SCOTTISH BORDERS COUNCIL
HAWICK COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the HAWICK COMMON GOOD FUND SUB-COMMITTEE held in Microsoft Teams on Tuesday, 17 August 2021 at 4.00 pm

Present:-	Councillor G Turnbull (Chairman), D Paterson, N. Richards, C Ramage, Mr J Campbell (Hawick CC) Mr W Fletcher (Burnfoot CC).
Apologies:	Councillor S Marshall, W. McAteer, Mr W Fletcher (Burnfoot CC).
In Attendance:-	Estates Strategy Manager (N Curtis), Managing Solicitor (R Kirk), Pensions and Investment Manager (K Robb), Property Officer (F Scott), Democratic Services Officers (F Henderson and W, Mohieddeen).

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1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 18 June 2021.

DECISION
APPROVED the Minute of the meeting held on 18 June 2021 for signature by the Chairman.

2. **MATTERS ARISING FROM THE MINUTE**

With reference to paragraph 8 of the Minute of 25 May 2021, Mr Curtis advised that following the market being advertised via Economic Development, Communities & Partnerships team (SBC), Business Gateway (now SoSE) and Communities team (SoSE) and through SBC social media channels an expression of Interest had been received. Mr Curtis was in contact with the interested party as there initial submission required further information to be supplied. Mr Curtis suggested that a special private meeting be arranged to discuss the application received and update the sub-committee on final plans for car parking, including specific area for Campervans, and landscaping around the flood protection works, which required sign off before going to planning.

DECISION
AGREED that a special private meeting be held to discuss the application received for the Hawick Market within the next 4 weeks.

3. **MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2021**

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 three months to 30 June 2021, a full year projected out-turn for 2021/22, and projected balance sheet values as at 31 March 2022. Appendix 1 to the report provided the projected income and expenditure position for 2021/22. This showed a projected surplus of £25,644 for the year, which was better than the surplus figure reported at the previous meeting. Appendix 2 provided a projected balance sheet value as at 31 March 2022 and showed a projected decrease in reserves of £38,697. Appendix 3a provided a breakdown of the property portfolio showing projected rental income and net projected net return for 2021/22 and actual property expenditure to 30 June 2021. Appendix 3b provided a breakdown of the property portfolio showing projected property expenditure for 2021/22 and actual property expenditure to 30 June 2021. Appendix 4 provided a breakdown of the property portfolio showing projected property valuations at 31 March 2022.

Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 30 June 2021. Mrs Robb answered members' questions and advised that Aegon would be presenting to the Council later in the year.

DECISION

(a) AGREED the projected income and expenditure for 2021/22 in Appendix 1 as the revised budget for 2021/22.

(b) NOTED:

(i) the projected balance sheet value as at 31 March 2022 in Appendix 2;

(ii) the summary of the property portfolio in Appendices 3 and 4; and

(iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5.

FINANCIAL ASSISTANCE

4. **Hawick Ambulance Station**

There had been circulated copies of an application for financial assistance from Hawick Ambulance Station in the sum of £60 towards the cost of outside shrubs and plants. The application explained that there were currently seven large planters, two small planters and a small rockery outside the entrance to Hawick Ambulance Station. Unfortunately these had not been maintained in recent years and the ambulance crew were looking for support to purchase some small shrubs and perennial flowers to brighten the entrance and help them de-stress. Representatives from the ambulance station were unable to attend the meeting.

DECISION

AGREED to award £60 towards the cost of purchasing shrubs and perennial flowers for the planters and rockery at the entrance to Hawick Ambulance Station.

5. **EARL OF MINTO POTRAIT**

With reference to paragraph 2.1 of the Minute 16 March 2021, Ian Brown reported that on 14 July Councillors Turnbull and McAteer, along with Nuala McKinlay and Ian Brown met on Zoom with the Earl of Minto to discuss the possibility of the painting being accommodated on the Minto estate. The Earl of Minto expressed a willingness to help find a suitable home for the painting and offered space in the "Old Dairy". This offer was welcomed and it was agreed that the next step would be for Ian Brown and Shona Sinclair (Live Borders Museum Service) to visit the Old Dairy and assess its suitability.

5.1 Ian Brown and Shona Sinclair met with the Earl on 10 August 2021 at the Old Dairy and whilst the space was certainly not 100% ideal it did appear to be suitable. Although the building was relatively small it did have walls that were high enough to accommodate the painting. The Dairy was a substantial stone building and should be able to provide a relatively stable environment. When visited the humidity level was high but this was immediately after a very wet spell of weather and the building was already equipped with a dehumidifier and an alarm system. The Estate use the building for small meetings and functions and portraits of two other family members, including the 1st Earl's wife hung on the walls. These portraits had been hanging for about 12 months and appeared in relatively good condition. As this was a building that already had an element of use it should be possible to include an agreement for reasonable access should there be particular reason for requests to view the painting. The condition of the painting would require to be closely monitored on a three monthly basis initially for any deterioration. The National Gallery of Scotland (NGS) would be approached for a condition report so that there was a base line for monitoring the condition of the painting, which Live Borders had agreed to undertake on an annual basis. Mr Brown recommended that the Earl's offer to provide accommodation for the painting should be pursued and the next steps would be to draft a loan

agreement that was acceptable to both parties. The agreement would be a loan arrangement between Hawick Common Good and the Earl of Minto.

5.2 Councillor Paterson raised concerns that leasing the portrait to the Earl of Minto may result in the loss of the portrait through the passing of time and proposed that the painting be sold as it was a Hawick Common Good asset. The majority of those present were in favour of the portrait being re-housed with the Earl of Minto, who would be responsible for the insurance and bound by a legally enforceable agreement, as the portrait required to be removed from the National Gallery and an alternative found. The Sub- Committee considered selling the portrait and were advised of the cost of sending the portrait to auction. The Sub-Committee agreed to accept Lord Minto's open invitation to visit the building prior to making a final decision.

5.3 Councillor Paterson moved that the portrait be sold, there was no seconder and the motion fell. Councillor Paterson asked that his dissent be recorded.

DECISION
AGREED:-

(a) to accept Lord Minto's open invitation to visit the building prior to making a final decision.

(b) that Ian Brown arrange for the Sub-Committee to visit with Lord Minto as soon as possible and advise the Councillors.

PROPERTY UPDATE

6.1 **Sir James Wilson**

Mr Scott reported that the Sir James Wilson statue had been vandalised and two fingers and the thumb had been broken off. Mr Scott was seeking the culprits be charged for the malicious damage. As this was not the first time damage had been done to the statue, Mr Scott was suggesting that the statue be placed in a glass casing and presented images of possible solutions. The Sub-Committee considered the possible ongoing cost of repairs agreed to request further information.

DECISION
AGREED that Mr Scott undertake the following prior to the next meeting:

- **Costings for the proposed casing and installation**
- **Seek advice from Planning on the possible permissions required**
- **Seek advice from Gillian Jardine about possible funding available**

6.2 **Tour of Britain**

Mr Scott reported that he had been approached to erect the common riding bunting (which belonged to the Common Good) in the Town for Stage 7 of the Tour of Britain which was starting from Hawick on Saturday, 11 September 2021. It was noted that the bunting would generally be put up by the Common Riding Committee at a cost of £700.

DECISION

AGREED that:-

(a) the Common Riding Bunting be erected for the Tour of Britain;

(b) the Common Good would pay for the bunting to be erected; and

(c) Mr Scott arrange the necessary contractors to erect the bunting

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 or to keep Members informed.

6.3 **Moat Park, Hawick**
Mr Curtis raised the maintenance of the Motte at Moat Park and advised that the Callants Club had expressed an interest in undertaking seasonal work and an agreement had been drawn up. It was subsequently advised at the meeting that the Callants Club were no longer interested in undertaking this work.

DECISION
NOTED.

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 the appropriate paragraphs of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7.0 **PRIVATE MINUTE**
Members approved the Private Minute of Hawick Common Good Fund Sub Committee held on 16 March 2021.

8.0 **HAWICK GOLF CLUB**
This item was deferred to the next scheduled meeting.

9.0 **FACILITY FOR CAMPERVANS AT THE COMMON HAUGH**
There was an update on the progress of the possible installation of the Sluice at the Common Haugh for visiting campervans.

10.0 **PROPERTY UPDATE**
The property Officer and Estates Strategy Manager updated the Sub-Committee on the annual Property visits carried out on 23 June 2021.

The meeting concluded at 5.20 pm