov.uk



**HAWICK COMMON GOOD FUND
APPLICATION FOR FINANCIAL ASSISTANCE**

<p><u>Applicant Details</u> Name and Address of Applicant/Organisation:</p> <p>Telephone No:</p> <p>Email:</p>	<p>Hawick Recreational Association Auld Baths Bath Street Hawick TD9 7DP</p>
<p>Address to which payment should be made:</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>Several club sport's activities Music and Dance Events Railway Club Annual Event Teri's in Tartan Wedding Fayre Reiver's Annual Festival Children's Birthday Parties Weddings</p>
<p><u>Assistance Requested</u> Please indicate the sum requested and the purpose for which it will be used:</p>	<p>£14748 - New Heating System Equipment. Application also being made to SBC Community Fund</p>
<p>When will the donation be required:</p>	<p>As soon as possible, would like the heating installed to encourage use of the Hawick Recreational Association facilities.</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>27/02/2020</p> <p>£14748</p> <p>SBC Community Fund Application being made</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><u>Equal Opportunities</u> State how you take account of equal opportunities legislation by including all sections of the community (include child protection, vulnerable adult legislation if relevant, disability, promotion of equality of access to services irrespective of race, gender, age sexual orientation, religious or political beliefs).</p>	<p>I have attended Child Protection Training, LGBTIQ +, Fire Warden, First Aider all of which have given me training and the ability to put in place relevant legislation. The building is compliant for relevant disability, promotion of equality of access to services.</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: Craig Girvan</p> <p>Position Held: Chairperson</p> <p>Date: 27/02/2020</p>	
<p>Note: All applications from organisations MUST be accompanied by a copy of the latest audited accounts. Completed application forms, accounts and any supporting documents are circulated with the agenda and are available on the Council's public website. Following the event/project the evaluation form must be completed and returned.</p>	
<p>This completed form, accounts and any supporting details should be submitted to Judith Turnbull Democratic Services Officer, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA. Telephone 01835 826556</p>	

HAWICK RECREATION ASSOCIATION
Bath Street, Hawick TD9 7DP
INCOME & EXPENDITURE 2018 - 2019

INCOME			EXPENDITURE		
DATE	ITEM	AMOUNT	DATE	ITEM	AMOUNT
2018			2018		
April	Rangers Supporters	165.00	April	Business Stream	195.32
	Hawick Reivers Assoc	200.00	May	Business Stream	42.27
	Hawick Rifle	30.00	June	Scottish Hydro Gas	460.04
May	Alchemy Film Festival	150.00	July	Business Stream	195.93
	Hawick Rifle	30.00	August	Scottish Hydro Gas	122.25
	G10 Sports	60.00	Oct	Business Stream	260.85
	G10 Sports	84.00		Swinton Group	30.00
	Hawick Legion AFC	60.00	Nov	Roxburgh Heating	54.00
June	Hawick Legion AFC	45.00	Dec	Roxburgh Heating	36.00
	Hawick Rifle	30.00		Petty Cash	30.00
July	Hawick Legion AFC	60.00		Swinton Group	450.00
	Hawick Rifle	30.00		Scottish Gas/Electric	19.27
August	Hawick Legion AFC	60.00		Scottish Gas/Electric	121.40
	Hawick Rifle	30.00		Scottish Gas/Electric	15.75
	HDRS	450.00	2019		
	Hawick Rifle	30.00	January	Barries Refund	250.00
Sep	Nicola Porter	325.00	February	Hydro Electric	180.35
	Hawick Legion AFC	60.00		B S RA	260.61
	SBC HHS	75.00		Hydro Gas	261.14
Oct	Hawick Rifle	30.00	March	Hydro Electric	180.35
	Hawick United Ladies	60.00		B S RA	260.61
	Hawick Legion AFC	60.00		Hydro Gas	261.14
	Barrie Knitwear	390.00		Sec/Treasurer	150.00
	Hawick United Ladies	48.00			
Nov	Hawick Rifle	30.00			
	Hawick Youth Football	45.00			
	Hawick Legion AFC	60.00			
	Hawick United	108.00			
	SBC HHS	60.00			
Dec	Deposit	553.00			
	Hawick Rifle	30.00			
	Hawick United	108.00			
	Hawick Youth Football	75.00			
	Hawick Legion AFC	75.00			
	Hawick Youth Football	30.00			
	Hawick United	48.00			
	Hawick Legion AFC	45.00			
	Hawick Girl Guides	70.00			

INCOME

EXPENDITURE

DATE	ITEM	AMOUNT	DATE	ITEM	AMOUNT
2019	Border Ladies	60.00	2019		
Jan	Hawick Legion	60.00			
	Hawick Youth	45.00			
	Hawick United	108.00			
	Hawick Rifle	30.00			
	Border Ladies	60.00			
Feb	Boxing Club Rent	300.00			
	Hawick Rifle	30.00			
	Hawick Waverley	15.00			
	Rugby Memories	14.62			
	Hawick Youth	30.00			
	Hawick Legion	60.00			
	Hawick United	96.00			
	Border Ladies	45.00			
Mar	Hawick Legion	60.00			
	Hawick United	96.00			
	S Ellins	72.00			
	Hawick Reivers	200.00			
	J Smith	60.00			
	Hawick Rifle	30.00			
	Deans Bar	100.00			
	A Dyce	30.00			
	Balance Bfwd			2617.26	
	Income			5500.62	
	Less Expenditure			<u>3837.28</u>	
				<u><u>4280.60</u></u>	
	Bank Balance 31/03/19			<u><u>4280.60</u></u>	

Hawick Recreation Association audited accounts from 01/04/18 to 31/03/19

I have examined the accounts of Hawick Recreation Association and this is a true and accurate record

Signed: _____

Date: 23/5/19

Independent Examiner

Chairperson: _____

Treasurer: _____

Date: 23/5/19

Date: 23/05/19

HAWICK RECREATION ASSOCIATION
Bath Street, Hawick TD9 7DP
INCOME & EXPENDITURE 2018 - 2019

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	Hawick Rifle	30.00		Scottish Gas/Electric	15.75
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INCOME

EXPENDITURE

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	Hawick Reivers	200.00			
	J Smith	60.00			
	Hawick Rifle	30.00			
	Deans Bar	100.00			
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	Income			5500.62	
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Hawick Recreation Association audited accounts from 01/04/18 to 31/03/19

I have examined the accounts of Hawick Recreation Association and this is a true and accurate record

Signed: _____

Date: 23/5/19

Independent Examiner

Chairperson: _____

Treasurer: _____

Date: _____

23/5/19

Date: _____

23/05/19

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