

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

MINUTES of Meeting of the KELSO  
COMMON GOOD SUB-COMMITTEE held in  
Via Microsoft Teams on Tuesday, 13th  
September, 2022 at 5.30 pm

Present: - Councillors E. Robson (Chairman), T. Weatherston, S.  
Mountford, Community Councillor Gavin Horsburgh.

In Attendance: - Pensions and Investments Manager, Principal Solicitor, Clerk to  
the Council.

Members of the Public: - 0

**CHAIR'S REMARKS**

The Chair advised that during the time the meeting was being held, Her Majesty the late Queen's coffin was due to leave Scotland for the last time, and proposed that as a mark of respect for Her dedicated service to this country and the Commonwealth, a minute's silence be held. The meeting then resumed at 5:31 p.m.

**1 MINUTE**

- 1.1 Copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 21 June 2022 had been circulated.

**DECISION**

**AGREED to APPROVE the Minute for signature by the Chairman.**

- 1.2 With reference to paragraph 3 of the Minute, in terms of the decision at (a)(ii) "that the Tree Officer be requested to carry out a survey of the trees contained within the Pinnaclehill Woodland to be reported to a future meeting", the Chair advised that he had walked round the Woodland recently and it was important that the safety of the public was assured. Unfortunately, Mr Simon Wilkinson, the Tree Officer, had been unable to attend this meeting due to another engagement. Councillor Weatherston referred to the original reason for the purchase of the Woodland which he believed was for a field archery course. The Chair referred to a number of issues, with some residents of Pinnaclehill Park concerned by trees overhanging their gardens and also the state of some of the paths and trees within the Woodland. Members discussed the options available to them and the timing of these. Councillor Weatherston also referred to the potential to speak with SBHA which had recently appointed a contractor to map and survey each tree in their ownership.

**DECISION**

**AGREED:**

- (a) **that the Democratic Services Officer (Mrs Henderson) arrange a site visit for members of the Common Good Fund Sub-Committee with the Council's Tree Officer and any other relevant officer to Pinnaclehill Woodland to check the safety of the trees and paths;**
- (b) **as part of the site visit, that consideration would be given to what work was needed on trees overhanging residents' gardens; and**

- (c) **that an update on potential work required at Pinnaclehill Woodland would be given to the next meeting of the Common Good Fund Sub-Committee and background papers on the original purchase of the Woodland would also be provided to that meeting.**

**2 MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2022**

Copies of a report by the Acting Chief Executive providing details of the income and expenditure for the Kelso Common Good Fund for the three months to 30 June 2022, a full year projected out-turn for 2022/23, including balance sheets 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. Appendix 1 to the report provided the projected Income and Expenditure position for 2022/23, which showed a projected surplus of £7,804 for the year. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2023 and showed a projected decrease in reserves of £53,675. Appendix 3(a) to the report provided a breakdown of the property portfolio showing rental income and net return for 2022/23, and actual property income to 30 June 2022. Appendix 3(b) provided a breakdown of the property portfolio showing projected property expenditure for 2022/23, and actual property expenditure to 30 June 2022. Appendix 4 provided a breakdown of the property portfolio showing projected property valuations at 31 March 2023. Appendix 5 detailed the value of the Aegon Asset Management Investment Fund to 30 June 2022. The Pension & Investment Manager highlighted the main points in the report and answered Members' questions on the total value of the Common Good, the options for investment with Aegon, and the need to set a property budget for this year should work be required to Pinnaclehill Woodland.

**DECISION**

**(a) NOTED:**

- (i) the projected income and expenditure for 2022/23 in Appendix 1 to the report;**
- (ii) the 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 to the report; and**
- (iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.**

- (b) AGREED that no decision be made about further investment with Aegon until after the potential future works at the Pinnaclehill Woodland was known.**

**3. CONSULTATION ON HERITABLE AND MOVEABLE ASSET REGISTERS FOR THE FORMER BURGH OF KELSO**

With reference to paragraph 2 of the Minute of 8 December 2021, copies of a report by the Principal Solicitor advising on the outcome of the recent consultation under the Community Empowerment (Scotland) Act 2015 and seeking approval of the final Common Good Register for Kelso, had been circulated. Under the Act, the Council was required to establish and maintain a register of property which was held by the authority as part of the Common Good ("a Common Good Register"). Before establishing a Common Good Register, the Act required the Council to publish a list of property that it proposed to include in the Register and consult the public on that list. The Sub-Committee had approved the draft asset register at its meeting in December 2021, and agreed to the commencement of the public consultation, which ran from December 2021 to 31 March 2022. The consultation - which was advertised on the Council website and through the Area Partnership - published the draft list of assets, together with a location plan for each

of the land or building assets. Members of the public were asked for comments on (i) whether a proposed asset should be included as part of the Common Good, and (ii) whether there should be other assets included in the Common Good asset list. There were 65 responses in total to the consultation which covered all Common Goods across the Borders, and 7 of these responses related to Kelso. Several of these simply agreed with the draft Register, but the 3 substantive responses, along with officers' considerations, were detailed in Appendix 1 to the report. The proposed final Register on Heritable and Moveable Asset Registers for the former Burgh of Kelso was detailed in Appendix 2 of the report. Should the Sub-Committee approve the final Register, approval would be sought from full Council for publication of all the Common Good Assets in the Scottish Borders by 30 September 2022. It would be possible to add to the Register should other assets be identified after this date. The Register would be reviewed at least every five years.

#### **DECISION**

##### **AGREED:**

- (a) to note the consultation responses and officers' comments thereon, as set out in Appendix 1 to the report;
- (b) to approve the contents of the final list of heritable and moveable property assets held by the Council within the former Burgh of Kelso, as set out in Appendix 2 to the report; and
- \* (c) to recommend to Council the said final asset list for publication as a completed Common Good Register for Kelso.

#### **4 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

##### **4.1 Toilets in Kelso**

Councillor Weatherston asked that a future item be placed on the agenda for the Common Good Sub-Committee, once the Council had agreed a position on the future of public toilet provision.

#### **DECISION**

**AGREED that the future provision of public toilets be considered by the Common Good Sub-Committee once the Council policy on future public toilet provision was known.**

##### **4.2 Tait Hall Sound System**

Community Councillor Horsburgh referred to the outdated sound system currently in the Tait Hall and asked what could be done to renew this for the Hall's many users. The system had broken down during an event in Civic Week which had proved embarrassing. Councillor Weatherston advised that Live Borders was intending to do some upgrade work on the Tait Hall and he would check to see whether that included a new sound system and advise the next meeting of the Sub-Committee accordingly.

#### **DECISION**

**NOTED.**

*The meeting concluded at 6.00 pm*