

SCOTTISH BORDERS COUNCIL SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTES of Meeting of the SELKIRK
COMMON GOOD FUND SUB COMMITTEE
held via MS Teams on Wednesday, 15 June
2022 at 3.00 pm

Present:- Councillors C. Cochrane, L Douglas and E. Thornton-Nicol and Community
Councillor I. King
In Attendance:- Estates Surveyor (T. Hill), Property Officer (S. Drummond), Solicitor (J.
Webster), Treasury Business Partner (S. Wilson), Democratic Services
Officers (D. Hall & F. Henderson).

1. CHAIRMAN

Councillor Douglas, seconded by Councillor Thornton-Nicol, moved that Councillor Cochrane be appointed as Chairman. There being no other nominations, Councillor Cochrane was appointed as Chairman and took the chair.

DECISION

AGREED that Councillor Cochrane be appointed as Chairman.

2. MINUTE

- 2.1 There had been circulated copies of the Minute of the meeting held on 9 February 2022.
- 2.2 With reference to paragraph 1.1. of the Minute of 9 February 2022, Mr King again raised concerns about the adequacy of insurance for specific historical artifacts belonging to Selkirk Common Good. In response, Ms Webster explained that the consultation to ascertain Common Good owned property was ongoing, and as she was unaware of specific items insured, she undertook to raise the matter with Mrs MacLeod, Principal Solicitor who was collating the information.
- 2.3 The potential sale of the business known as the Court House Coffee Shop was raised as staff had been told that the premises would close at the end of June. Ms Webster explained that any assignation or transfer of the lease would be subject to Council oversight and checks by Estates and Legal services and no instruction had been received to this effect and no termination notice had been received. Ms Hill advised that she was not familiar with the terms of the Lease and would contact the Occupier to ascertain the position. There was some discussion on the process for leasing the premises and it was agreed that a Business Plan would be required from any potential lease holders.

DECISION

- (a) **APPROVED the Minute for signature by the Chairman;**
- (b) **AGREED that the:-**
- (i) **Ms Webster, Solicitor raise the matter of insurance for artifacts with the Principal Solicitor and report back to a future meeting;**
 - (ii) **Ms Hill, Estates Surveyor contact the Lease holder of the Court House Coffee shop to ascertain whether the lease was to be terminated and report back to the next meeting.**

1. FINANCIAL MONITORING REPORT FOR THE 12 MONTHS TO 31 MARCH 2022

There had been circulated copies of a report by the Director Finance & Corporate Governance which provided details of income and expenditure for the Selkirk Common Good Fund for the year 2021/22 including balance sheet values as at 31 March 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Treasury Business Partner, Sara Wilson, highlighted the main points of the report and appendices and provided further information in response to Members' questions. Appendix 1 to the report provided the projected income and expenditure position for 2021/22. This showed a surplus of £14,283 for the year, which was better than the previously reported deficit on 9 February 2022, mainly as a result of an underspend in the Grants & Contribution and Repairs & Maintenance budgets. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2022. It showed an increase in the reserves of £937,938, due mainly to the re-classification of assets exercise carried out by Estates & Legal, partially of-set by the annual release from the Revaluation Reserve. A breakdown of the property portfolio showing actual rental income and net return for 2021/22 was shown in Appendix 3a whilst Appendix 3b provided a breakdown of the property portfolio expenditure for 2021/22. Appendix 4 provided a breakdown of the property portfolio, showing actual property valuations at 31 March 2022. The current position of the Aegon Asset Management Investment Fund was shown in Appendix 5 to the report. In response to a question regarding the £94 repair bill at the Swimming Pool, Ms Wilson undertook to investigate the matter and provide an explanation via email. Regarding the grant that had been approved for Selkirk Musical Theatre Company, Ms Wilson explained that the funding had been agreed subject to the performance proceeding. The Solicitor agreed to investigate with Mrs Macleod, Principal Solicitor whether the ownership of artefacts stored in Halliwell's Museum had been explored. With regard to the ownership of the Anthony Hain painting hanging in the Victoria Hall, Community Councillor King was of the opinion that the painting would be Common Good owned. Mr King further raised concerns within the Selkirk Community about the number of Common Good owned items moved from St Mary's Mill to Hawick due to flood risk. The Chair suggested that Legal & Estates inspect the Library in Selkirk as a potential site to store Common Good owned artifacts such as paintings.

DECISION

(a) AGREED:-

- (i) the projected income and expenditure for 2022/23 in Appendix 1 to the report as the revised budget for 2022/23;**
- (ii) that the Solicitor investigate with Mrs Macleod, Principal Solicitor whether the ownership of artefacts stored in Halliwell's Museum had been explored, including the ownership of the Anthony Hain painting,**
- (iii) that Legal & Estates inspect the Library in Selkirk as a potential site to store Common Good owned artifacts such as paintings.**

(b) NOTED:-

- (i) the actual income and expenditure for 2021/22 in Appendix 1 to the report;**
- (ii) the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 to the report;**
- (iii) 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.**

4. PROPERTY UPDATE

With regard to Common Good land holdings and boundaries on Selkirk Hill, Ms Webster explained that the working presumption in the past was that the land at Selkirk Hill was Common Good owned property. The Burgh Charter did not provide any information on the boundary with regard to Selkirk Hill. The Solicitor explained that the issue had been raised in the past, but it had not been possible to confirm whether or not the land was Common Good owned. The potential to engage an external searcher to investigate remained a possibility. It was suggested that the dry stone dyke along the boundary of the area appeared to be the enclosing feature.

DECISION

NOTED the discussion regarding Common Good Land Holdings and boundaries on Selkirk Hill

5. **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

6. **MINUTE**

The Private section of the Minute of the Meeting held on 9 February 2022 was approved.

7. **PROPERTY UPDATE**

The Sub-Committee received an update on private matters relating to Common Good owned property and approved various maintenance works.

The meeting concluded at 3.45 pm