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PEEBLES COMMON GOOD FUND SUB-COMMITTEE WEDNESDAY, 14 SEPTEMBER 2022

A SPECIAL MEETING of the PEEBLES COMMON GOOD FUND SUB-COMMITTEE will be held
VIA MICROSOFT TEAMS on WEDNESDAY, 14 SEPTEMBER 2022 at 2.30 pm

J. J. WILKINSON,
Clerk to the Council,

7 September 2022

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest	
4.	Consultation on Heritable and Moveable Asset Registers for former Burgh of Peebles (Pages 3 - 62) Consider report by Principal Solicitor. (Copy attached.)	60 mins
5.	Any Other Items Previously Circulated.	
6.	Any Other Items Which The Chairman Decides Are Urgent.	

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 R. Tatler (Chairman), D. Begg, M. Douglas, J. Pirone, E. Small, V. Thomson and Community Councillor P. Maudsley

Please direct any enquiries to Louise McGeoch Tel: 01835 825005
Email: lmcgeoch@scotborders.gov.uk

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Consultation on Heritable and Moveable Asset Registers for former Burgh of Peebles

Report by Principal Solicitor

Peebles Common Good Fund Sub Committee

14 September 2022

1 PURPOSE AND SUMMARY

- 1.1 This report is to advise on the outcome of the recent consultation under the Community Empowerment (Scotland) Act 2015, and to seek approval of the final Common Good Register for Peebles.**
- 1.2 Under the Community Empowerment (Scotland) Act 2015 the Council is required to establish and maintain a register of property which is held by the authority as part of the Common Good ("a Common Good Register"). Before establishing a Common Good Register, the Act requires the Council to publish a list of property that it proposes to include in the Register and consult the public on this list.
- 1.3 The Peebles Common Good Sub-Committee approved the draft asset register in December 2021 and agreed to the commencement of the public consultation. The consultation ran from December 2021 to 31 March 2022,
- 1.4 The Sub Committee now requires to consider the responses received to the consultation, and approve the final register to be recommended to Council for publication.

2 RECOMMENDATIONS

- 2.1 I recommend that the Sub-Committee:-**
 - (a) Notes the consultation responses and officers' comments thereon, as set out at Appendix 1 to this report;**
 - (b) Approves the contents of the final list of heritable and moveable property assets held by the Council within the former Burgh of Peebles, as set out in Appendix 2;**
 - (c) Agrees to recommend to Council the said final asset list for publication as a completed Common Good Register for Peebles.**

3 BACKGROUND

- 3.1 Under the Community Empowerment (Scotland) Act 2015 the Council is required to establish and maintain a register of property which is held by the authority as part of the Common Good ("a Common Good Register"). Before establishing a Common Good Register, the Act requires the Council to publish a list of property that it proposes to include in the Register and to consult the public on this list.
- 3.2 A draft list was agreed by the Sub-Committee in December 2021 and a public consultation on that list took place from 21 December 2021 to 31 March 2022. The consultation was available on-line via Citizens Space, with paper copies of the lists being made available on request. The Council advertised the consultation on its website and through each of its Local Area Partnerships. In addition, details of the consultation were issued to every Community Council in the Scottish Borders.

4. CONSULTATION

- 4.1 The consultation published the draft list of assets, together with a location plan for each of the land or building assets. The consultation asked for comments on (i) whether a proposed asset should be included as part of the Common Good; or (ii) whether there should be other assets included in the Common Good asset list.
- 4.2 There were 65 responses to the consultation and 13 of these responses related to Peebles, including submissions from Peebles Community Council and Peebles Civic Society. The submissions are set out in Appendix 1.
- 4.3 In considering the responses received, officers from the Council's Legal team have liaised with Estates and Finance colleagues in order to determine the provenance of the assets concerned. The legal tests have then been applied to the information gathered in order to form a view as to the assets' common good status. The legal tests can be summarised as follows:
- All property or land owned by the Burgh in 1975 *may* belong to the Common Good;
 - If the title deeds of the asset contain a 'common good declaration' which clearly indicates that the property should be held for the people of the Burgh, it is likely that the asset belongs to the Common Good;
 - If there is evidence, from the title deeds or the Burgh records that the asset was acquired for a statutory purpose, or using statutory powers, the asset is unlikely to be part of the Common Good.
 - If the asset is part of a separate Trust, it will not form part of the Common Good.
 - Moveable items (such as art and artefacts) again may be Common Good if owned by the Burgh in 1975.
 - Items used principally for the administration of the Burgh (such as minute books) will not be part of the Common Good, whereas ceremonial items such as robes and chains are likely to form part of the Common Good.
- 4.4 Officers' responses to the consultation comments are set out in Appendix 1. The submissions received in respect of Peebles include comments on the overall Common Good consultation process and queries regarding the historical treatment of former Common Good assets. Whilst certain of these comments go

beyond the scope of the current consultation exercise, officers have included the submissions in full within Appendix 1, and have provided a response alongside.

- 4.5 If the Sub-Committee agrees that all consultation responses have been appropriately considered, the next step in the process is for the Sub-Committee to approve the asset list set out at Appendix 2, as being the final Common Good Register for Peebles. Any changes from the draft register approved in December have been highlighted.
- 4.6 Following approval by the Sub-Committee of the final Register, Council approval will be sought for publication of the final Registers for all of the Common Good assets in the Scottish Borders. The aim is to have the full Scottish Borders Common Good Asset Register published by the end of September 2022.
- 4.7 It is possible that following this process, further assets may be identified as being Common Good, and where that is the case, the Council will update the Common Good Asset Registers. The Registers will similarly be updated if existing property is disposed of or reclassified. The Council will also ensure that the Common Good Asset Registers are reviewed on a regular basis, and at least every five years.

5 IMPLICATIONS

5.1 Financial

There are no direct costs attached to implementing any of the recommendations contained in this report. However, the Council has a duty to ensure the accuracy of the Council's accounts. It is therefore important that any assets which should properly be classified as being Common Good are contained within the Common Good Registers, and therefore the Common Good Accounts. However, any assets owned by the Common Good but operated by the Council, remain in the Council's accounts with appropriate disclosure notes included in both sets of accounts.

5.2 Risk and Mitigations

The Council's primary aim is to ensure compliance with Part 8 of the Act in respect of Common Good assets. If the Council fails to comply with the duties contained in Part 8 of the Act it will be in breach of the legislation and the Council may be subject to adverse public comments and legal challenge. The risk is mitigated by considering this report and the Council carrying out the actions detailed herein.

5.3 Integrated Impact Assessment

Steps were taken to ensure that the consultation was accessible to all. These steps included the publication of the consultation in paper copy which was made available on request.

5.4 Sustainable Development Goals

There are no economic, social or environmental effects in accepting or rejecting the recommendation

5.5 Climate Change There are no effects on carbon emissions in accepting or rejecting the recommendation.

5.6 Rural Proofing

This is not a new policy matter.

5.7 Data Protection Impact Statement

There are no data protection implications resulting from the proposed publication of the Registers of Common Good.

5.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to the Council Schemes of Administration or Delegation.

6 CONSULTATION

6.1 The Director Finance & Corporate Governance, the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director People, Performance & Change, the Clerk to the Council and Corporate Communications have been consulted and comments received have been incorporated into the final report.

Approved by

Chief Legal officer

Signature

Author(s)

Name	Designation and Contact Number
Hannah MacLeod	Principal Solicitor, 01835 825 216

Background Papers: Nil

Previous Minute Reference: Nil

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Hannah MacLeod can also give information on other language translations as well as providing additional copies.

Contact us at Hannah MacLeod , Legal and Licensing Services, Council Headquarters, Newtown St Boswells , 01835 825002 T or email hannah.macleod@scotborders.gov.uk

Consultation on Heritable and Moveable Asset Registers for former Burgh of Peebles

Appendix 1: Responses to Consultation and Officers' Considerations

Consultation Comment	SBC Response	Recommended action
<p>There is an area of wet woodland running parallel to and between Edinburgh Road and the Eddleston Water, north of Brown Brothers Showroom, which used to form part of Venlaw Estate, which was gifted to the town of Peebles and which should be part of the Common Good.</p>	<p>This area is not currently listed as being an asset of the Council. The disposition in favour of the Burgh would indicate that this is a Common Good asset.</p>	<p>Have the asset listed as an asset of the Council, and added to the Common Good register.</p>
<p>May I ask you to clarify the position regards the "Corner Field" at Jedderfield Farm? This was offered recently as part of the Jedderfield farm lease but looking at your maps this field appears to be part of the Peebles Golf Club, although separated by a hedge and not part of the active playing part of the golf course itself. The Corner Field is the most south-westerly triangular field in the second map.</p>	<p>The Council's Estates team have confirmed that the Corner Field should show as part of the Jedderfield land rather than the golf course (both assets being common good). The plans of Jedderfield Farm and the Golf course have been amended to show that the Corner Field is part of the farm and not the golf course.</p>	<p>Ensure amended plans on Register</p>
<p>Old Workshops, School Brae should be on the Common Good Register – they were once owned by Town Council.</p> <p>6-9 Newby Court – those properties were once council owned</p>	<p>These properties were acquired by the Burgh Council in various tranches from 1911 to 1960. They were not purchased from common good funds and the subsequent demolition and redevelopment of properties that were in disrepair suggests that were acquired for statutory purposes and are not therefore common good assets.</p>	<p>No action.</p>

<p>Glencraig Cottage (next to Kingsland Road) on Neidpath Road should be on the asset register.</p> <p>and unless evidence can be provided that this was formally sold by the Town Council, rather than simply being transferred to another Council account, this should still be part of the Common Good.</p> <p>Firknowe was part of the Kirklands and Jedderfield Title and was originally listed as a Common Good asset, prior to 1974. It was sold in 1982 – can you confirm that the proceeds were paid to the Common Good?</p>	<p>Glencraig Cottage and Firknowe were both originally part of the Kirklands title, which was common good. However, in 1959 the cottages were transferred to the Housing Revenue Account with the permission of the Secretary of State for Scotland. The value of the properties (£975 for three cottages) was transferred to the Common Good Account at this time which is evidenced in the Common Good accounts.</p>	<p>No action</p>
<p>We presume that the area of the former Glencraig Nurseries, now part of the new Kingsland School development, is included in the Common Good lease for the school site.</p>	<p>The whole of the Kingsland school is situated on Common Good land and is therefore a common good asset, as noted on the register.</p>	<p>No action</p>
<p>Neidpath Car Park was also originally part of the Kirklands and Jedderfield title and we believe it should still be part of the Common Good, unless evidence can be provided that this area was sold by the Town Council.</p>	<p>Although it was originally part of the Kirklands and Jedderfield title, this area was acquired by the County Council in 1968 for development as a car park and filling station.</p> <p>This area was not owned by the Burgh in 1975 and accordingly does not form part of the Common Good</p>	<p>No action</p>
<p>No 1 Haylodge Cottage should be a Common Good asset</p>	<p>This property was sold to the tenant in 1990 under 'right to buy' legislation</p>	<p>No action</p>
<p>The derelict property at bottom of School Brae should be acquired by the Common Good and refurbished as a community asset.</p>	<p>Any acquisition of property for regeneration would be a decision of Council and not a matter for the Common Good.</p>	<p>No action by Common Good Committee</p>

The old drill hall – Peebles Community Centre, Walkershaugh – this asset may be a Common Good asset.	The old drill hall was not owned by the Burgh in 1975 and therefore does not form part of the Common Good. The Burgh sold the land in 1902 and it was re-purchased by the County Council in 1967.	No action
The haughland on the south bank of Hay Lodge Park was purchased from the Earl of Wemyss in 1919.	SBC would agree with this information and confirm that this asset is already reflected on the Common Good register	No action
The garage at Biggiesknowe, Peebles should be on Common Good register	28-32 Biggiesknowe were acquired by the Burgh Council under the Housing Acts and therefore do not form part of the Common Good.	No action
Tweed Green – why does this asset not include Tweedside, which it is believed the swimming pool is situated on, and which formed part of the same original title.	Tweedside Mill was acquired by the Burgh Council in 1968 with funds from the rates account for demolition and regeneration. This statutory purpose means the property (on which the swimming pool was later built) is not a common good asset.	No action
Walkershaugh allotments - were at one time included in Peebles Common Good Fund asset list in 2003 as PB043/27, but we note that this asset was subsequently removed, and now seems to appear in the Council's general asset list as PB053/01. As this property is part of the original title as above, it remains Common Good and should be classified as such.	This area was acquired in 1926 by Burgh Council. No common good declaration. 1926-27 Accounts show that the property now comprising Walkershaugh (inc. allotments and most of The Gytes Leisure Centre), Whitestone Park and Kerfield Park - was paid for from Rates - Public Parks Capital Account - and acquired for the statutory purpose of use as public park land. Although there had been an element of public donations and fund-raising, most of this occurred after the land had been purchased - and no part of the property was ever maintained from Common Good Funds.	No action
Neidpath Grazings – the area north of Kingsland school is included in the overall plan for Peebles Common Good but there appears no individual entry for this area.	The Kingsland school bounds Neidpath Grazings – both are Common Good assets. There is no separate area of land between the two titles. The plan of the school originally included in the consultation papers was incorrect in that it did not show this additional area	Ensure amended plan of school added to Register.

	to the north. The plan has now been corrected	
Haylodge park – the fishing rights (upper) would presumably have been part of the original Hay Lodge title and so should also be listed as Common Good.	The upper fishing rights are not owned by SBC, but by the Crown and cannot therefore form part of the Common Good	No action
In addition, we query that the title no longer includes the 'Rights of Way by Tweedside' which was listed in the Common Good accounts of 1974.	Rights of way would not form part of a Common good asset register. However, this would have no bearing on the existence of any public rights of way.	No action
Old Corn Exchange Rear Hall – this should be on the common good register	This is a common good asset and is on the draft register. However, the plan has been mistakenly excluded from the draft list and should be reinstated.	Ensure this asset is on register.
Cuddy Green – why is the linking riverside section between the two parts not Common Good? Presume this was Waulkmill Green, as listed in the common good accounts of 1974.	Not all of the Cuddy Green formed part of the Burgh Charter. Some areas were purchased for housing in 1973 and later sold for housing. Any areas which remain in Council ownership would not be Common Good as they were purchased for a statutory purpose.	No action
'Ground at Kingsland' was in 1917 list of Common Good assets but removed in 1999. This asset should be identified and the removal clarified.	Part of the Lands of Kingslands were acquired by the Burgh Council in 1917 and formed the old refuse tip now occupied by Violet bank playing fields. This land was sold by the Burgh Council to the County Council in 1963. As it was not owned by the Burgh in 1975 it does not form part of the Common Good.	No action
Veteran's Garden City Association houses, Rosetta Road – this asset was previously listed as a common good but removed in 1999. Its removal should be clarified.	These properties are no longer owned by SBC and are therefore not common good assets.	No action
The list of moveable assets does not include all assets in	The 2019 accounts list items such as chairs, a table and light fittings which	No action unless Committee would prefer

<p>the 2019 accounts. Please could you provide details of how the items map to the draft register.</p>	<p>have been encapsulated in the draft register as 'miscellaneous items of furniture and lighting' held at the Chambers Institution. It was felt that given the nature these items, a full inventory was not required.</p>	<p>previous list to be restored.</p>
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Comments received on historical transactions of the Common Good

1. Whitestone park, Kerfield Park, Walkershaugh: We dispute the Council's claim that the adjacent land at Walkershaugh on which the Gytes Leisure Centre is built is not common good, and we reiterate our objection to the Council's decision to reclassify this land from Common Good to Council property in 2009.

Records show that the area of ground called Walkershaugh was acquired by the former Town Council in 1926 as part of a larger title including Whitestone Park and Kerfield Park, extending from the railway embankment to Kerfield, and including the Walkershaugh allotments. As was recorded in the Town Council minutes, the initiative for the transaction did not come from the Town Council in terms of the exercise of any statutory powers, but from the landowner, who had intimated his intention to sell his land. As the Council were already the tenant of Whitestone Park they declared an interest, but approached the March Riding Committee and the Cricket, Football and Rugby Clubs for financial support to acquire the whole title. The clubs set up a purchase fund which raised more than 54% of the purchase price by public subscription, with another 11% covered by grants from the Carnegie Trust and the National Playing Fields Association, while the Council raised a loan to cover the difference. With the Council contributing only 35% of the purchase price compared to the current Whitestone Park area of the original title (41%), the Council could not in fairness have claimed ownership of more than the cricket and football pitches they were already renting at the time. In terms of the test question set by Ferguson in his book Common Good Law: "Is there clear evidence that it was acquired for statutory purposes?", there is nothing in this case to show that the parts other than that already in use at Whitestone Park were purchased as such, therefore using the above proportional logic Kerfield Park and Walkershaugh, being purchased by public subscription, should clearly be Common Good. However, as Whitestone Park was purchased for a common good purpose, and as the whole of the land at Walkershaugh, Whitestone and Kerfield had been in use for a common good purpose for almost 50 years at the time of local government reorganisation in 1975 (and now nearly 100 years), we believe that the whole area should be classified as Common Good, notwithstanding the fact that the asset was held within the Parks account of the Town Council.

SBC Response

This land was purchased in 1926 by the Burgh Council. There was no common good declaration within the title deed. The 1926-27 Accounts show that the property now comprising Walkershaugh (inc. allotments and most of The Gytes Leisure Centre), Whitestone Park and Kerfield Park - was paid for from Rates - Public Parks Capital Account - and acquired for use as public park land. Although there had been an element of public donations and fund-raising, most of this occurred after the land had been purchased - and no part of the property was at that time added to the Burgh Council's list of Common Good Assets nor maintained from Common Good Funds.

Use of land as park or recreation ground is itself a statutory purpose and case law provides that where land was acquired for a statutory purpose, the land is not Common Good.

This issue has been considered by Council officers previously and no new information or evidence has come to light now which would indicate that a different view should be taken at this time.

2. Land at March Street - We understand that this narrow strip of land is the remaining part of a large area of former railway land that included the area of the former Council depot (now developed as extra care housing) and the site of the current supermarket and car park, and that was included within the Common Good account of Peebles Town Council at a substantial valuation from 1964 onwards. While we recognise that some parts may have been disposed of by the former Town Council, a significant valuation (more than half of the original) remained in 1974 and also in the later list of 1990, but this was removed in 1999. "Land at March Street" was then reintroduced in 2005 at a nil value comprising only the narrow strip that is now described in the consultation plan as PB043/36. We are aware that there were small-scale disposals to Kenmore Homes and DS Motors in 1996 which resulted in appropriate returns to the Common Good Fund, but this does not seem to account for the valuation in 1974. We would be glad if this could be clarified.

SBC response

It is beyond the scope of this consultation to reconsider historical valuations of property transactions. In respect of current valuations, each heritable asset is valued on a five yearly basis in accordance with the professional standards of the Royal Institution of Chartered Surveyors: RICS Valuation – Global Standards and RICS UK National Supplement and the CIPFA IFRS Based Code of Practice on Local Authority Accounting. Compliance with the RICS professional standards and valuation practice statements gives assurance also of compliance with the International Valuation Standards (IVS). Measurements will be in accordance with the RICS Professional Statement RICS Property Measurement (2nd Edition) which is effective from the 01 May 2018 and, where relevant, the RICS Code of Measuring Practice (6th Edition) and incorporating the International Property Measurement Standards. The basis of value will be Market Value (MV). RICS VPS 4, para 4 defines MV as: "The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion".

General comment from Peebles Civic Society:

Criteria for Classification of Property as Common Good

We wish to point out that the criteria used by Scottish Borders Council for determining whether property assets should form part of the Peebles Common Good, as stated in the introduction to this consultation, are not in accordance with the proper definition of Common Good that has been established through legal authority and common good case law, and as such we find these inaccurate and misleading. In addition, we have noted that the description of Common Good property in the introduction to this consultation differs from that stated in paragraph 3.2 of the Principal Solicitor's report to the Peebles Common Good Fund Sub Committee of 15th December 2021, ie that "Common Good property is property which was owned by the Common Good Funds of the former Burghs of Scotland", which is also inaccurate. The foundation of the accepted legal definition of common good is the judgement of Lord Wark in the Magistrates of Banff v Ruthin Castle Ltd 1944, which is that all property of a Royal Burgh or Burgh of Barony not acquired under statutory powers or held under special trusts forms part of the common good, this definition being accepted and adopted in

subsequent and more recent case law, and confirmed by the Scottish Parliament. The authoritative book "Common Good Law" published by Andrew C Ferguson in 2006, which was recommended to Peebles Civic Society by Scottish Borders Council officers during previous discussions on the matter, confirms this position in detail while also clarifying that for the application of the exception of being acquired under statutory powers or for specific statutory purposes, there must be "clear evidence" of this in the acquisition, not simply that common good property is used for a local authority purpose. Ferguson also points out that existence of a property asset in the common good account is "virtually no guide at all as to whether it does form part of the common good - although the existence of a property in the common good account might be more likely to be treated as persuasive evidence than the other way round".

Accordingly, in deciding whether or not property held on the Common Good or general fund asset lists is in fact common good, the questions to be asked are: a) was it the property of Peebles Town Council in 1975 when the burghs ceased to exist, and if so, b) was it acquired under statutory powers for a specific statutory purpose (other than for a common good purpose), or was it held under a special trust. If the answer to a) is yes, and no to b), it is Common Good, unless it was formally sold and transferred to the Council's general fund. We are concerned therefore that the draft list of Common Good assets may not include all properties that should be properly classified as such, particularly those that would have been listed on other accounts of the former Town Council of Peebles in 1974/75, and others that were removed from the Common Good Fund account by Scottish Borders Council since 1975 on the basis of the interpretation outlined in the consultation. We note that certain parts of Peebles Common Good properties have since been correctly returned to the draft list of Common Good assets following the most recent review, and we welcome this. However, we would like to see a complete review of all other assets held by Peebles Town Council in 1974/75 in terms of the established legal criteria, to determine whether any of this should have been classified as Common Good or not, along with a similar review of all assets that were removed from the Common Good Fund since 1975.

SBC Response

The correct criteria has been applied in order to determine whether the assets owned by Scottish Borders Council form part of any Common Good fund. Any perceived inaccuracy in the description of the law or process has been made in an attempt to explain the position in lay terms, and was not intended to confuse or to mislead.

The exercise of examining titles, which commenced in 2010, considered the status of all assets owned by Scottish Borders Council (whether such assets appear on the common good account, general account or any other account). It did not seek to consider the status of assets which were owned in 1975 but which have since been sold, since where any assets are no longer in local authority ownership, they cannot form part of the Common Good at this stage.

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Consultation on Heritable and Moveable Asset Registers for former Royal Burgh of Peebles

Appendix 2: Proposed Final Register of Common Good Assets in Peebles

ROYAL BURGH OF PEEBLES

LAND			
Name of Asset	Location	Description	
Tweed Green	Tweed Green, Peebles, EH45 8AP	Land including garages and public car park. Forms part of the Burgh Charter and is therefore Common Good.	See attached pdf
Garages at Tweed Green	Greenside, Peebles	Part of the Burgh Charter and therefore Common Good.	See attached pdf
Old Town Green and Greenside Public Car Park	Greenside, Peebles	Part of the Burgh Charter and therefore Common Good.	See attached pdf
George Meikle Kemp Monument	Redscaurhead, Peebles	The site and memorial was donated to the Burgh Council in 1935.	See attached pdf
Victoria Park ,	Kingsmeadows Road, Peebles	Initial areas for the original park acquired by the Burgh Council in 1888 and 1914 both with Common Good dedications in titles - for use only as public park and recreation ground for behoof of community of the town or burgh of Peebles. An additional area on the south east side of the park, adjacent to Springhill Road was acquired by the Burgh Council in 1965 to safeguard/reinforce access to	See attached pdf

		the main park, which itself was held on the common good account.	
Victoria Park - Tennis Courts & Clubhouse	Springhill Road, Peebles	Initial area acquired by the Burgh in 1923. Additional area acquired in 1959 to augment existing common good asset.	See attached pdf
Land at Gytes Leisure Centre	Walkershaugh, Peebles, TWD, EH45 8AU	The major part of the building is constructed on the land acquired in 1926, which is not common good, though there is a minor overlap onto common good land at the north-eastern end. The eastern car park lies on the strip of ground known as "The Gytes" which followed the line of an ancient mill lade and is believed to be held under the Burgh Charter (and thus to form part of the common good).	See attached pdf
Peebles Disused Railway	Peebles	The section of railway from Tweed Bridge, through Ninians Haugh, past Priorsford Bridge and Walkershaugh allotments, over the Gytes and up to Innerleithen Road was acquired by the Burgh Council in 1965.	See attached pdf
Peebles Golf Course (including Connor Ridge Monitoring Site and Garages)	Kirkland Street, Peebles, EH45 8EU	The Golf course as currently configured comprises parts of (a) the lands of Kirklands and Jedderfield, acquired in 1919 and (b) Eliot's Park, acquired originally for housing in 1919 but the unused part of which (the greater part of the property) was given over to the Common Good also in 1919. This site also includes Connor Ridge Monitoring Site	See attached pdf
Jedderfield Farm	Jedderfield, Peebles	Part of the lands of Kirklands and Jedderfield acquired in 1919	See attached pdf

Neidpath Grazings	Neidpath, Peebles	Also part of the lands of Kirklands and Jedderfield referred to above.	See attached pdf
Haylodge Park, Play Area, Pavillion and WC Including Fotheringham bridge	Neidpath, Peebles	The park was bought by the Burgh Council in 1920 and added to the Burgh's list of common good assets on acquisition.	See attached pdf
Haylodge Depot	Neidpath, Peebles	This is part of property on North side of Neidpath Road which was acquired with Hay Lodge and grounds (now the Cottage Hospital etc) in 1931 by the Burgh. Hay Lodge and grounds were sold in 1952 but the cottages/stables/garages on the northern site was retained.	See attached pdf
Haylodge Cottages - No 2	Neidpath Road, Peebles	This is part of property on North side of Neidpath Road which was acquired with Hay Lodge and grounds (now the Cottage Hospital etc) in 1931 by the Burgh. Hay Lodge and grounds were sold in 1952 but the cottages/stables/garages on the northern site was retained.	See attached pdf
Old Corn Exchange Hall, Rear Hall and shop	High Street, Peebles	This is believed to be the Old Town Hall between 25 and 27 High Street which was acquired in 1752 by the Town Council.	See attached pdf
Walkershaugh Store	Walkershaugh, Peebles	Former Gun shed sold by Burgh Council to Trustees of Peebles March Riding and Beltane Queen Festival Committee 1970. The Burgh Council later agreed to re-acquire it in exchange for title to the Beltane Shed at the Gytes.	See attached pdf

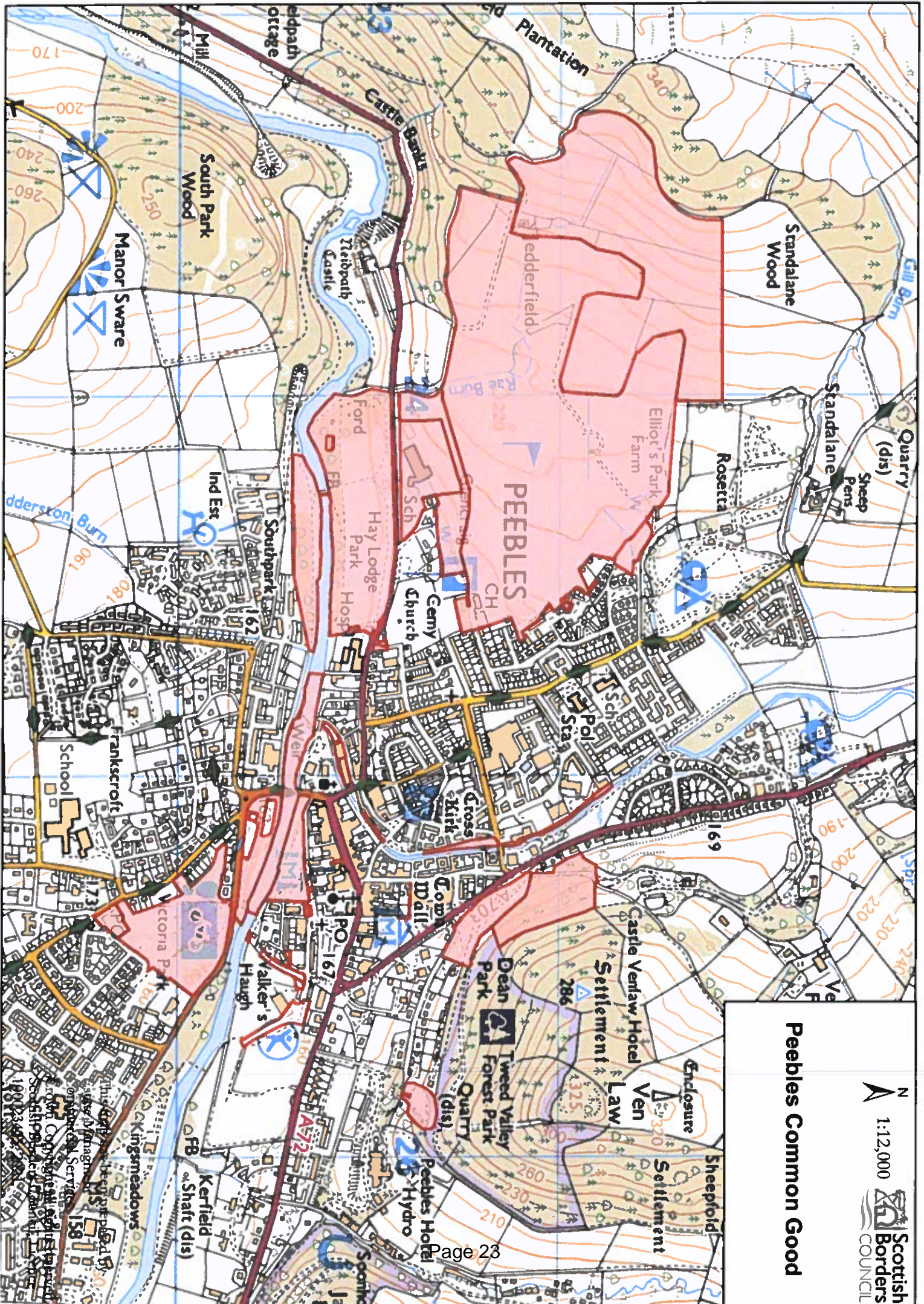
Cuddy Green	Biggiesknowe, Peebles	South-eastern part of the Green is presumed held on the Burgh Charter so is Common Good.	See attached pdf
Venlaw Wood	Venlaw High Road, Peebles	The wood was acquired to be held and kept as woodland or open space for the use, amenity and enjoyment of the inhabitants of Peebles and never to be developed.	See attached pdf
Tweed Fishings	Burgh Limits, Peebles	Forms part of the Burgh Charter and is therefore Common Good.	See attached pdf
Peebles Town Clock	Parish Church, Peebles	This is not a Common Good asset as such - having been appropriated by the Church of Scotland, along with the steeple and bells, in 1927. However, the Common Good Fund has an ongoing maintenance liability for the clock	See attached pdf
Venlaw Quarry	Venlaw Quarry Road, Peebles	This property has appeared on the Common Good accounts since at least 1901. However, no obvious title to property has been found. It is believed that that the right may be to extraction rights enjoyed, as opposed to outright ownership.	See attached pdf
Venlaw Amenity Ground	Venlaw Hill, Peebles	The land was acquired by the Burgh Council in 1909 to be held on behalf of the community of the Burgh of Peebles and used solely as ornamental or pleasure ground with the erection of buildings being prohibited.	See attached pdf
Old Town Wall Monument	Venlaw Road/Northgate, Peebles	Held under the Burgh Charter and therefore is Common Good	See attached pdf
Walkershaugh ACF Site and Gas Governor Site	Walkershaugh, Peebles	This property is situated on part of the site of 'the Gytes' and is thus held under the Burgh Charter and is Common Good.	See attached pdf

Walkershaugh Bowling Green (Part)	Walkershaugh, Peebles	This entry relates to the triangular area of shrubbery etc. at the southern end of the bowling green, between the footpath and Tweed Avenue. It is believed that title is held under the Burgh Charter and therefore the Bowling Green is Common Good.	See attached pdf
Ninians Haugh Park and Play Area Including Public Toilets and Kings Meadows Car Park	Kingsmeadows Road, Peebles, EH45 9HR 9HR	Part of the Burgh Charter and therefore Common Good.	See attached pdf
Land At March Street	March Street, Peebles	Remnant of old Station etc acquired in 1964 by the Burgh Council (mostly sold off - what remains is a strip of land along the western side of the Cuddy Water)	See attached pdf
Eliots Park Grazings	Eliots Park, Peebles	The grazings fall within part of the original Eliot's Park lying to the east of the golf course/southeast of former farmhouse, which was added to Common Good Asset list in 1919 .	See attached pdf
Kingsland Primary School	Neidpath Road, Peebles	This is the "new" Kinglands school. It is sited on part of the Neidpath Grazings and is part of the "Kirklands and Jedderfield" title from 1919 therefore it is Common Good.	See attached pdf
Woodland	Edinburgh Road, Peebles	An area of woodland running parallel to and between Edinburgh Road and the Eddleston Water which used to	See attached pdf

		form part of Venlaw Estate and which was gifted to the town of Peebles in 1965.	
ART AND ARTEFACTS			
Name of asset	Location	Description	
<u>Furnishings from Chambers Institution</u>			
China Cabinet	Council offices, Chambers Institution		
Antique Mirror	Council offices, Chambers Institution		
Oak Mantle Clock (1930)	Council offices, Chambers Institution		
Antique Fire Irons & Grate	Council offices, Chambers Institution		
Miscellaneous items of furniture and lighting	Council offices, Chambers Institution		
<u>Items held in Tweeddale Museum</u>			
Silver bowl	Tweeddale Museum	Presented to the Royal burgh of Peebles by Royal Scots regiment 1954	
Provost's gold chain	Tweeddale Museum	Dated 1682 but reproduced in 19th century. Hall mark William Marshall (1822-1895)	
Weights and balances	Tweeddale Museum		
Provost's chain, 1823	Tweeddale Museum		

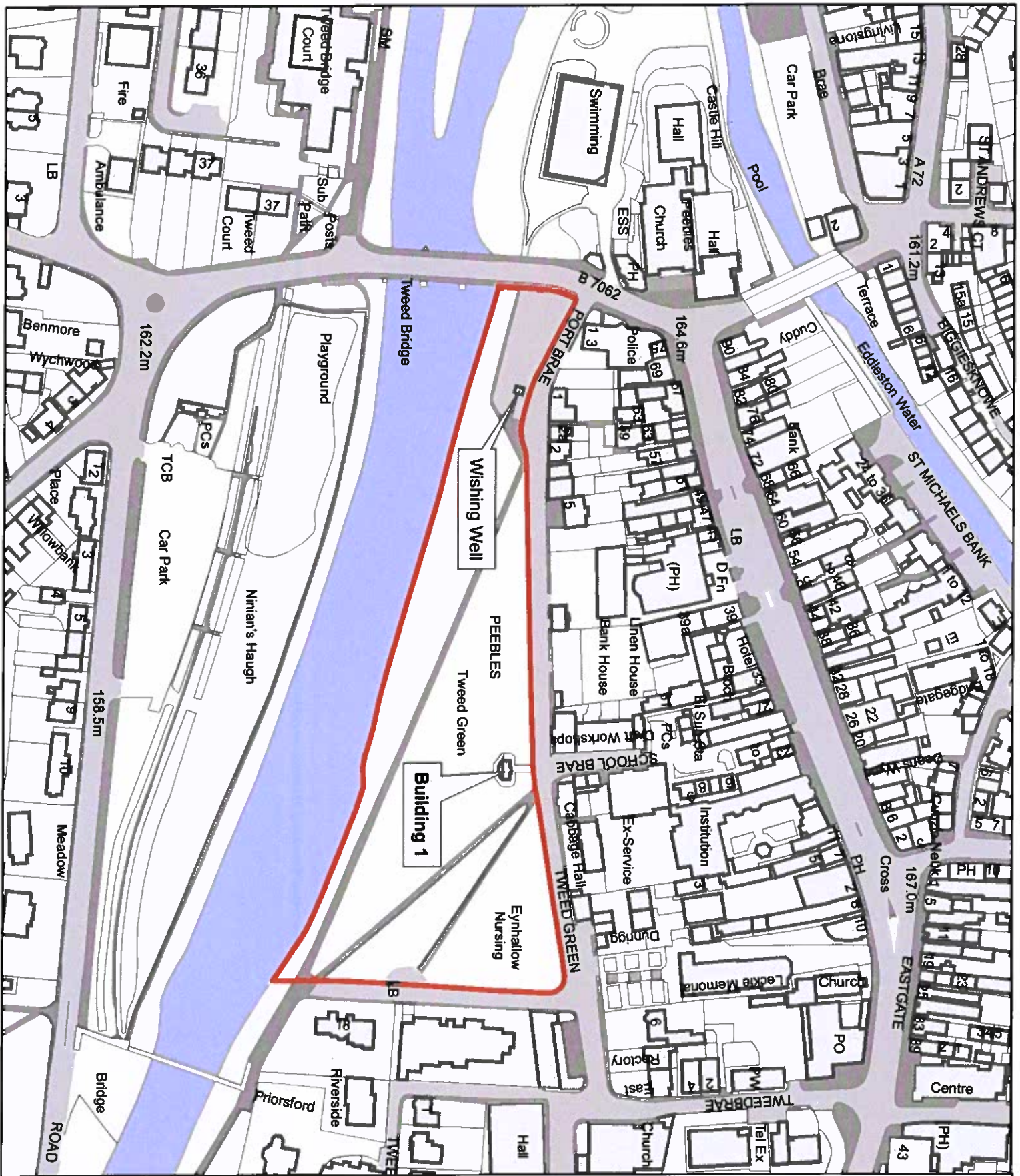
Provost's chain and Baillie's insignia, 1957	Tweeddale Museum	Gifted by James Muir, President of the Royal bank of Canada. Baillies insignia were copies of the Provost's medallion, suspended on simple chains	
Provost and Baillies robes, 1957	Tweeddale Museum	Gifted by James Muir, President of the Royal bank of Canada	
Commemorative bronze plaque	Tweeddale Museum	Commemorates gifts from James Muir, 1957	
Beltane Cup and Saddle 1663			
Beltane Silver plate 1677			
Town Drum 1677			
Silver arrow for St Bartholomew's fair, 1628		This arrow was shot and competed for on festival and saints days	
Silver Plate donated by earl of March, 1708		Engraved with earls of march's crest and motto, and town motto	
Silver bell of Peebles, with 2 smaller bells, 1647		Awarded for horse racing	
Engraving of Neidpath castle		Signed and donated by Mr Paterson, 1907	
Rennie Trophy and silver medallion		Gifted by Mr Rennie, for bowling	
Civic photograph album			
Old fire engine			
Portrait of Sir Michael Grieve Thorburn		Donated by Col. Wm Thorburn, 1956	
<u>Portraits hung in Rosetta Road Offices</u>			
J Ramsay Smith	Rosetta Road	Portrait by David Alison	

Sir Michael Thorburn of Glenormiston		Portrait by David Alison	
Alexander, 7 th Lord Elibank		Portrait by British (Scottish) School	
Henry B Marshall of Rachan		Portrait by R C Crawford	
Sir Graham Graham- Montgomery of Stanhope		Portrait by British (Scottish) School	
Sir R J Thompson of Kaimes		Portrait by Stanley Cursiter	
Montolieu, 10 th Lord Elibank		Portrait by Atkinson Horsburgh	
Sir John Hay c 1818		Portrait by Henry Raeburn (school of)	
Back of Old Town, Peebles		Painting by Philip Hutton	
COMMON GOOD FUND			
Name of Asset	Location	Description	
Peebles Common Good Fund	N/A	Fund set up for the benefit of the inhabitants of Peebles. The net balance of the fund as at 1 April 2021 was £577,966.	



Peebles Common Good

N
1:12,000
Scottish Borders
COUNCIL





 Scottish Borders COUNCIL

1:2,000

Park

Tweed Green
Peebles

Area: 15,728 sq m o.t.

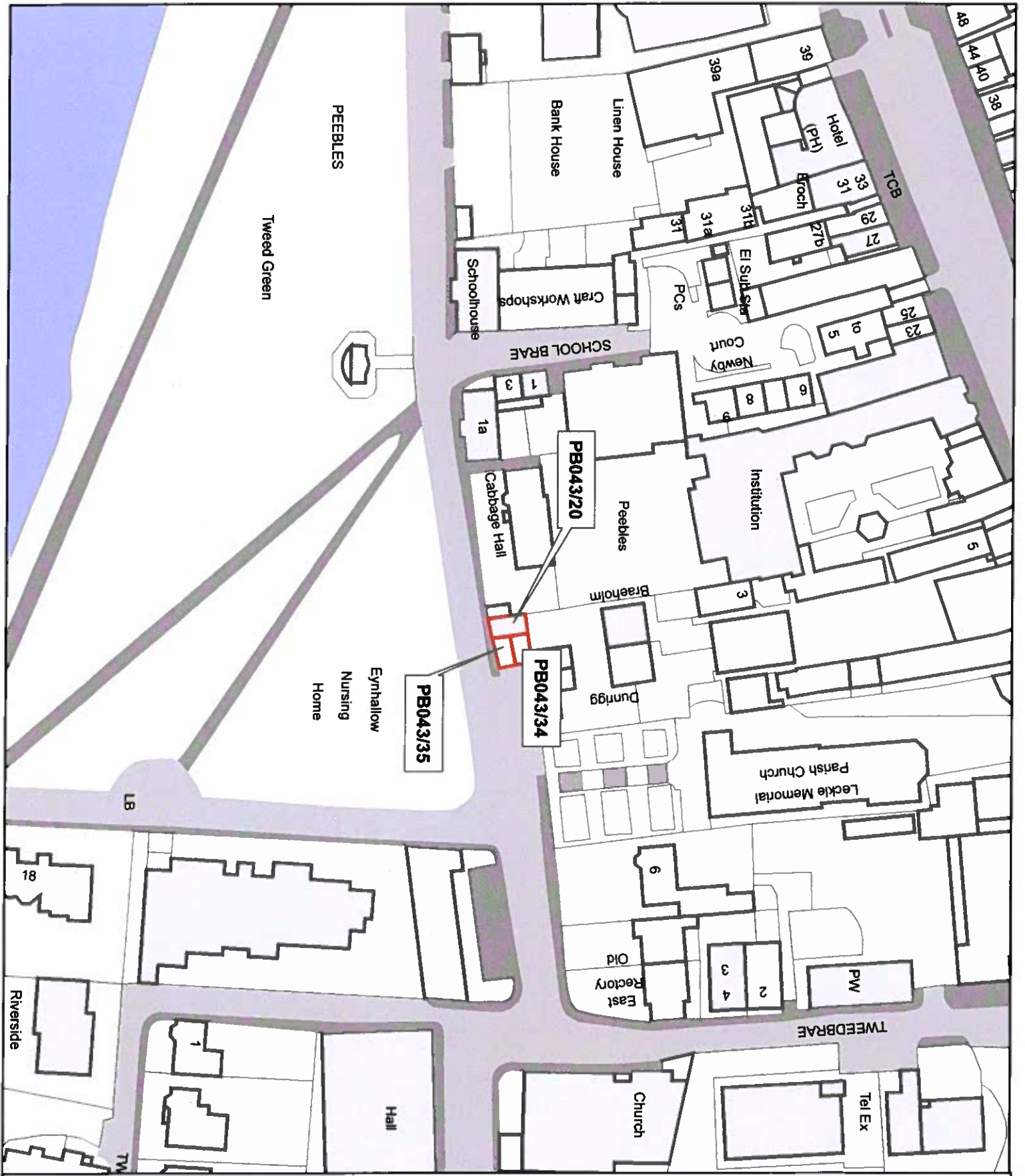
UPRN: PB043/09

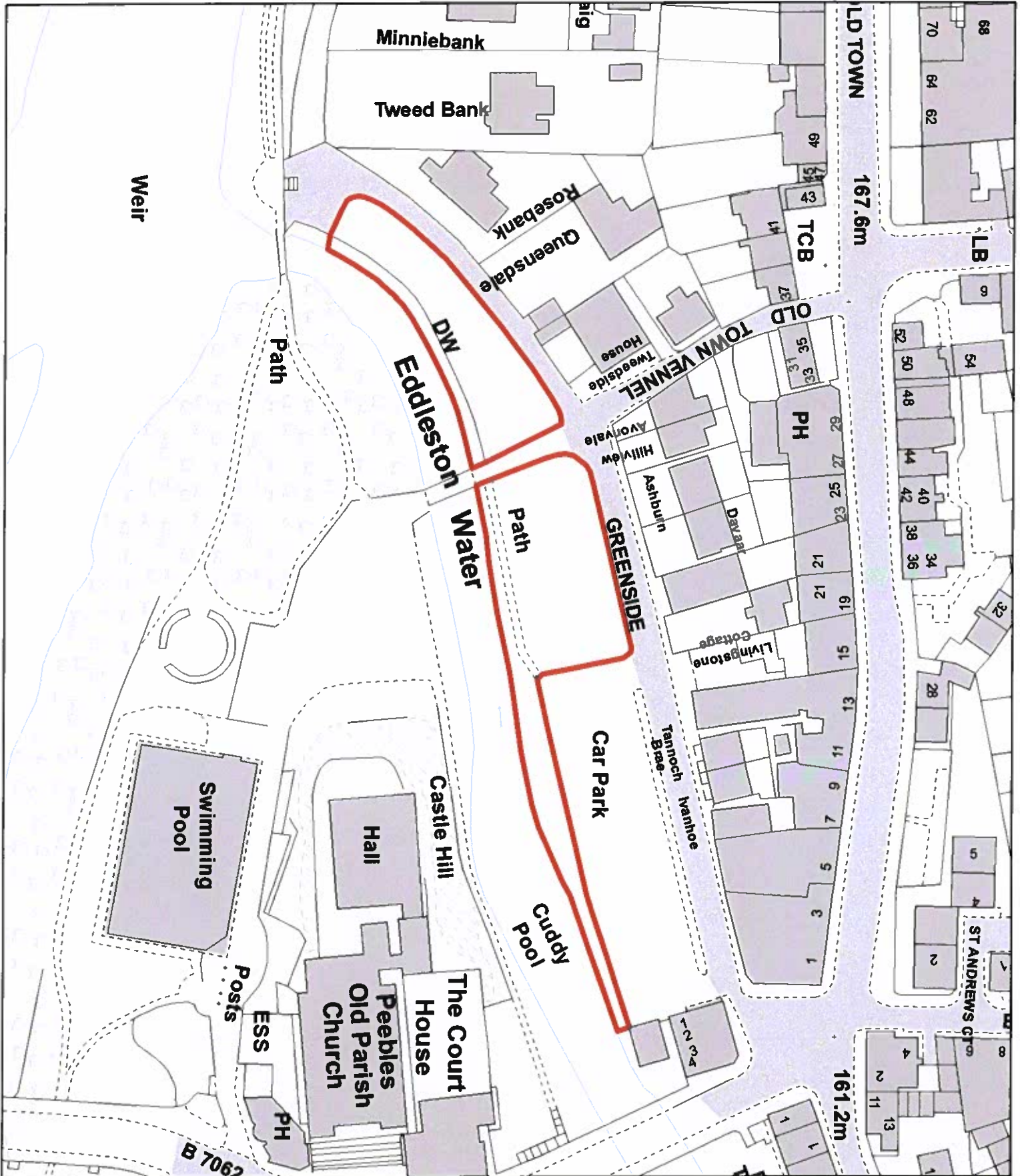
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Garage
 Garages 1,2&3
 Tweed Green
 Peebles

UPRN: PB043/20,34&35

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Old Town Green
Greenside
Peebles

Area: 2173m² o.t

PB043/33

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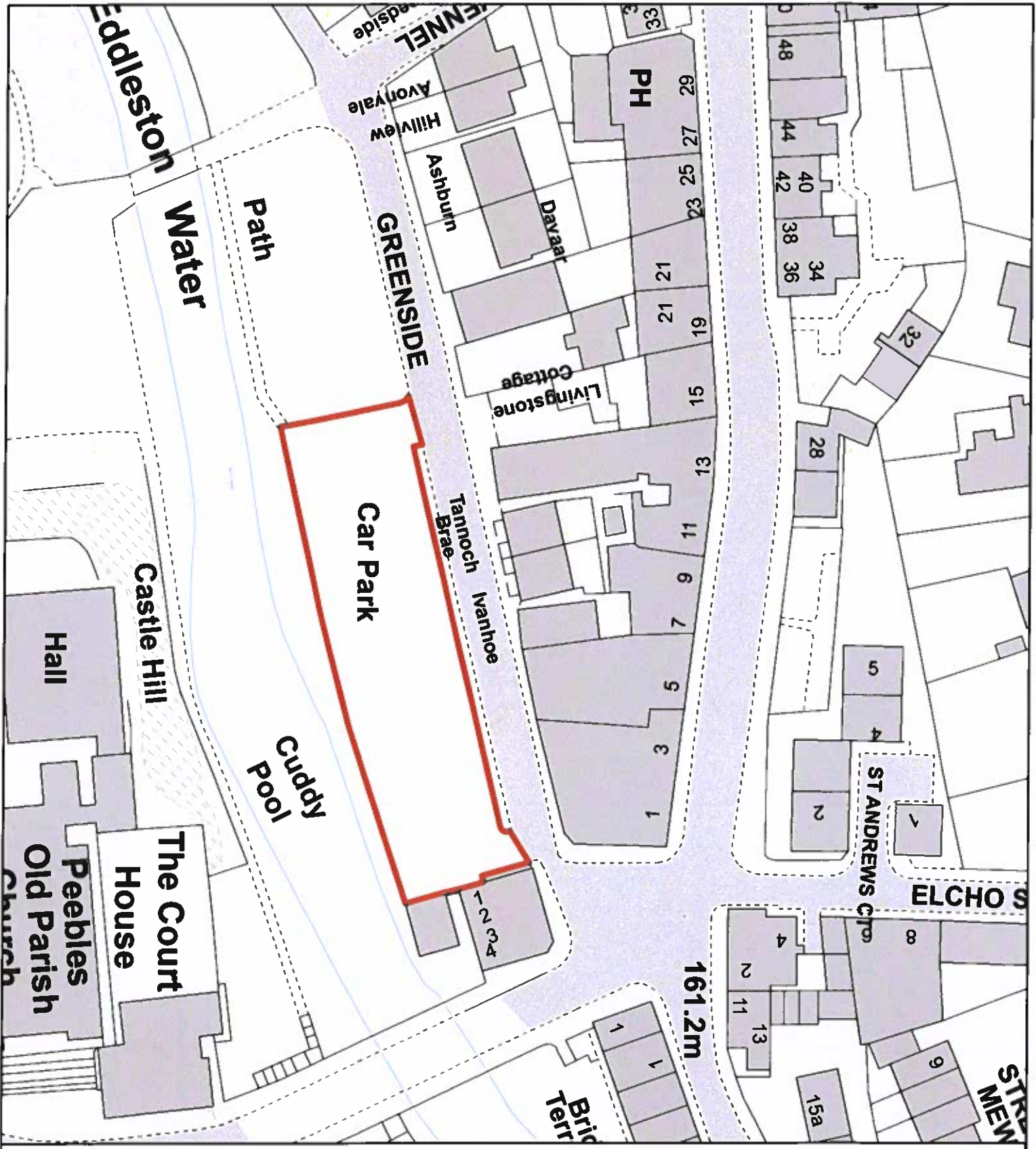


Car Park

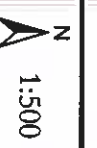
**Greenside Car Park
Greenside
Peebles**

Area: 1,312 sq m o.t.

UPRN: PB004/04



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Monument

George Meikle Kemp

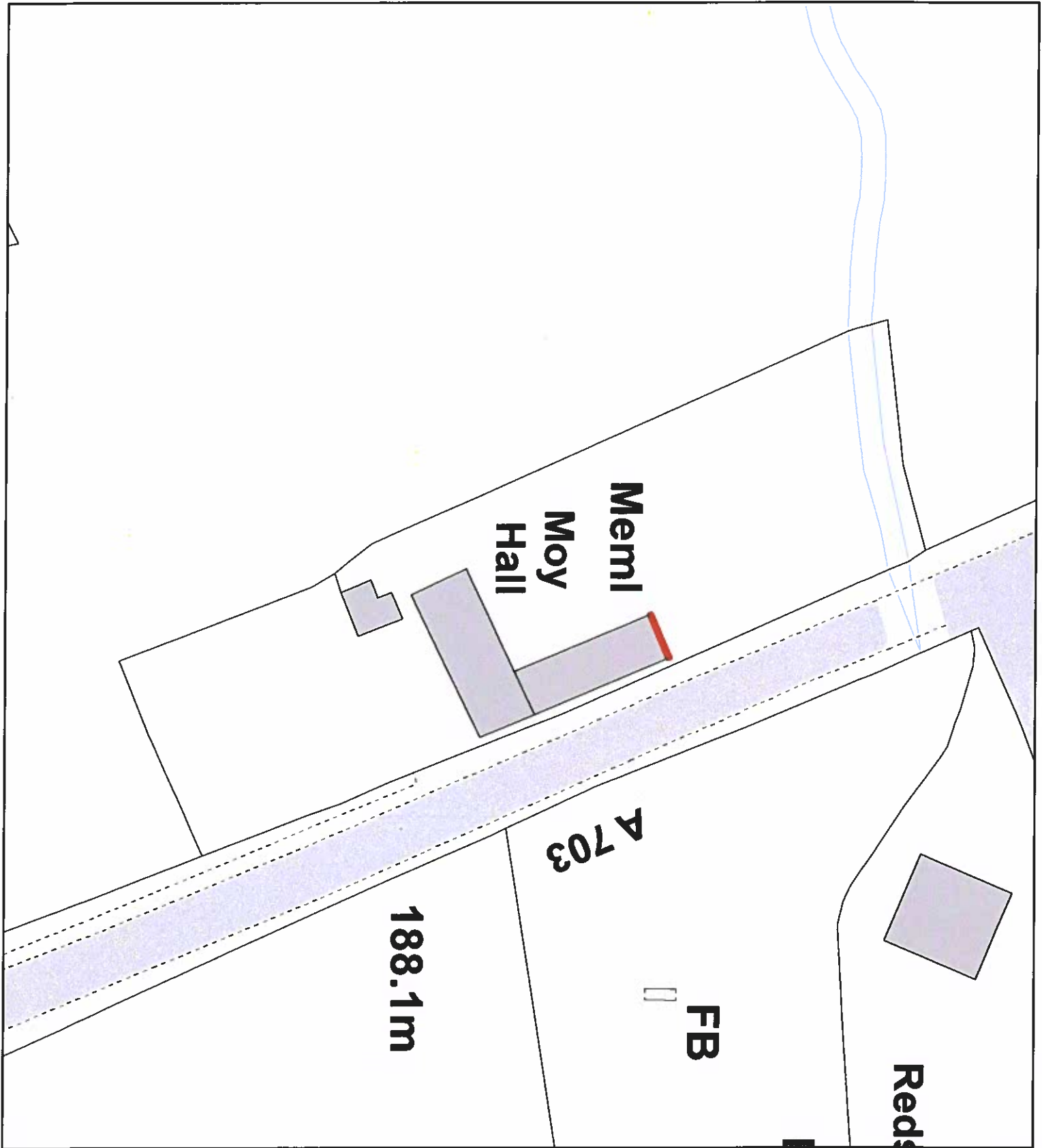
Monument

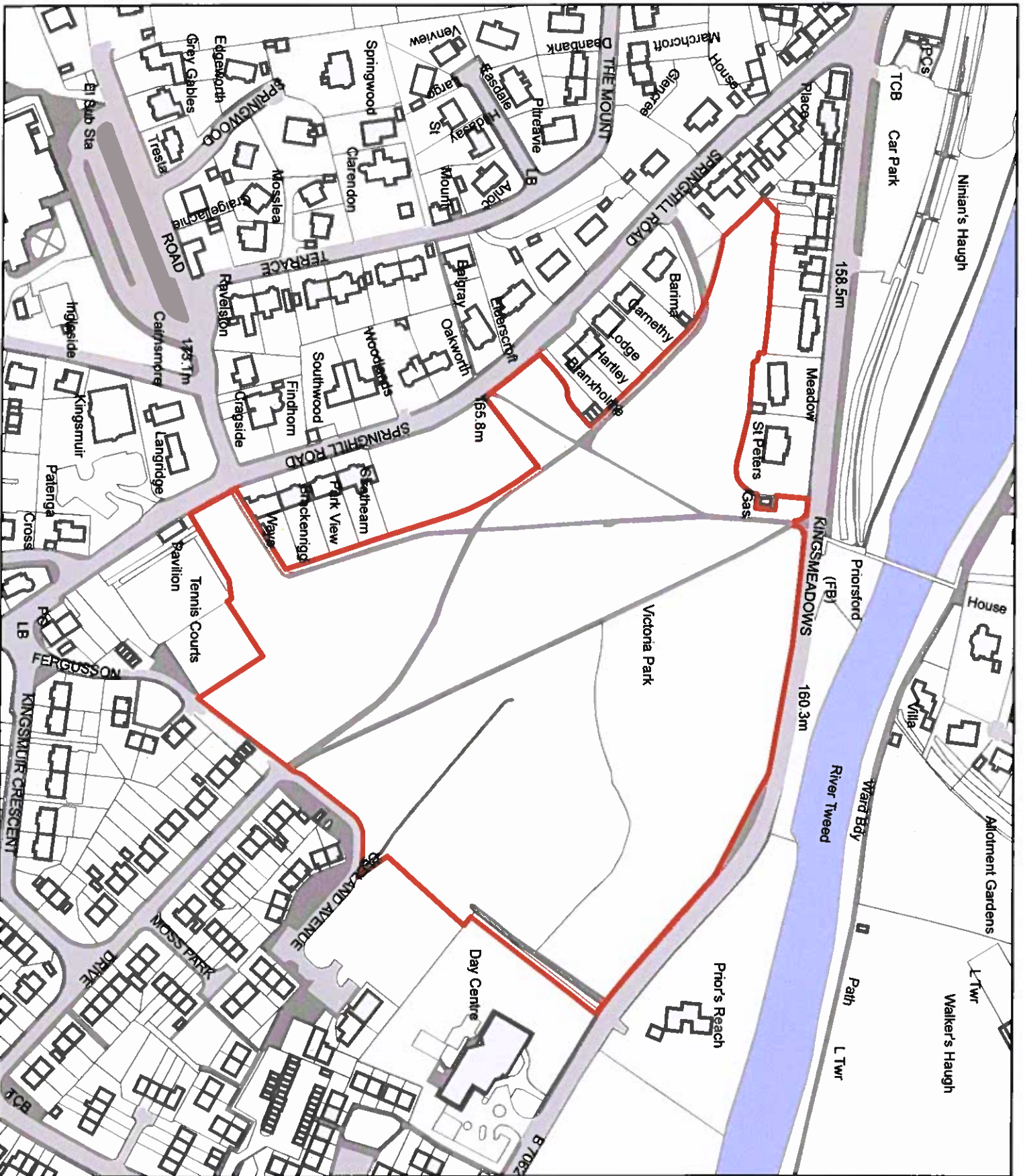
Redscaurhead

Peebles

UPRN: PB012/04

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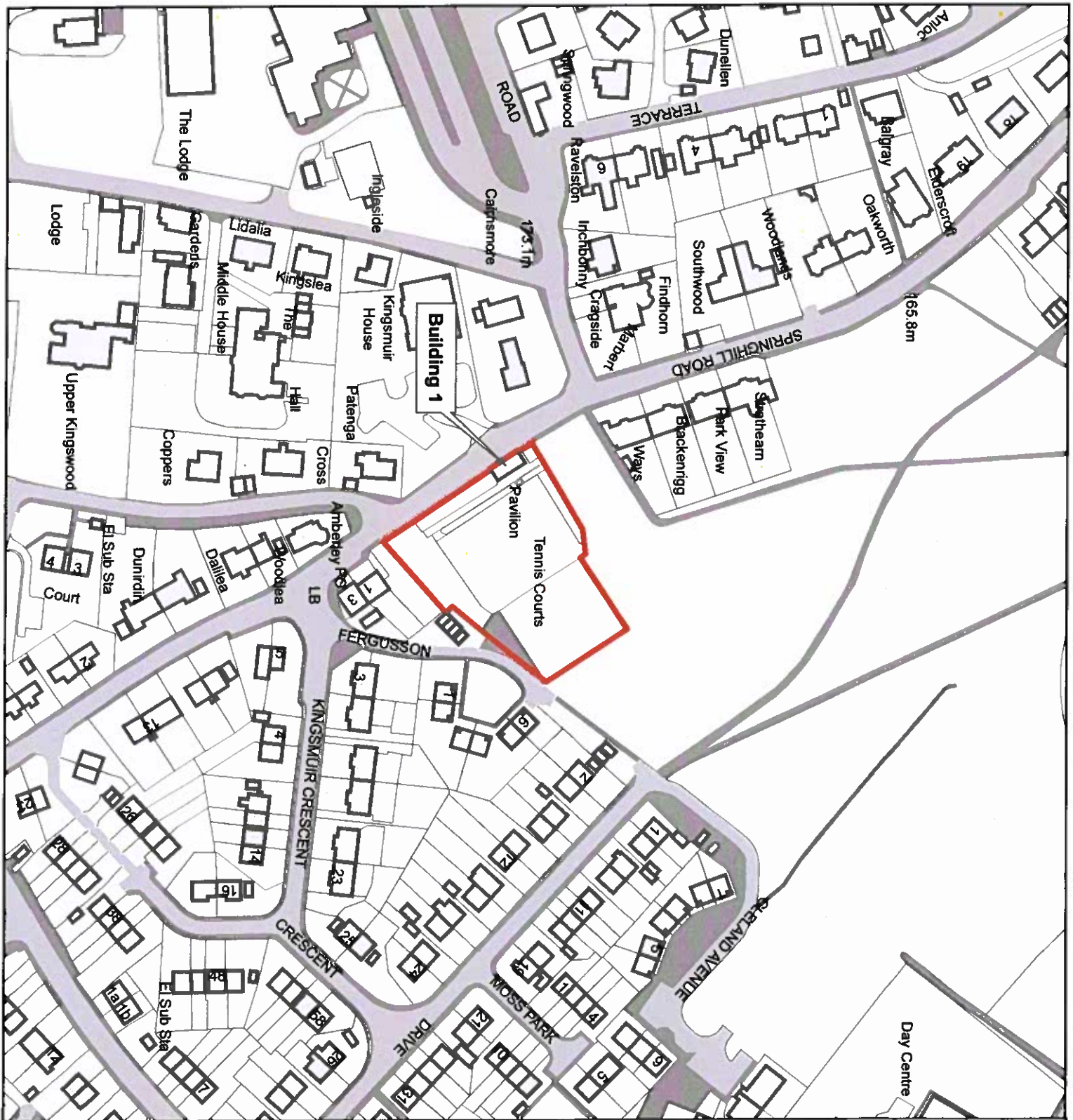
Park

Victoria Park
Kingsmeadows Road
Peebles

Area: 59,391 sq m o.t.

UPPRN: PB023/01

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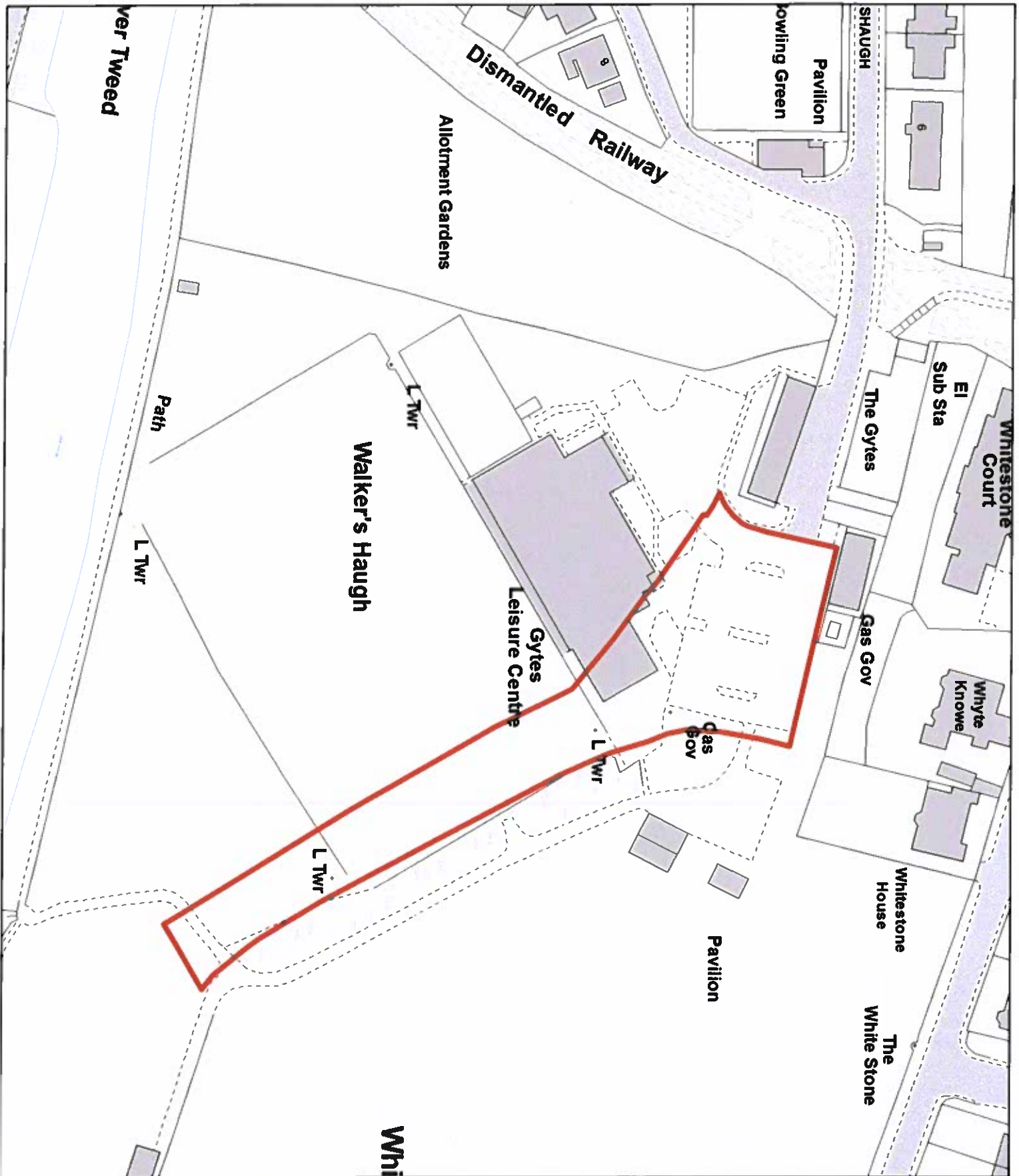
Tennis Courts

Victoria Park - Tennis Courts & Clubhouse
Springhill Road
Peebles

Area: 4,209 sq m o.r.

UPPRN: PB023/03

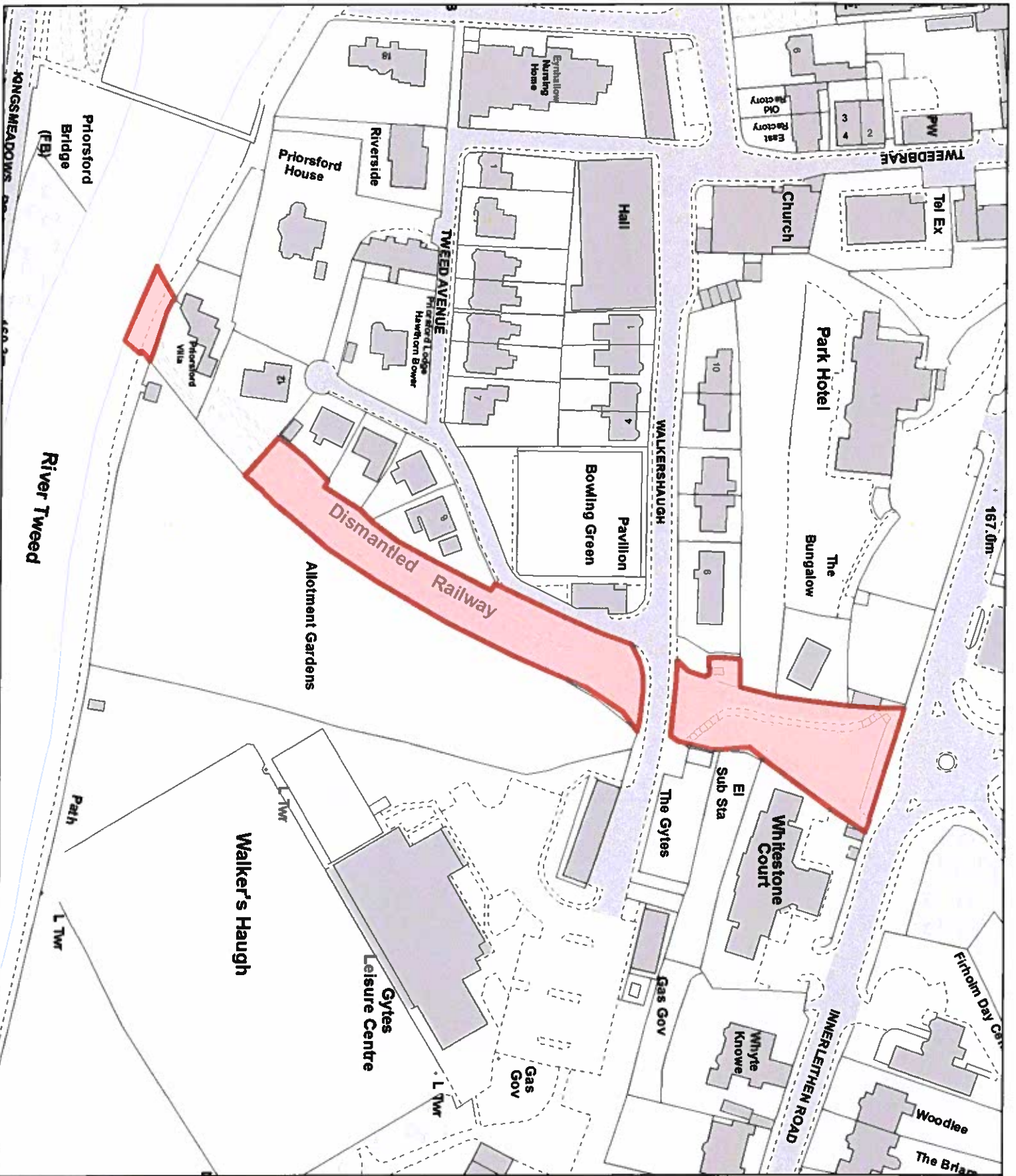
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Land at the Gytes
Peebles
PB043/45

Area: 4477m² o.t

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Scottish
Borders
COUNCIL

**Former Railway
Walkershaugh
Peebles**

Area: 3976m²

PB043/30

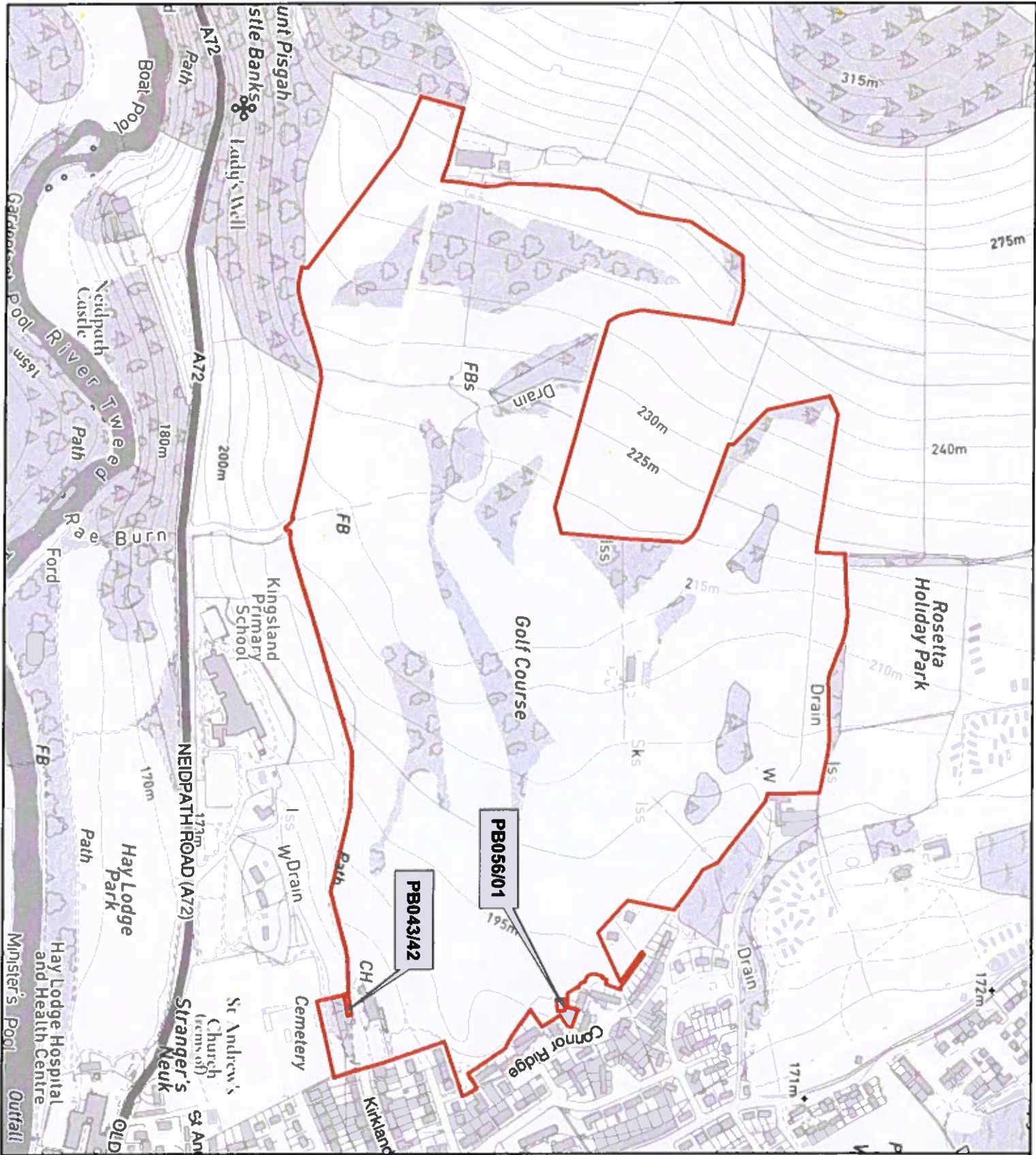
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Golf Course

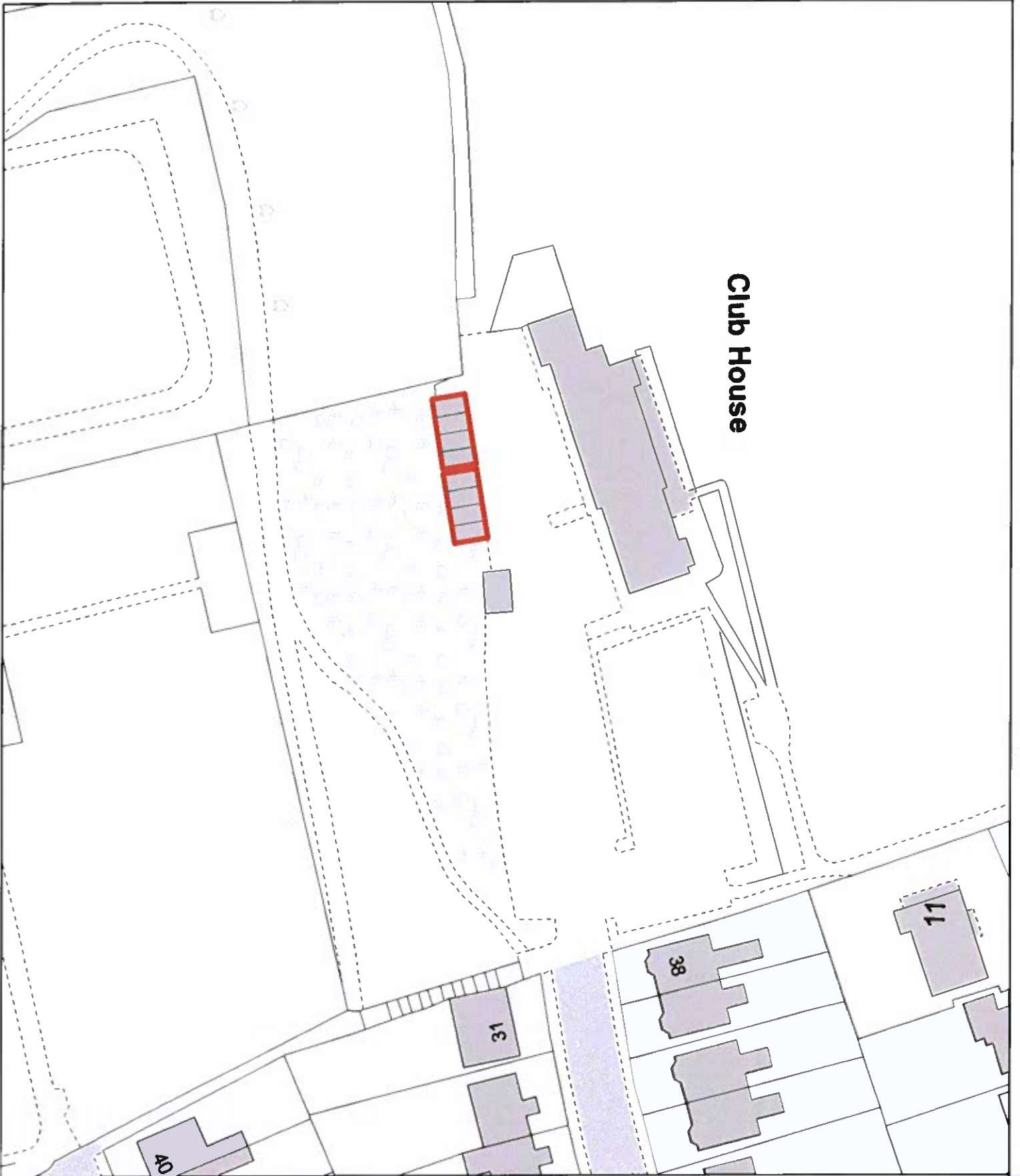
**Peebles Golf Course
Kirkland Street
Peebles**

**Area: 462,265 sq. o.t.
(114.228 acres o.t.)**

UPRN: PB043/02



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N
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**Garage Sites at
Kirkland Street
Peebles**

Area: 105m² o.t

PB043/42

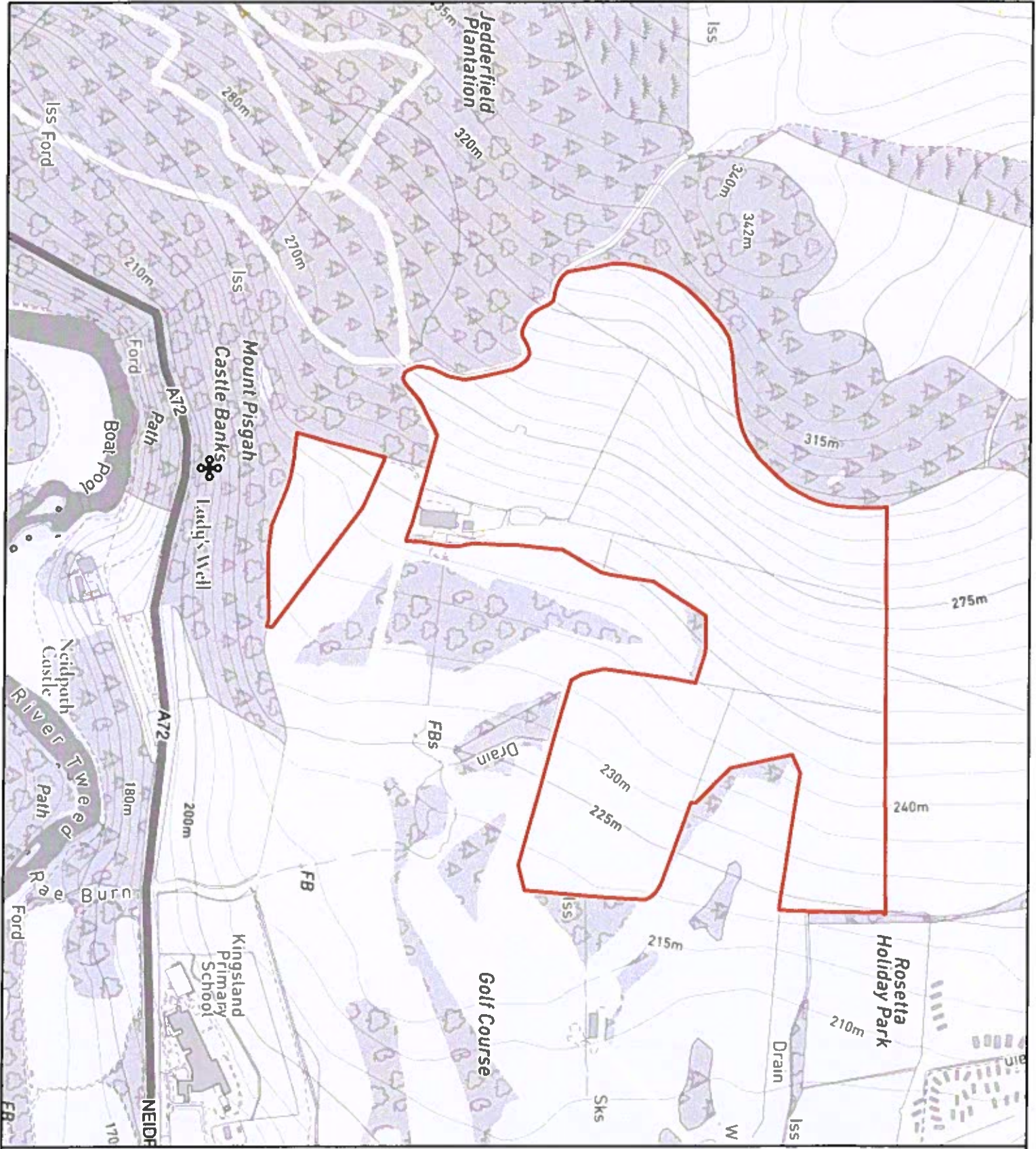
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Agricultural

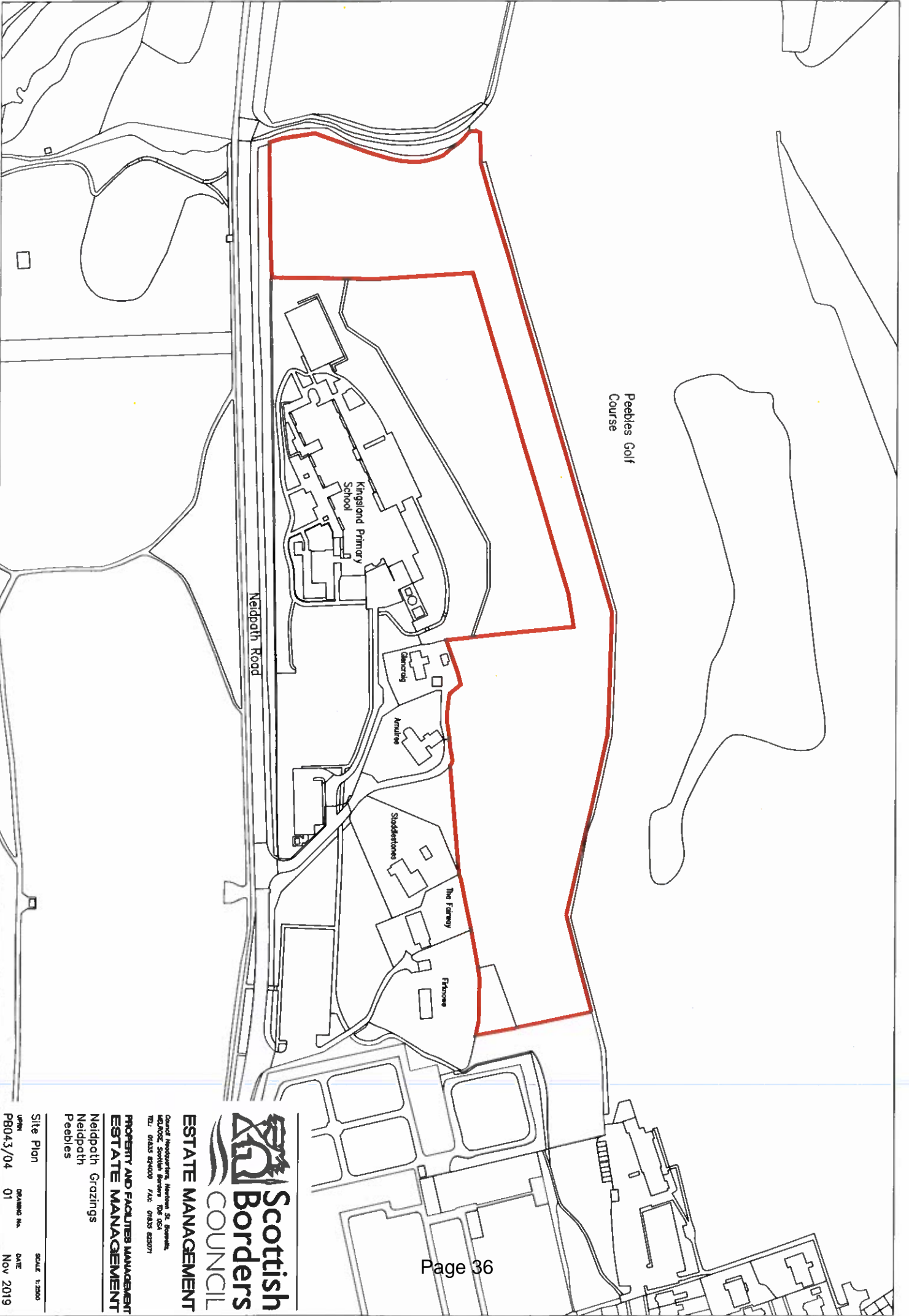
**Jedderfield Farm
Jedderfield
Peebles**

**Area: 253,123 sq m o.t.
(62.548 acres o.t.)**

UPRN: PB043/03



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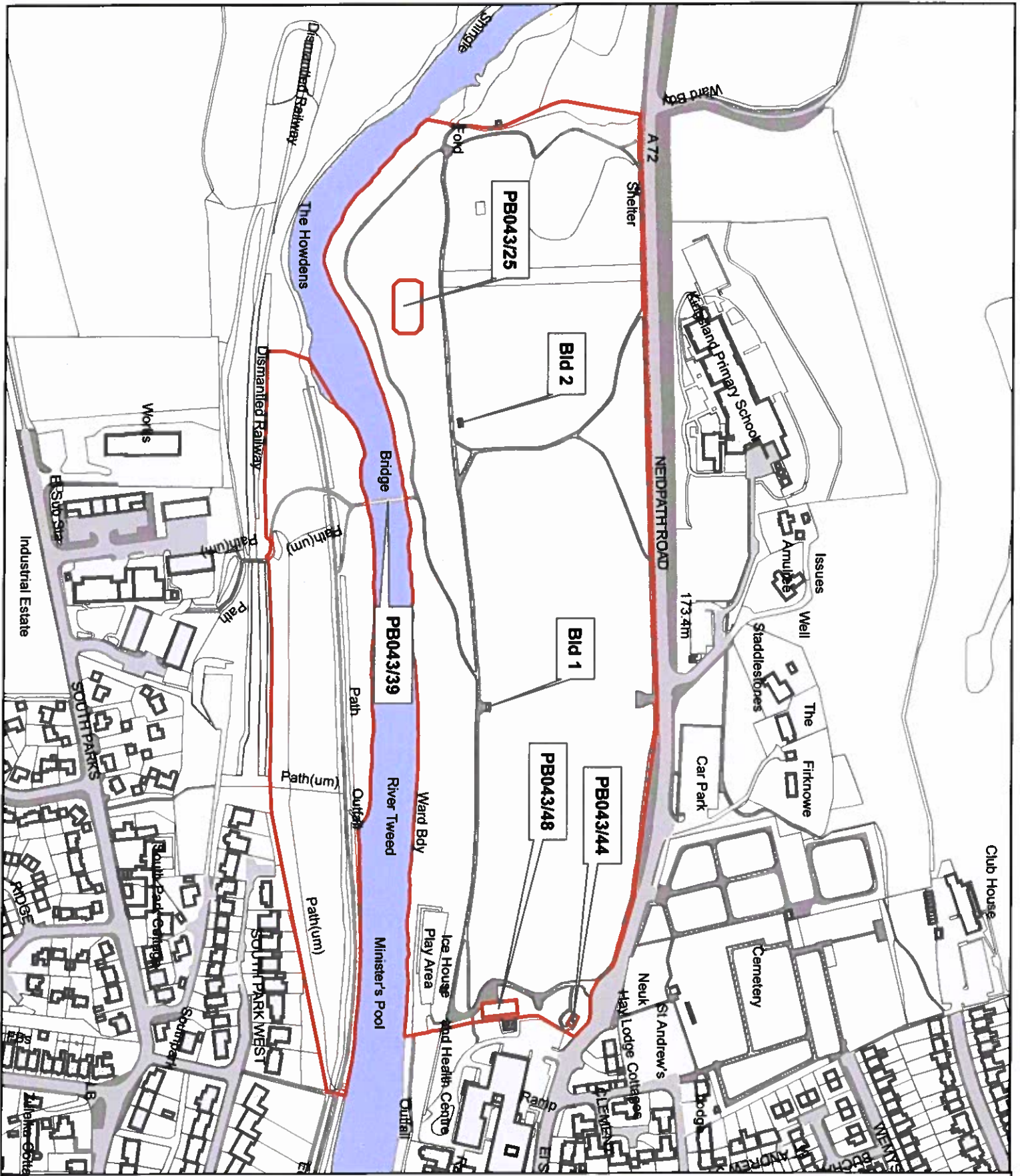
ESTATE MANAGEMENT

Council Headquarters, Newburn St, Bonnyton,
 Midlothian, Scottish Borders TD8 0SA
 TEL: 01843 824000 FAX: 01843 825071

**PROPERTY AND FACILITIES MANAGEMENT
 ESTATE MANAGEMENT**

Neidpath Grazings
 Neidpath
 Peebles

Site Plan
 UPRN: PB043/04
 Drawing No: 01
 DATE: Nov 2019
 SCALE: 1:2000



Hay Lodge Park

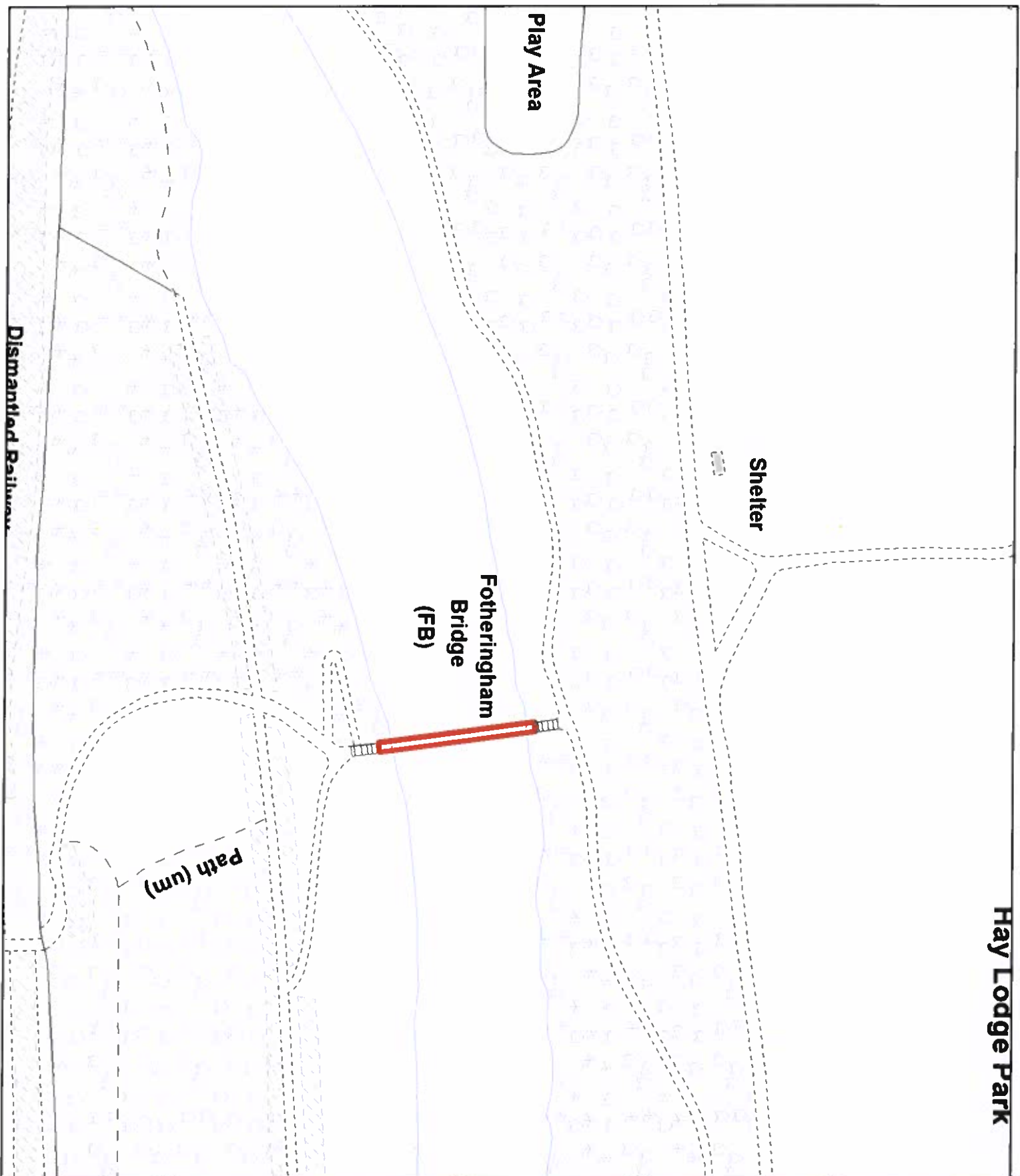


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**Fotheringham
Bridge
Haylodge Park
Peebles**

PB043/39



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Haydodge Depot
Neidpath Road
Peebles

ESTATE MANAGEMENT
ENGINEERING AND PROPERTY

Ray Day
Ground Headquarters, Newburn, St. Boswells
KELSO, Scottish Borders TD8 6SA
TEL: 01335 824000 FAX: 01335 825071

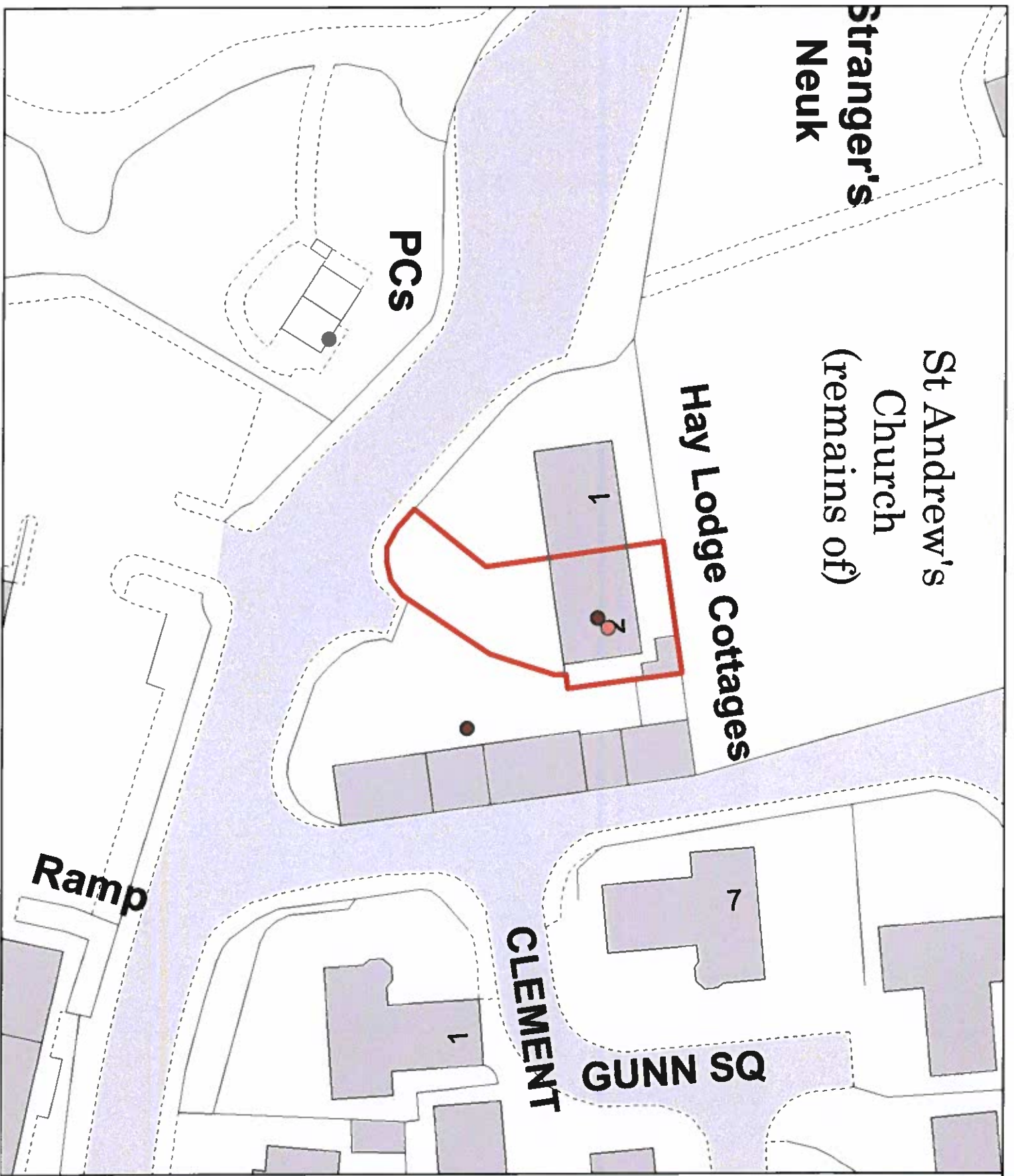
TECHNICAL SERVICES



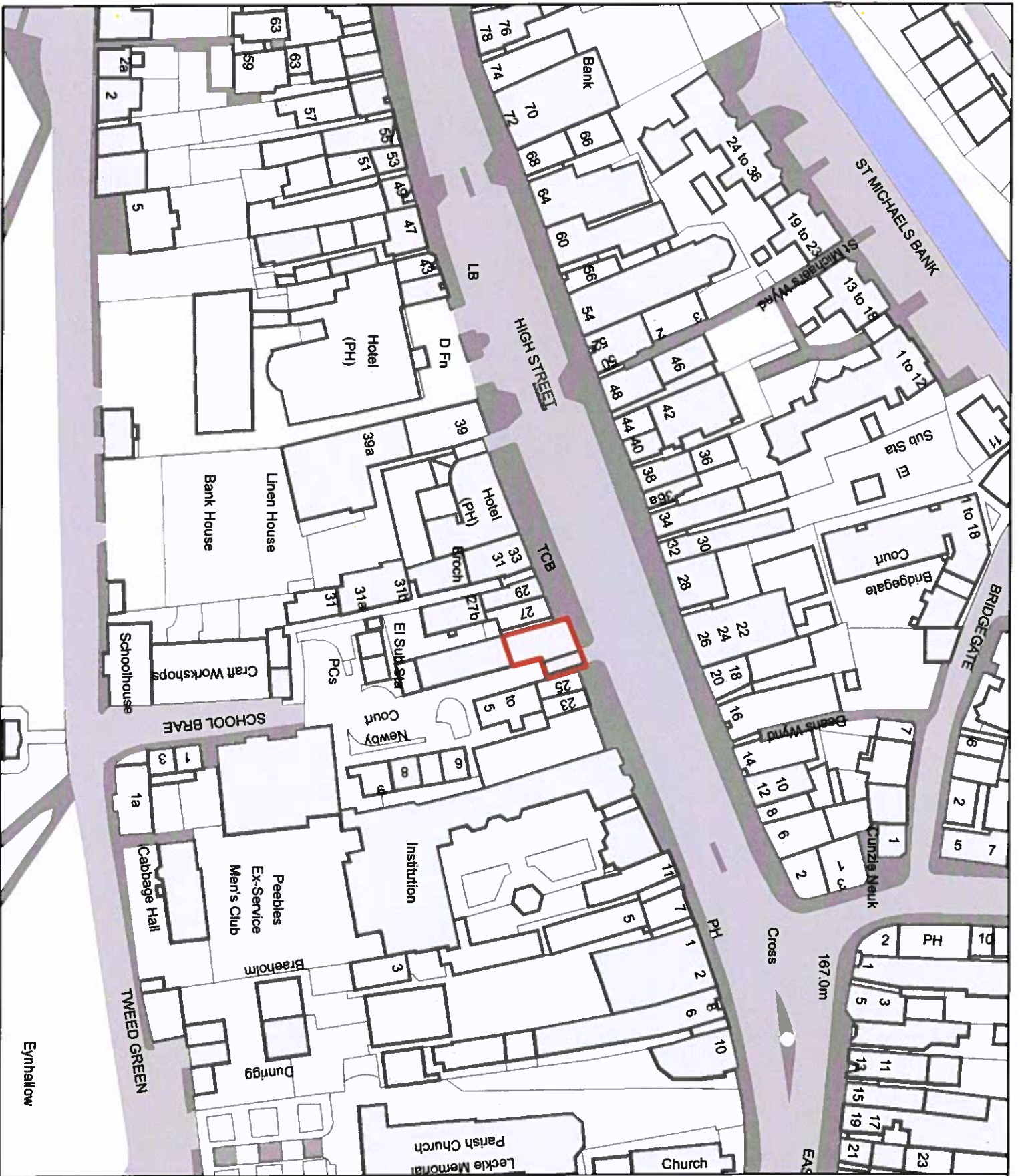
Land at
Haylodge Cottage
(Site)
Peebles

Area: 307m² o.t

PB043/41



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Hall
 Old Corn Exchange Hall
 High Street
 Peebles

UPRN: PB043/07

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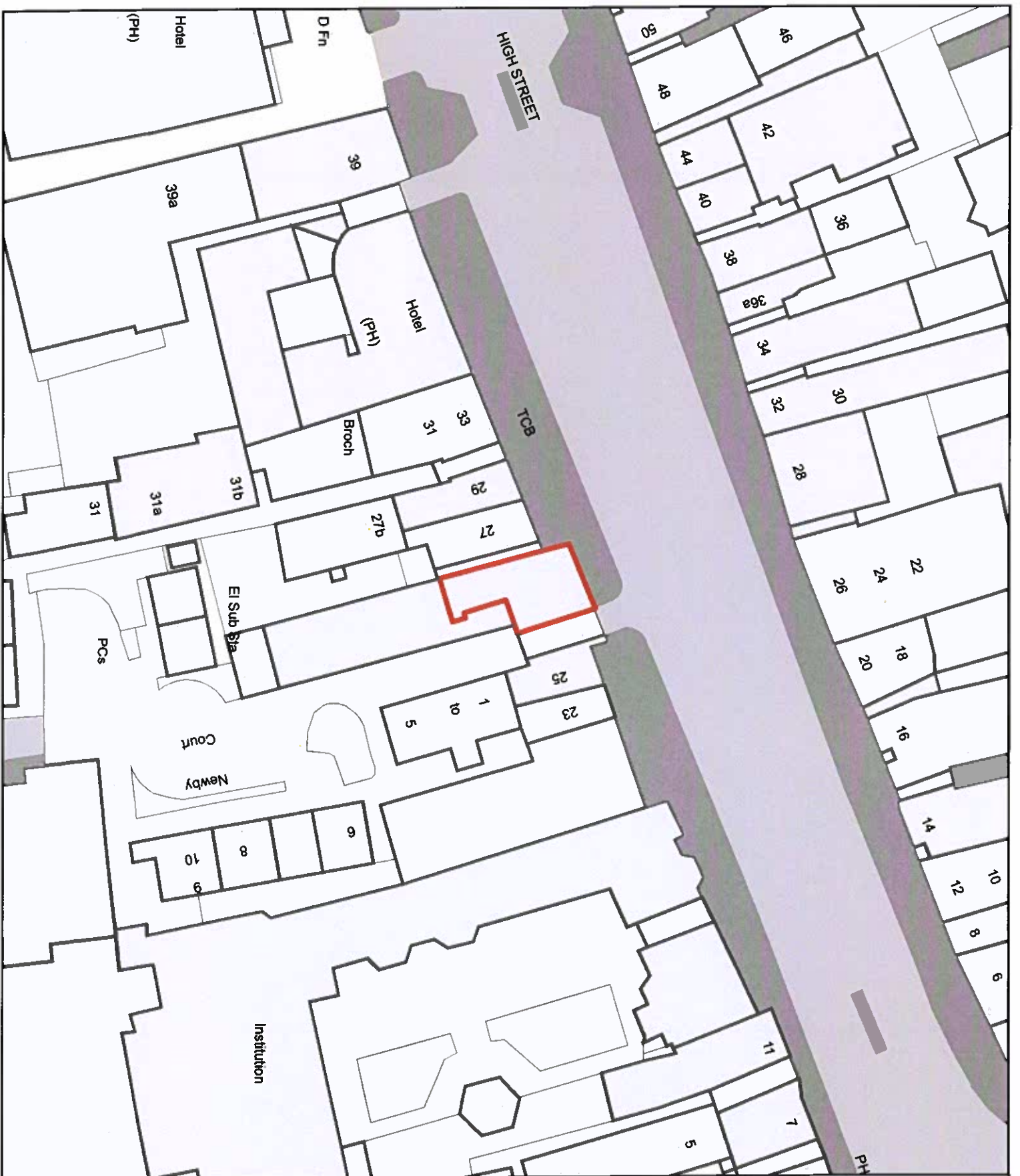
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Shop

Old Corn Exchange Shop
High Street
Peebles

UPRN: PB043/18



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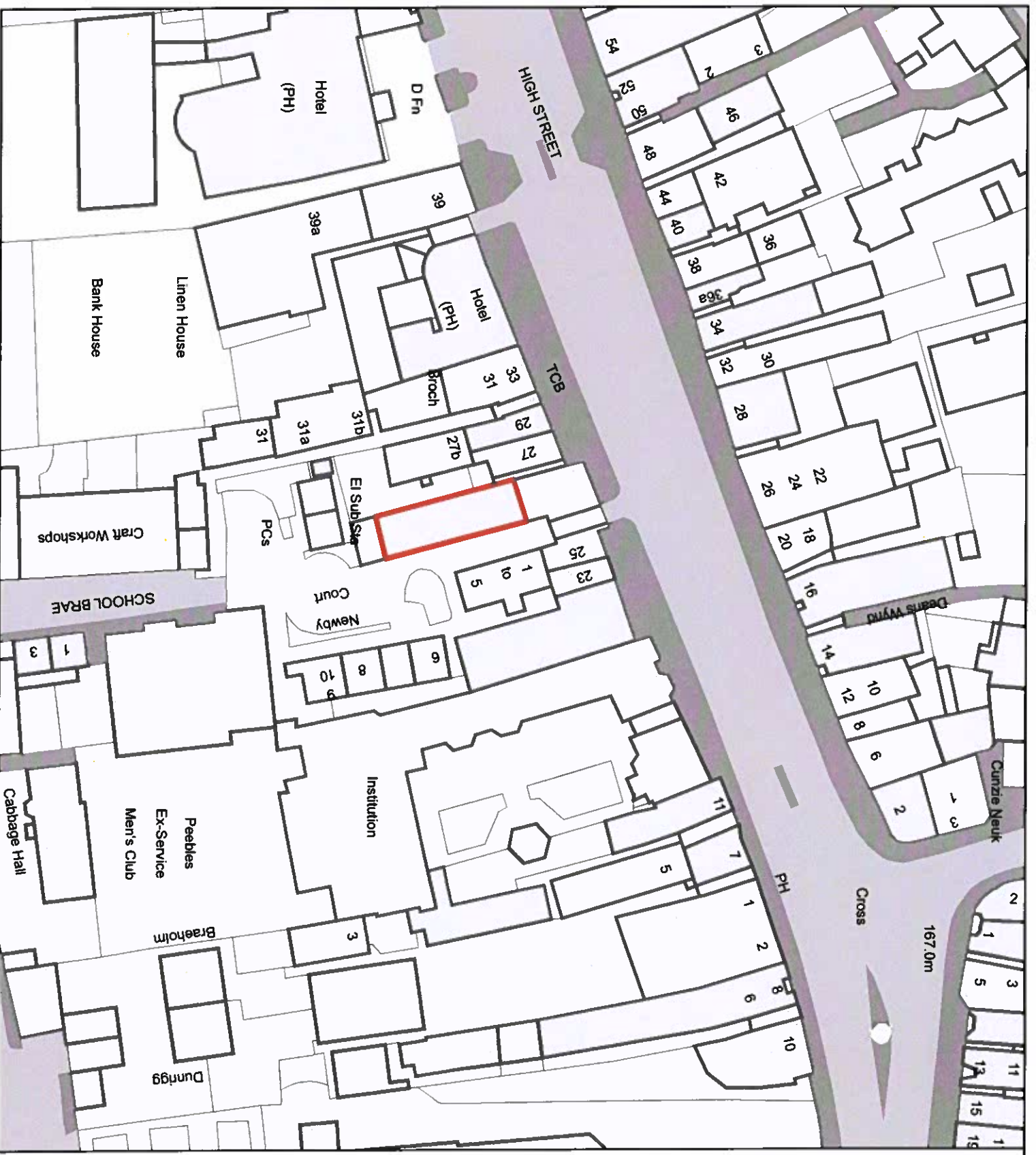


Youth Centre

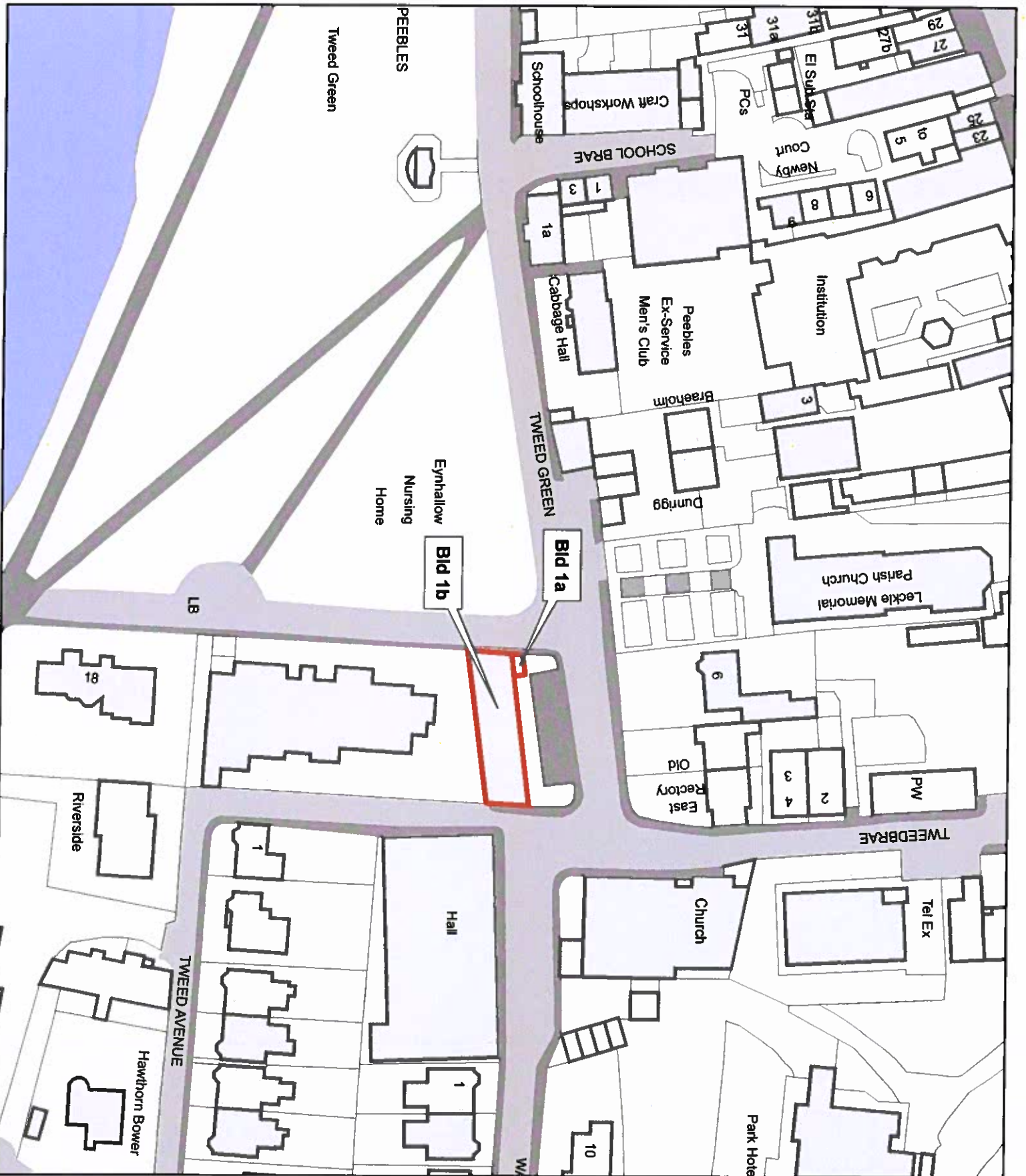
Old Corn Exchange (Rear Hall)

School Brae
Peebles

UPRN: PB043/46



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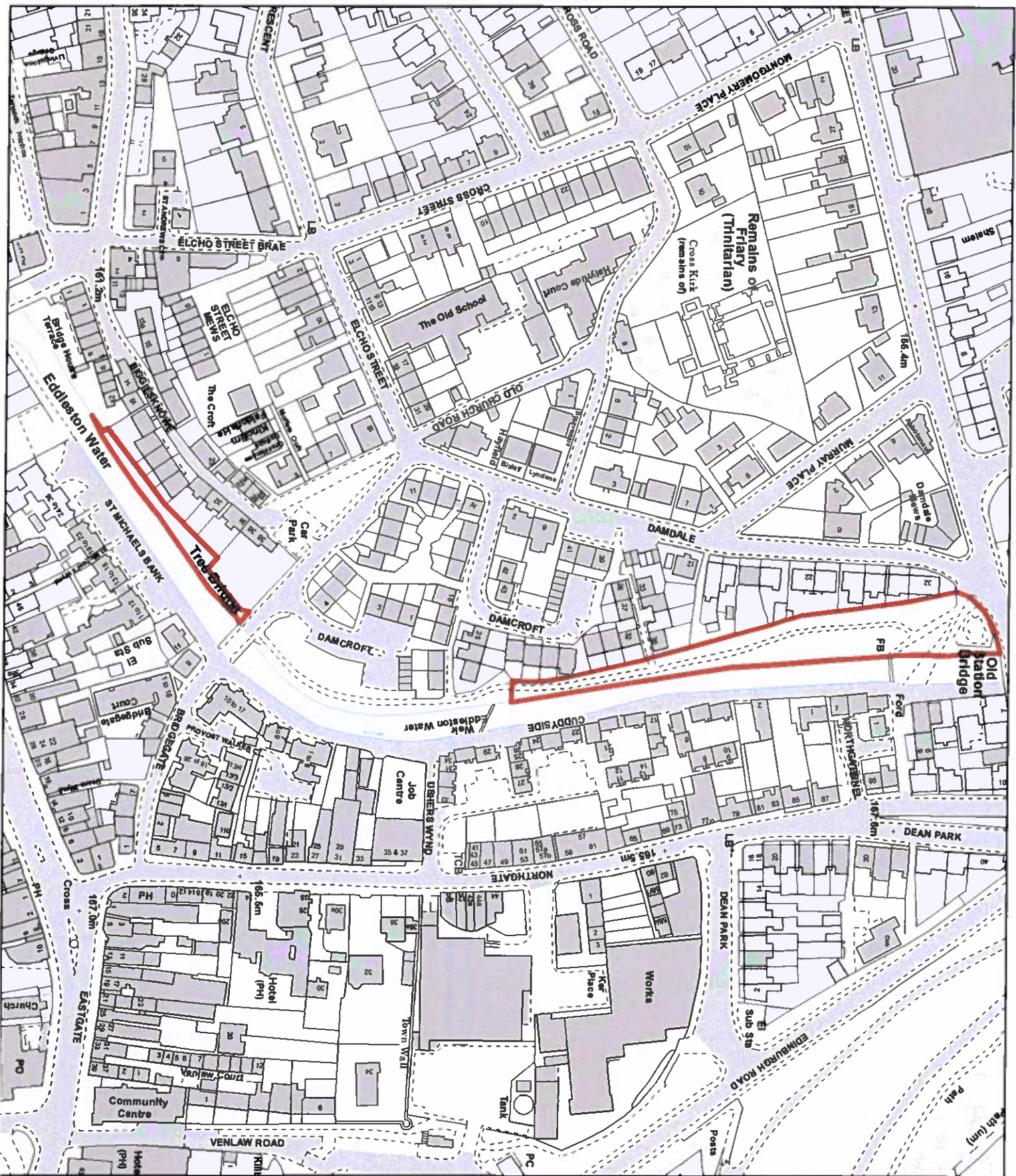


Store

Walkershaugh Store
Tweed Green
Peebles

UPPRN: PB043/08

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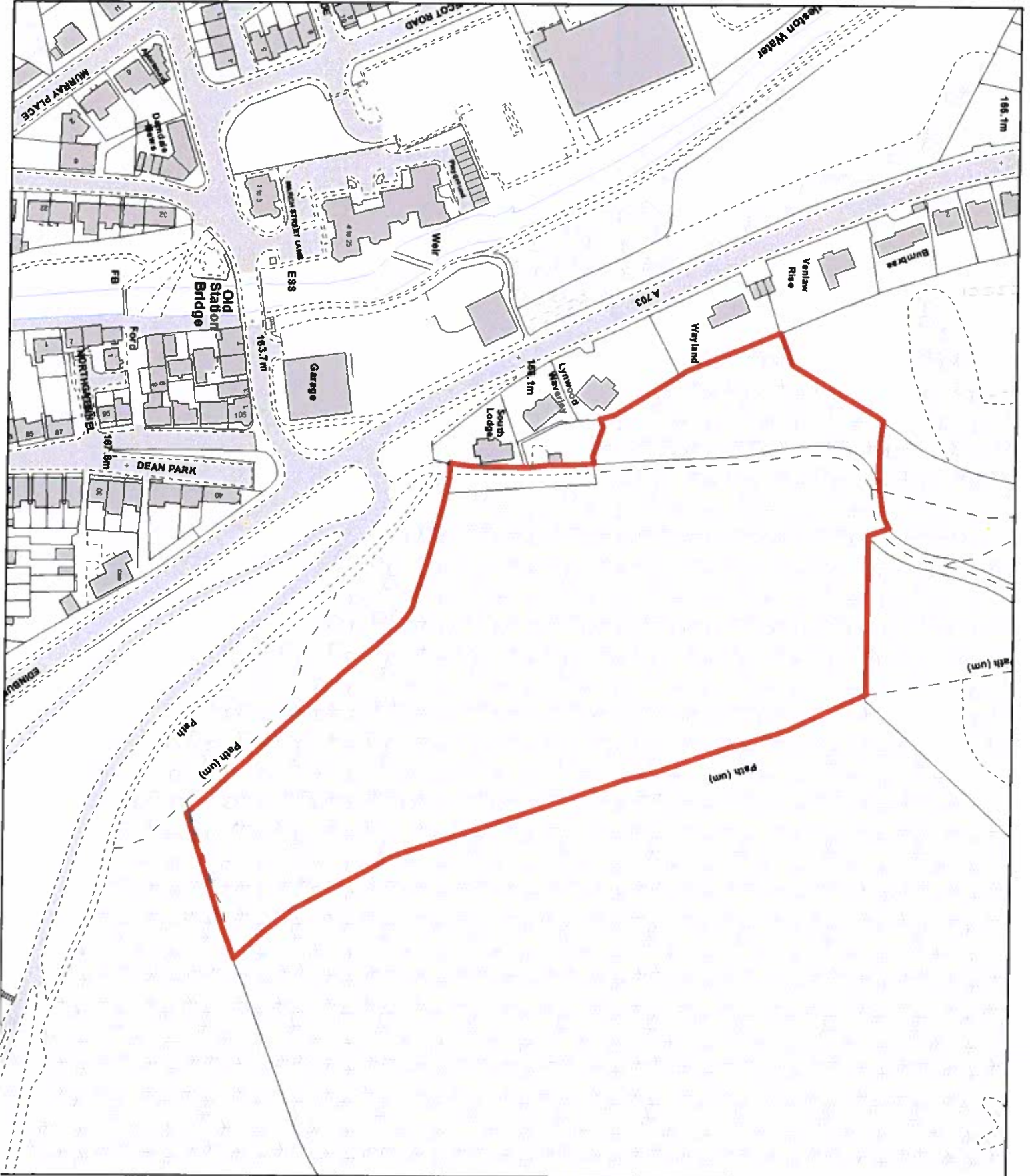


Cuddy Green (Part 1)
Biggiesknowe
Peebles

Area: 3300m² o.t

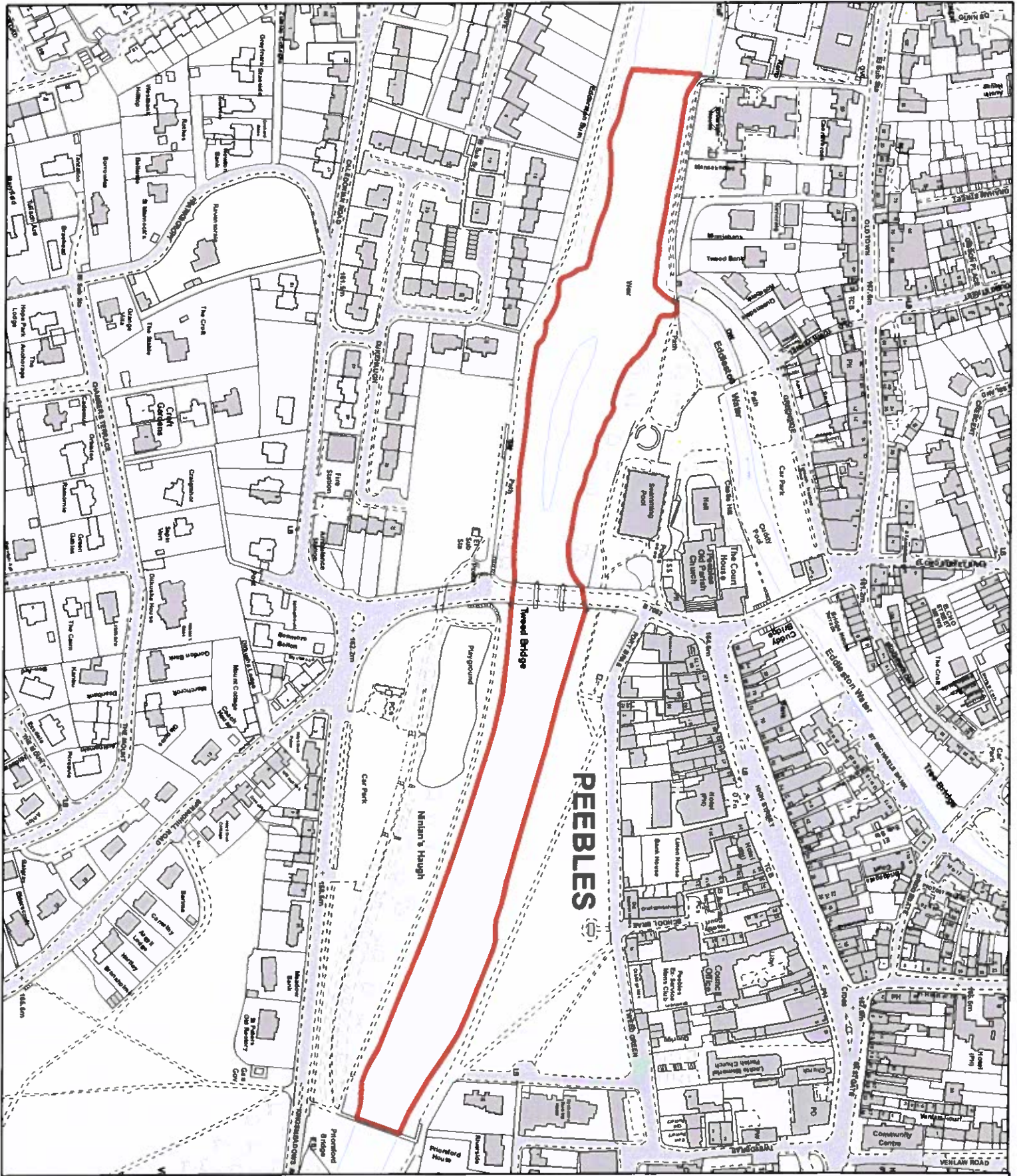
PB043/12

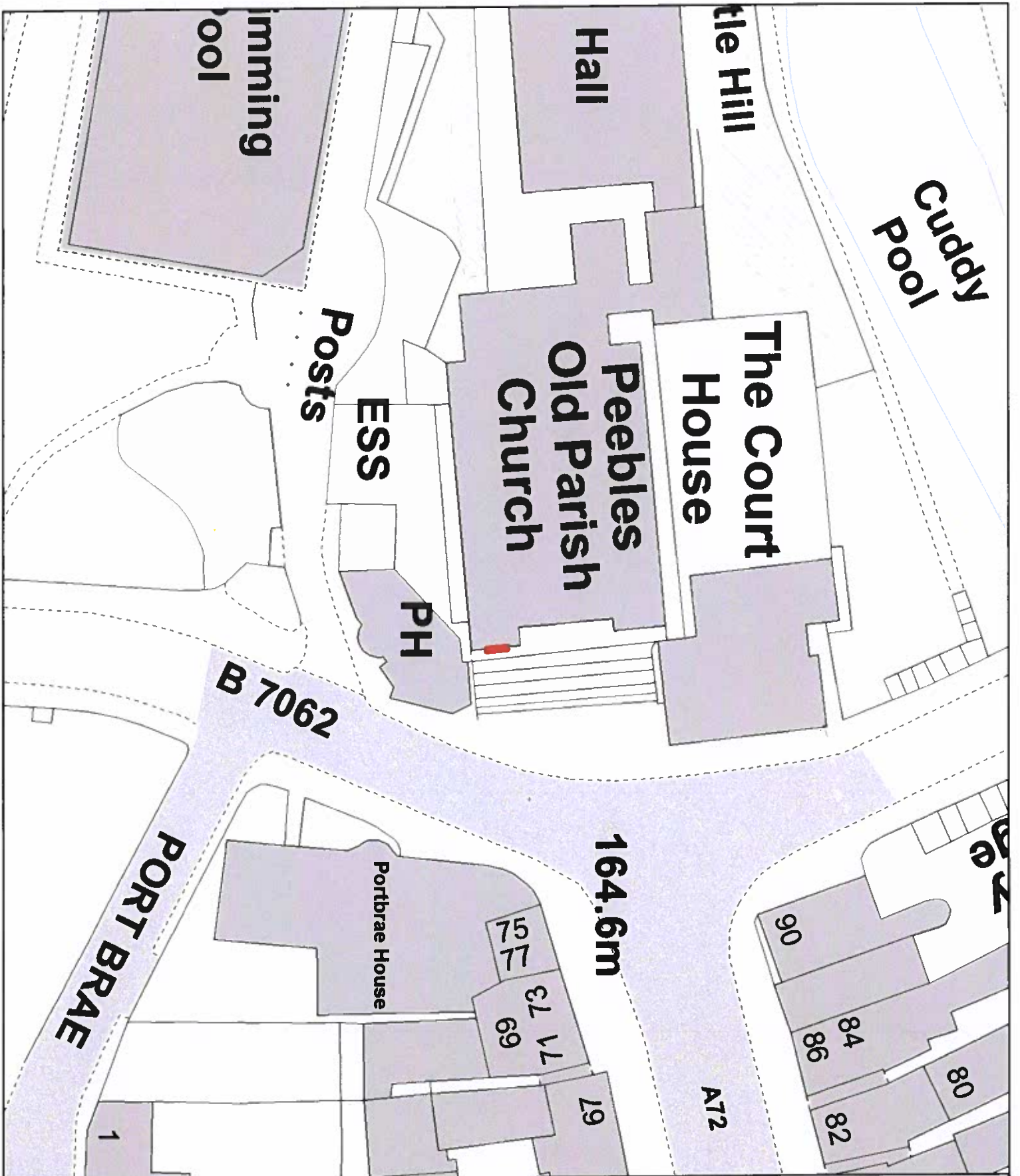
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Venlaw Wood
Venlaw High Road
Peebles
PB043/13

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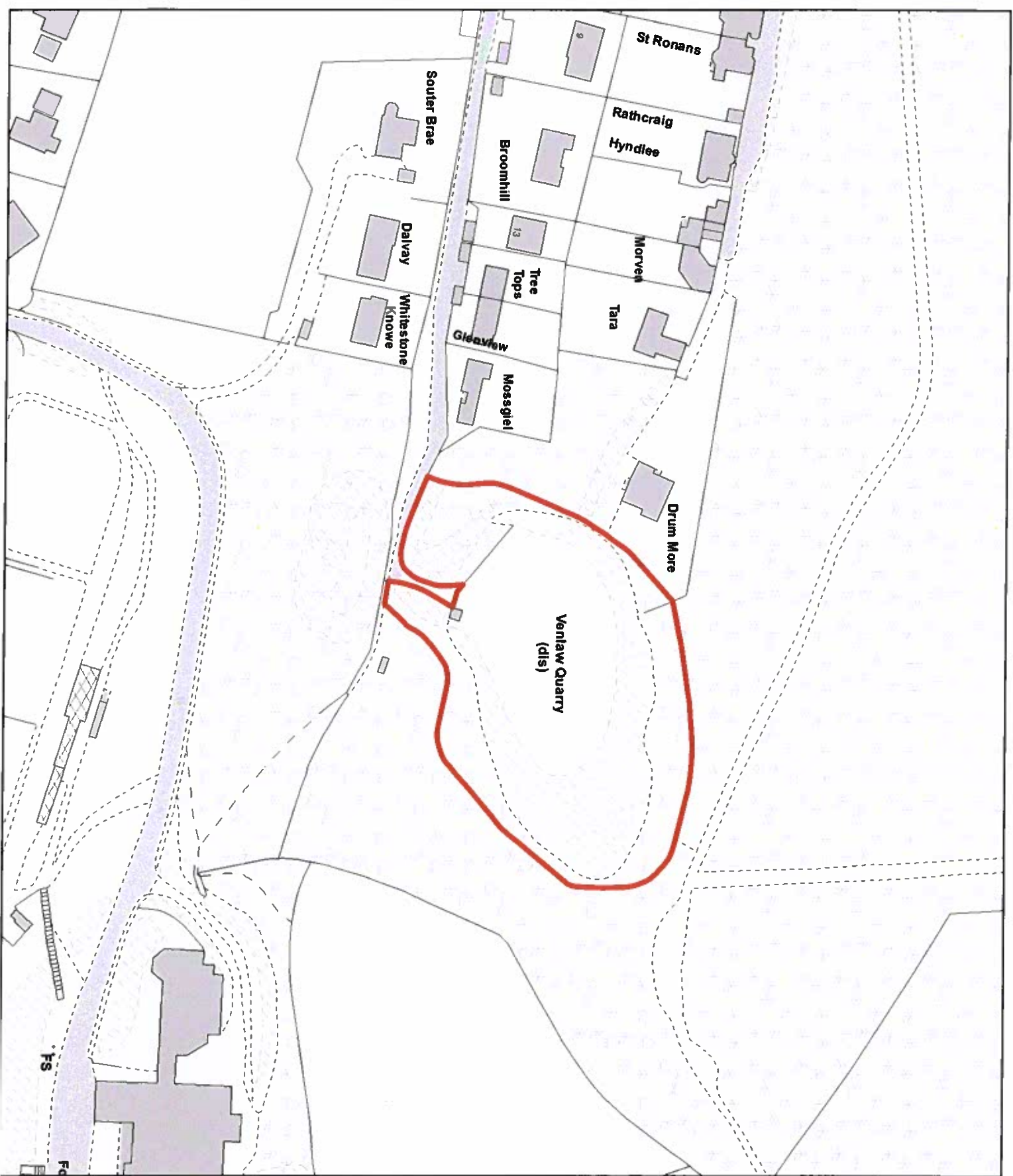
Town Clock
 Parish Church
 Peebles
 PB043/16

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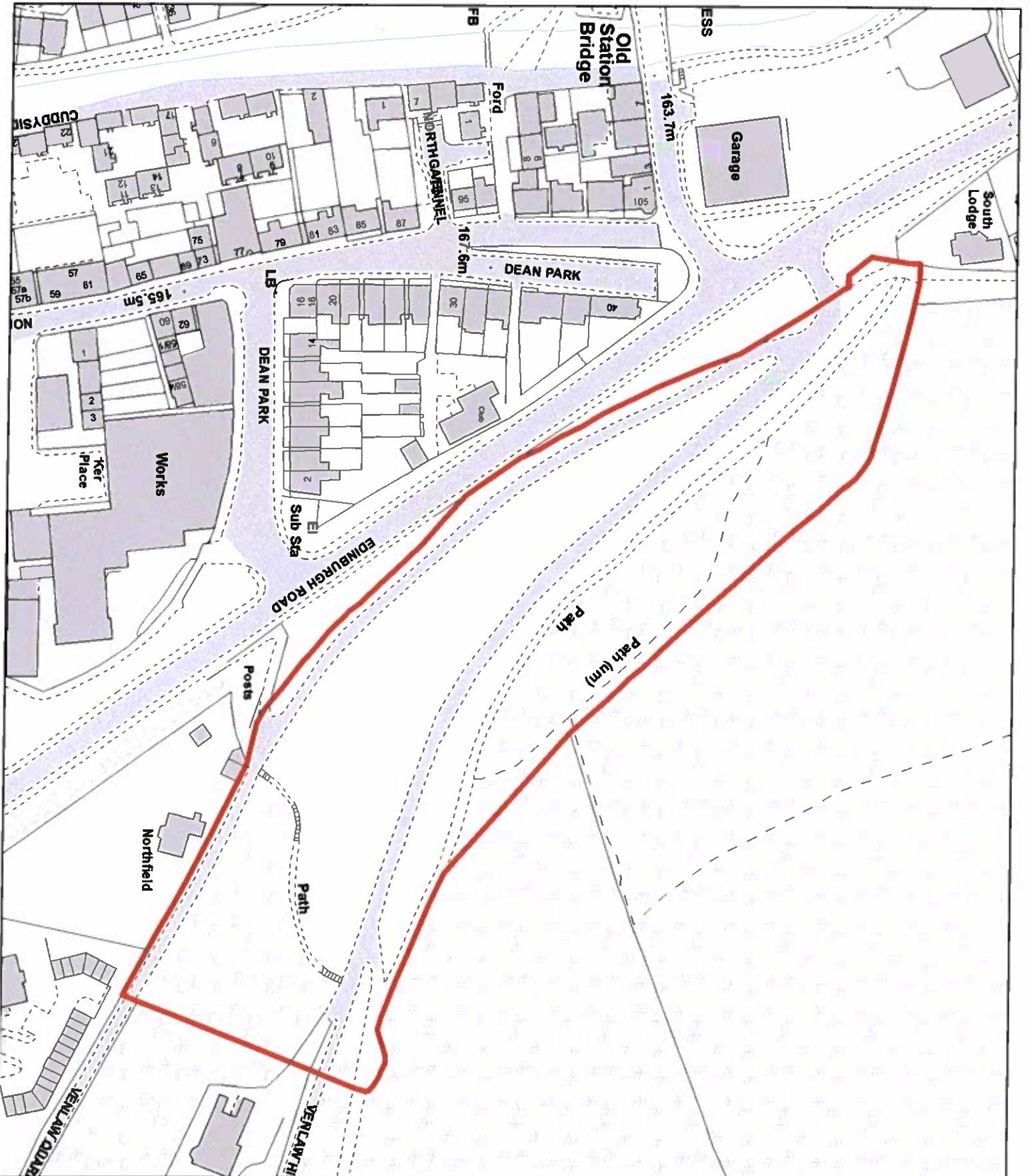
Venlaw Quarry
Venlaw Quarry Road
Peebles

Area: 7674m² o.t

PB043/22



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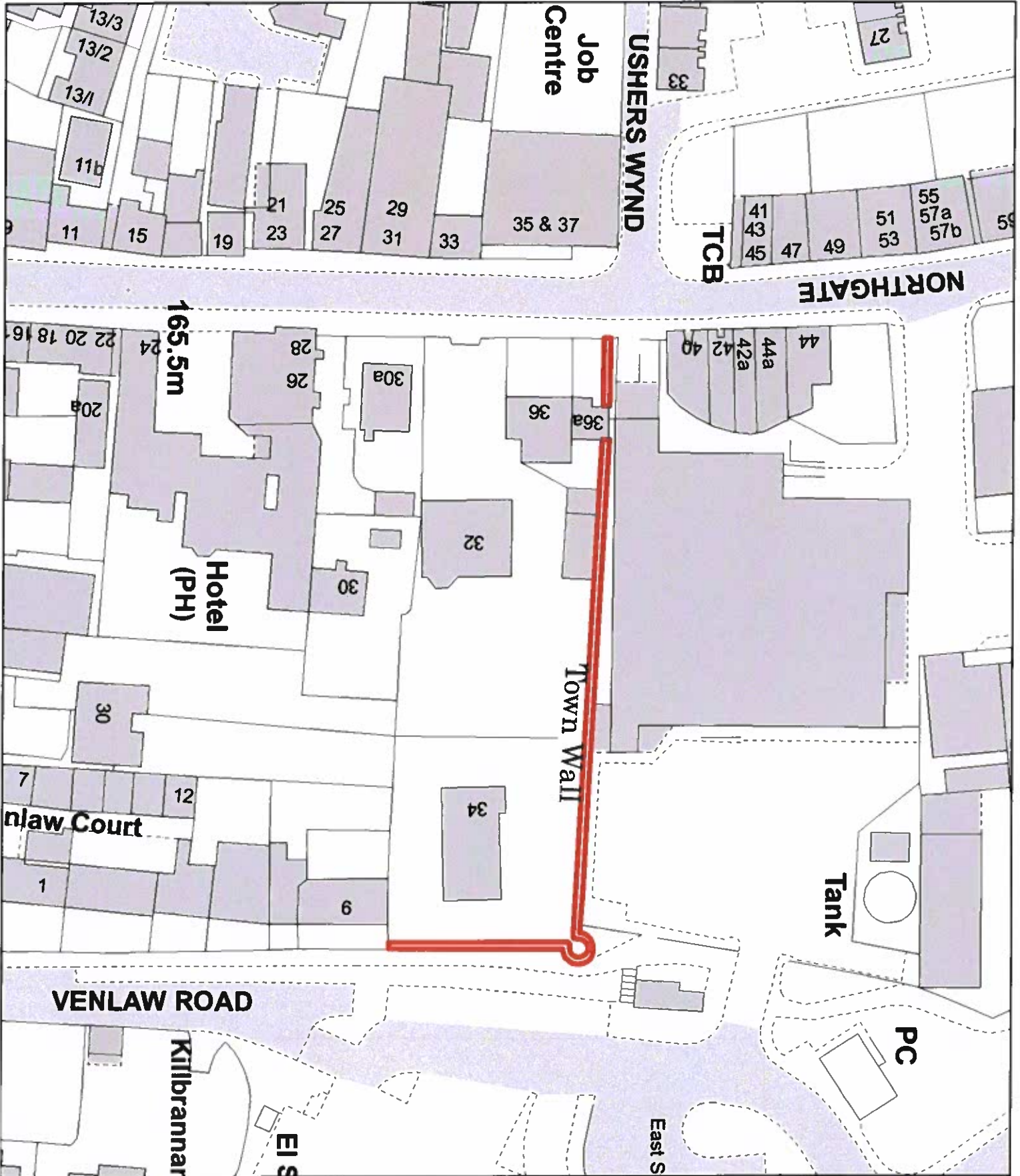


Venlaw Amenity Ground
Venlaw Hill
Peebles

Area: 19344m² o.t
(4.78acres)

PB043/23

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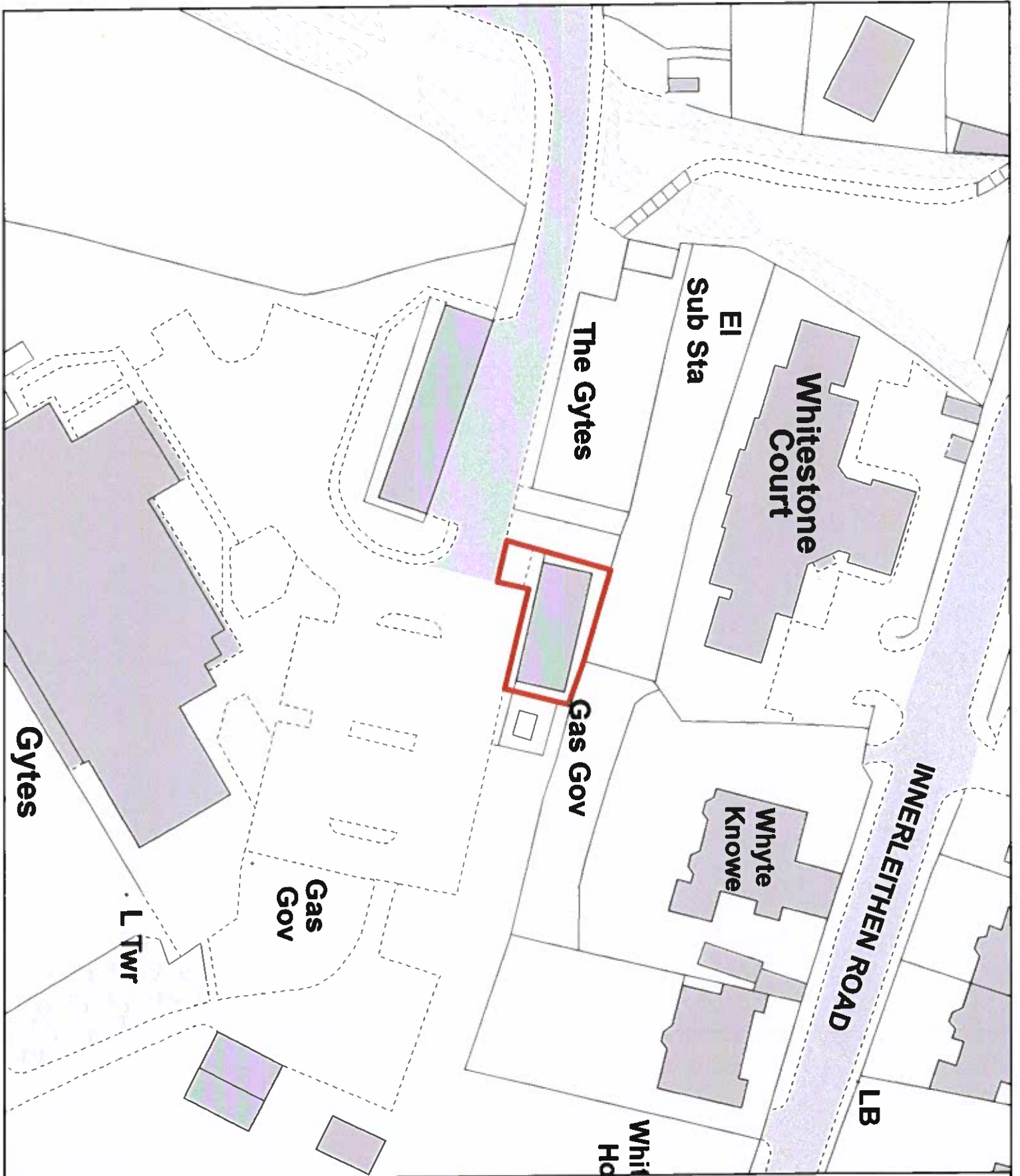


**Old Town
Wall Monument
Venlaw Rd/Northgate
Peebles**

Area: 121m² o.t

PB043/24

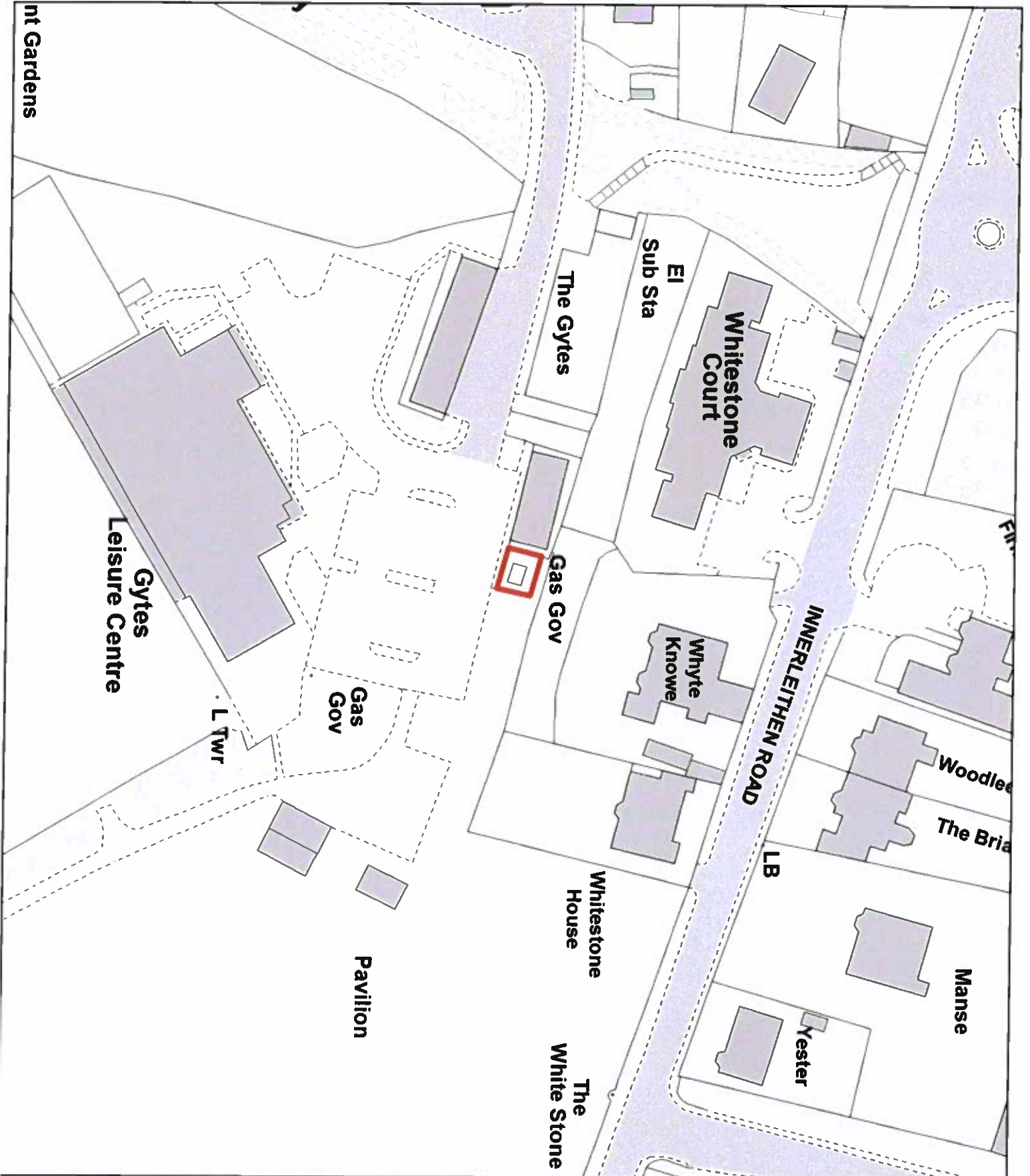
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Walkershaugh
ACF Site
Peebles

Area: 256m² o.t

PB043/26

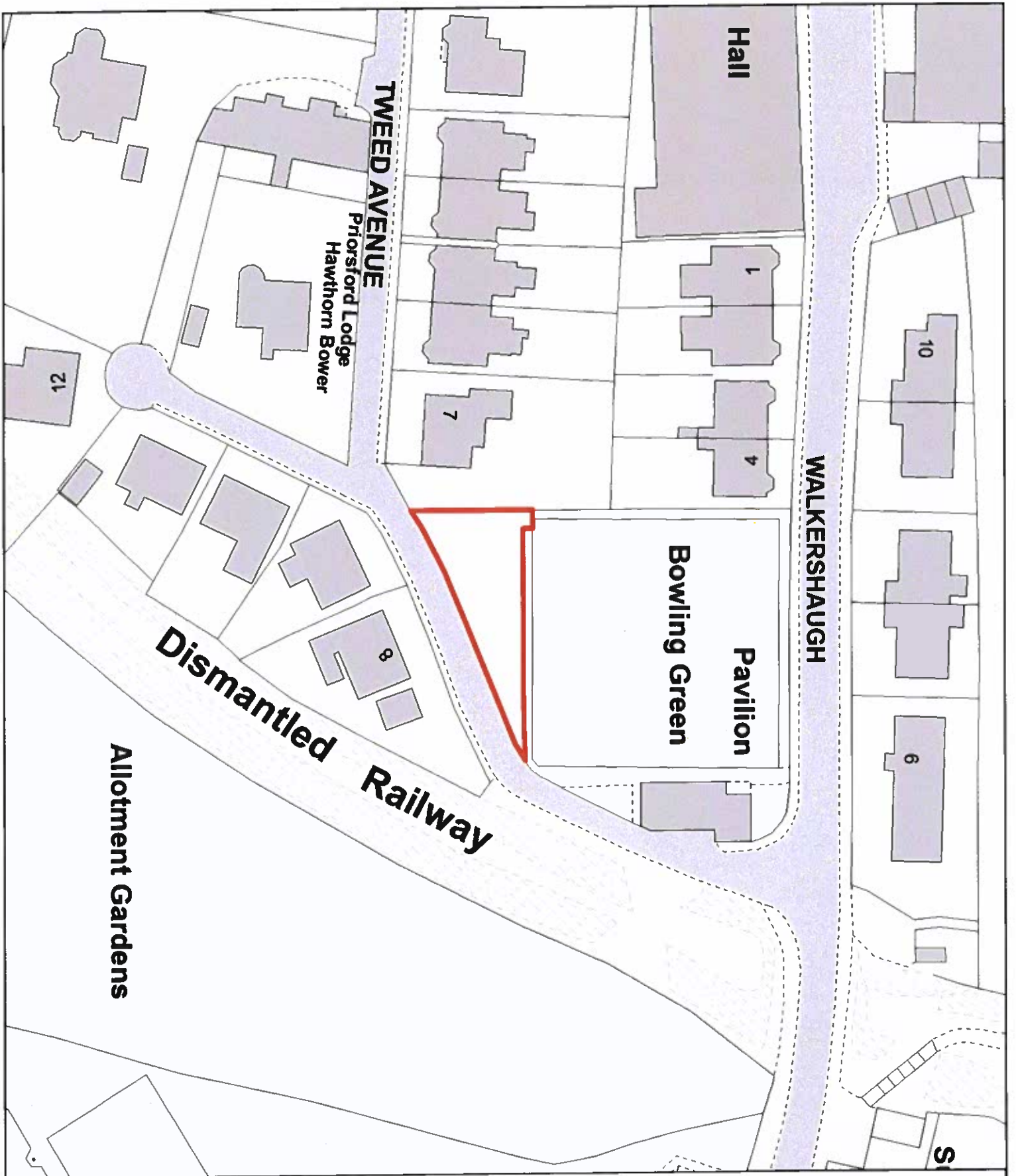


Gas Governor Site
Walkershaugh
Peebles

Area: 56.7m²

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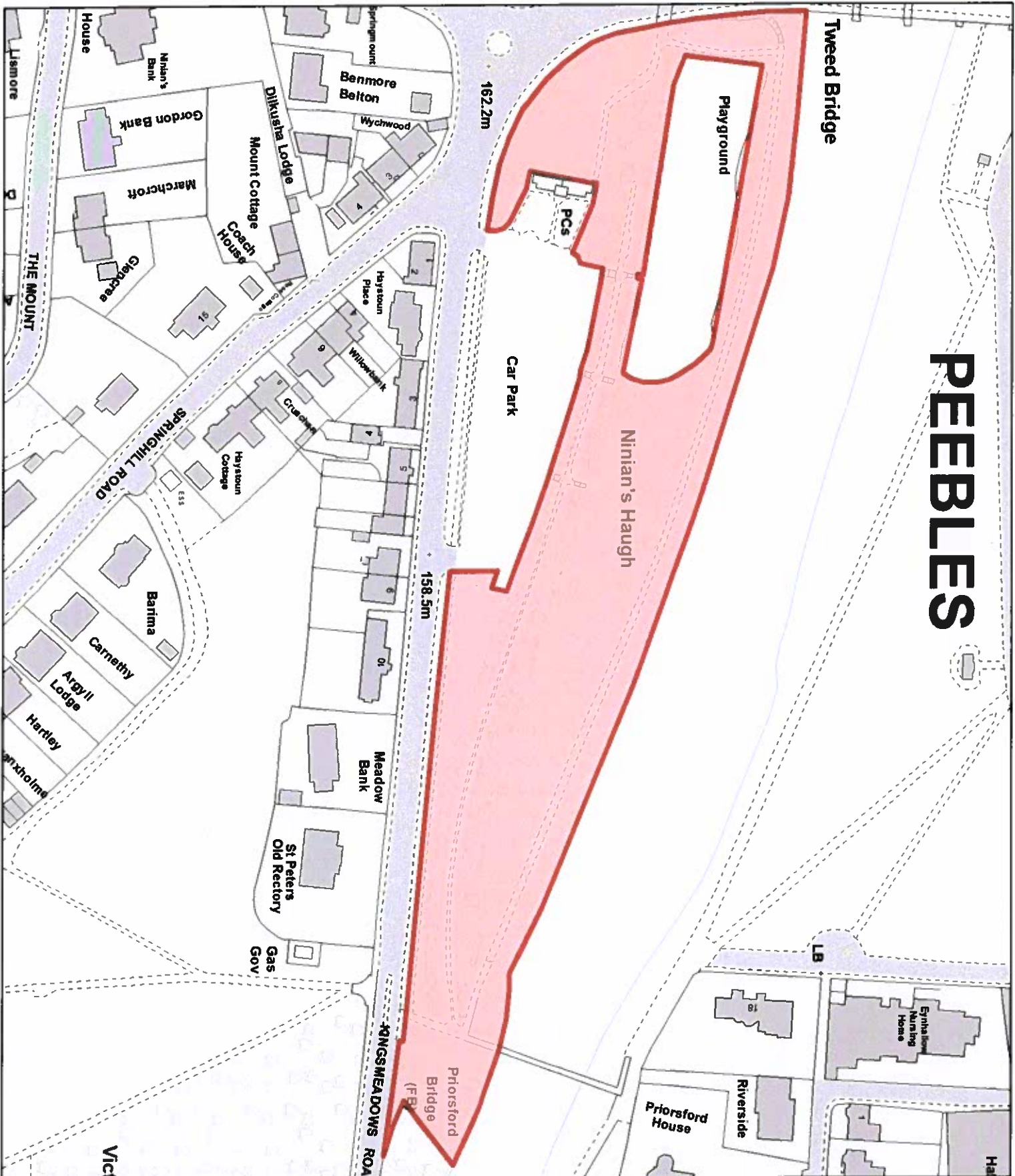
**Walkershaugh
Bowling Green (Part)
Peebles**

Area: 305m² 0.1

PB043/29

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PEEBLES



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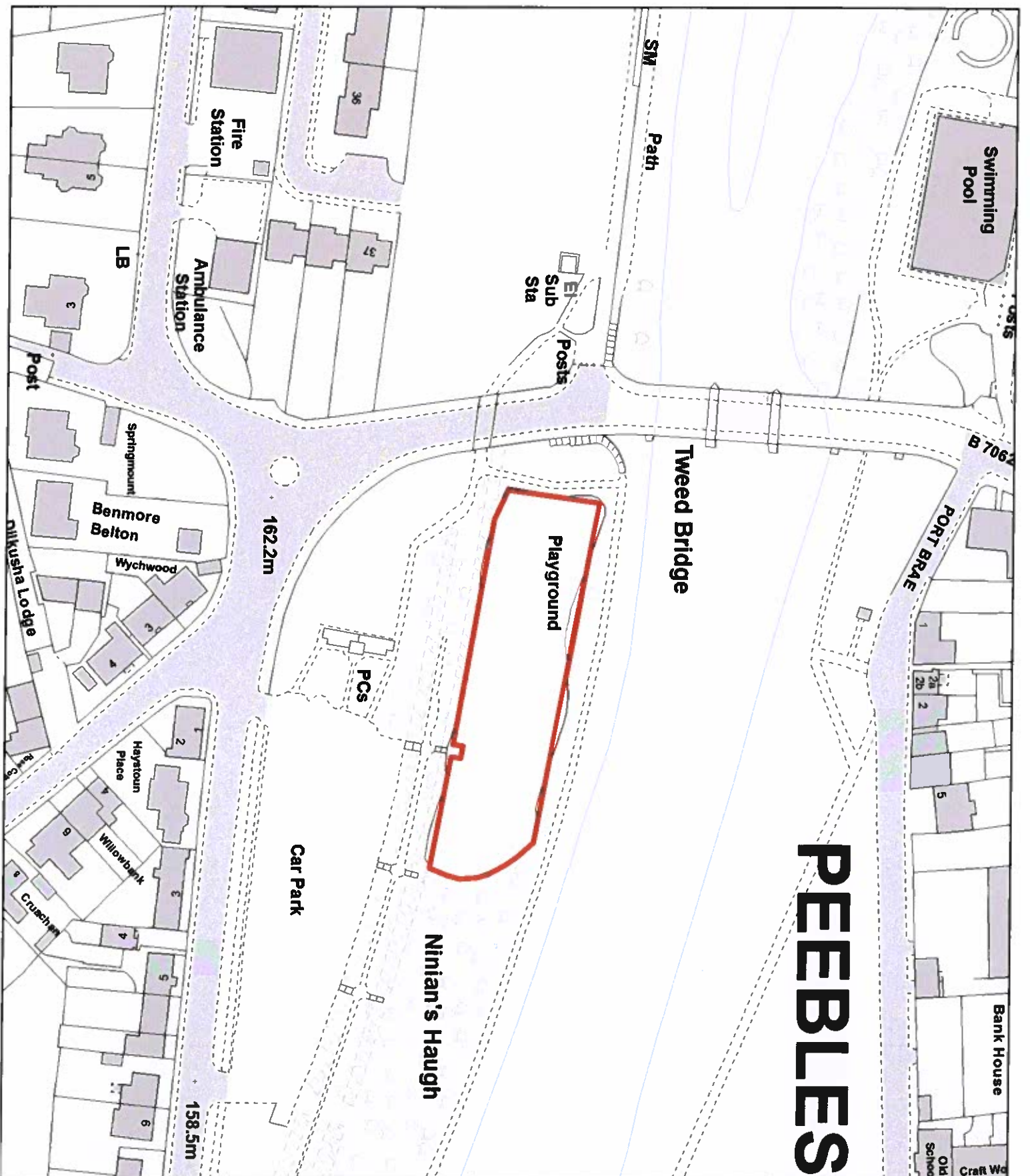


**Ninians Haugh Park
Kingsmeadows Road
Peebles**

Area: 14608m²

PB043/31

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PEEBLES

Ninians Haugh
 Play Area
 Kingsmeadows
 Road
 Peebles

Area: 2298m² o.t

PB043/32

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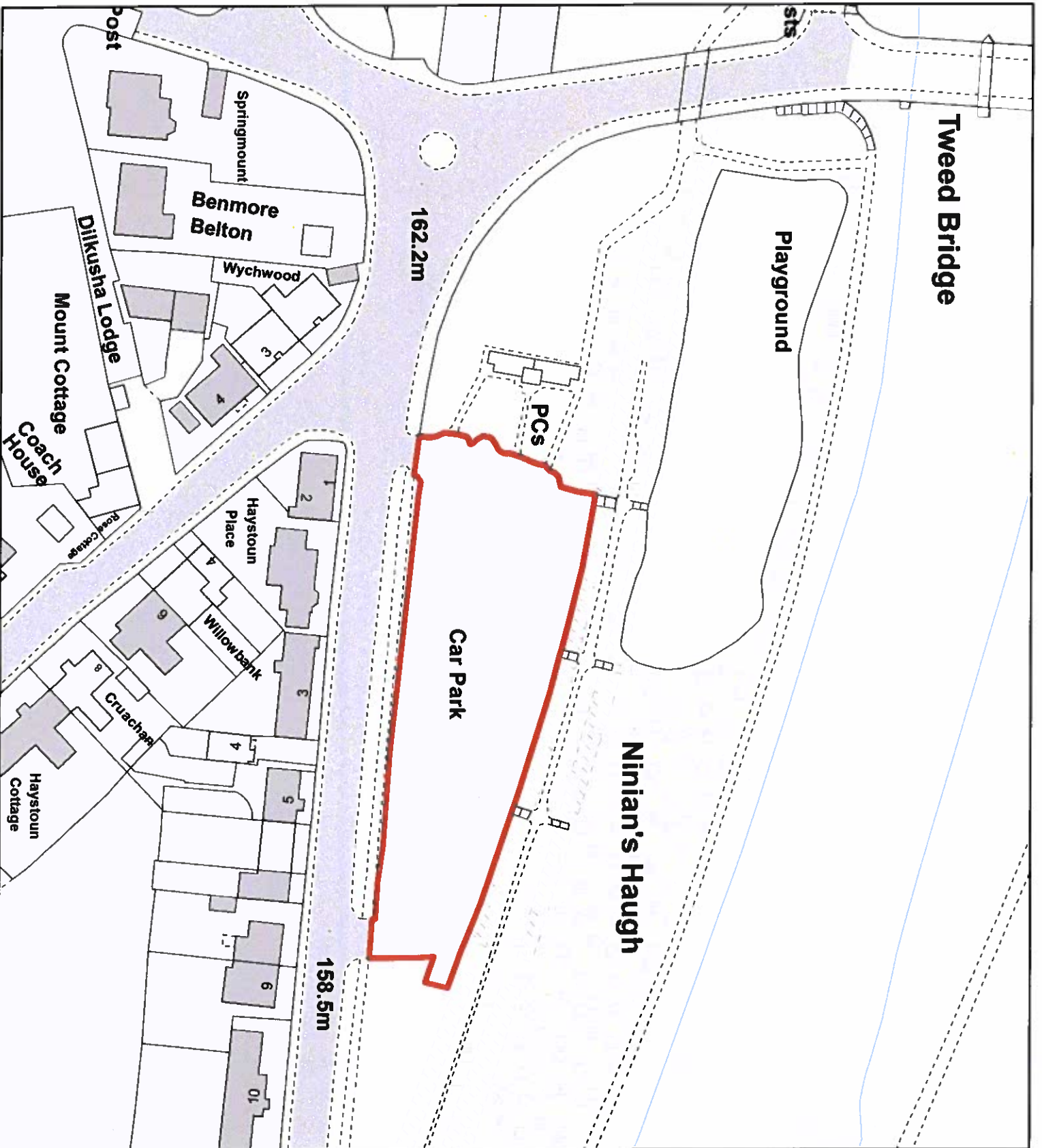
Car Park

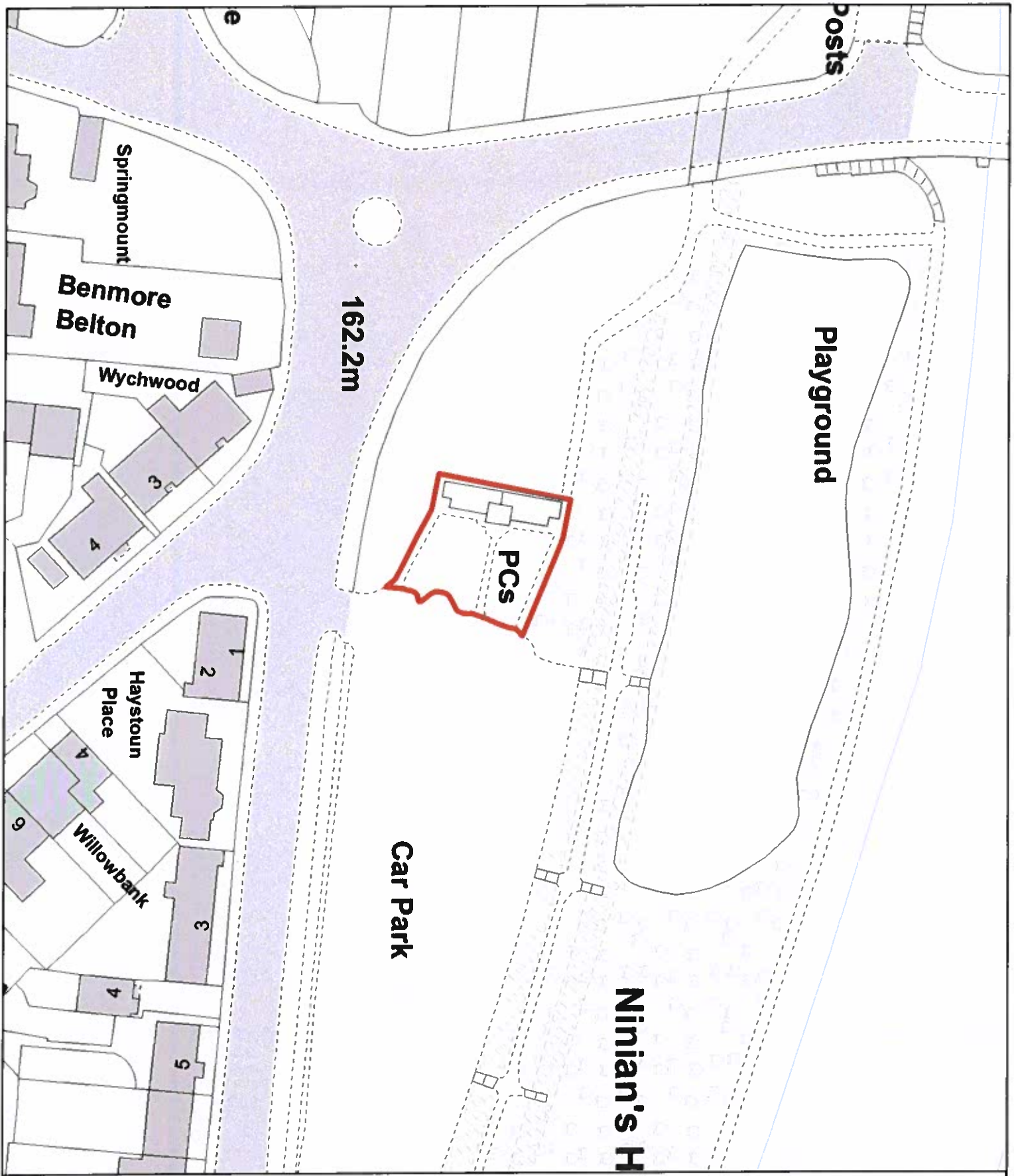
**Kingsmeadow Car Park
Kingsmeadow Road
Peebles**

Area: 2,772 sq m o.t.

UPRN: PB004/05

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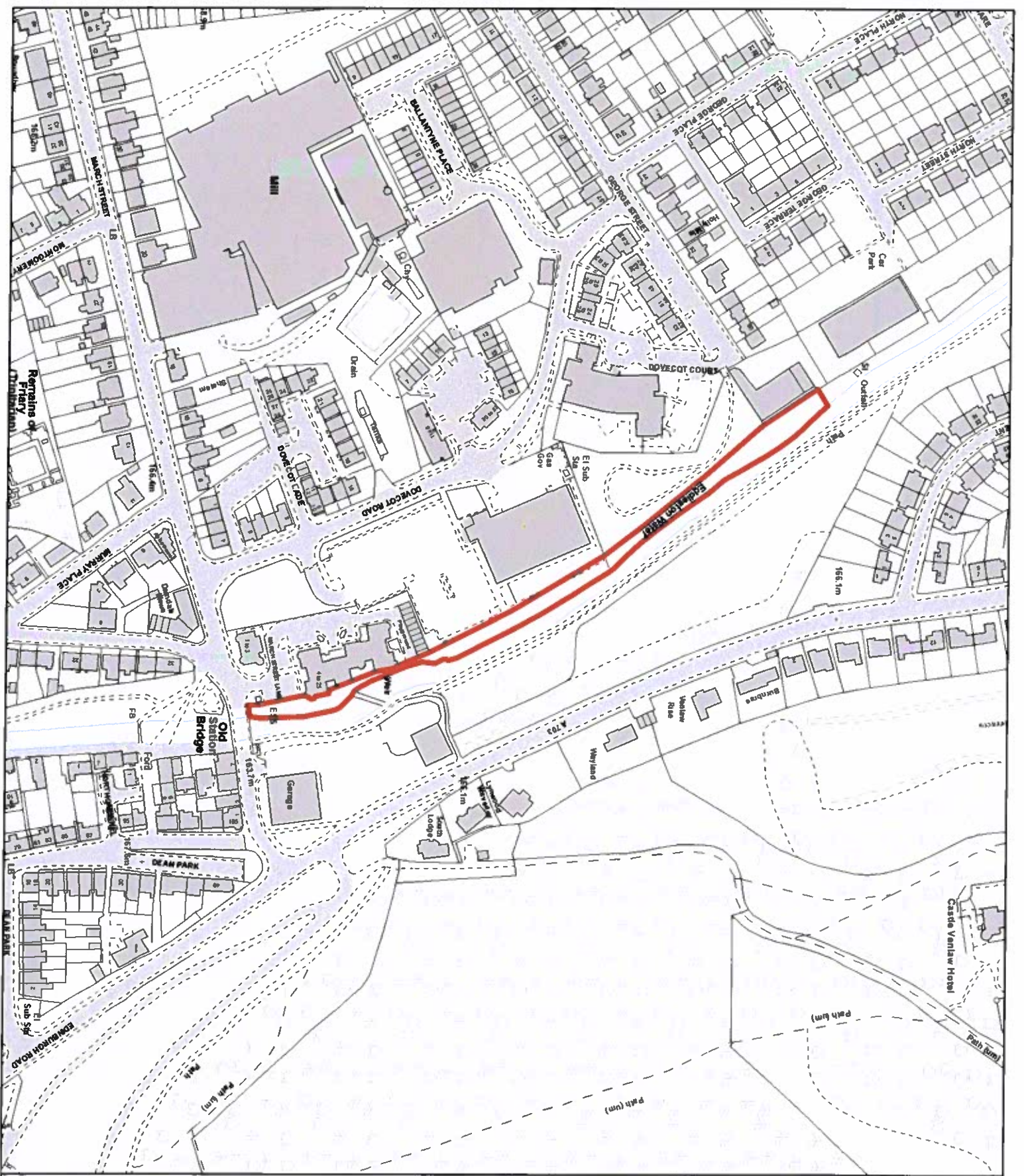


Land at
Kingsmeadows
Toilets
Kingsmeadows Road
Peebles

Area: 398m² o.t

PB043/43

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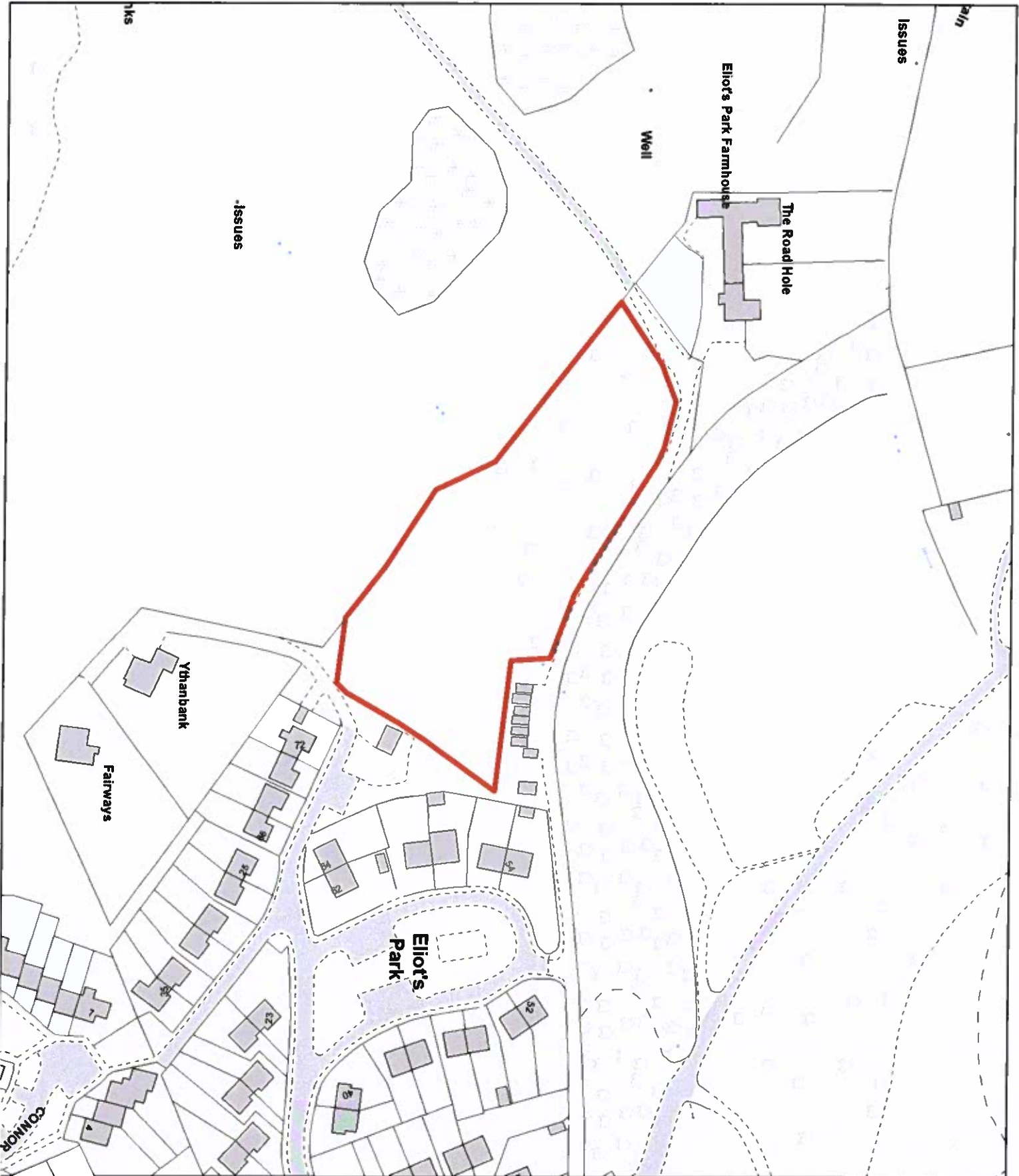


**Land at March Street
 Peables**

Area: 2671m² o.t

PB043/36

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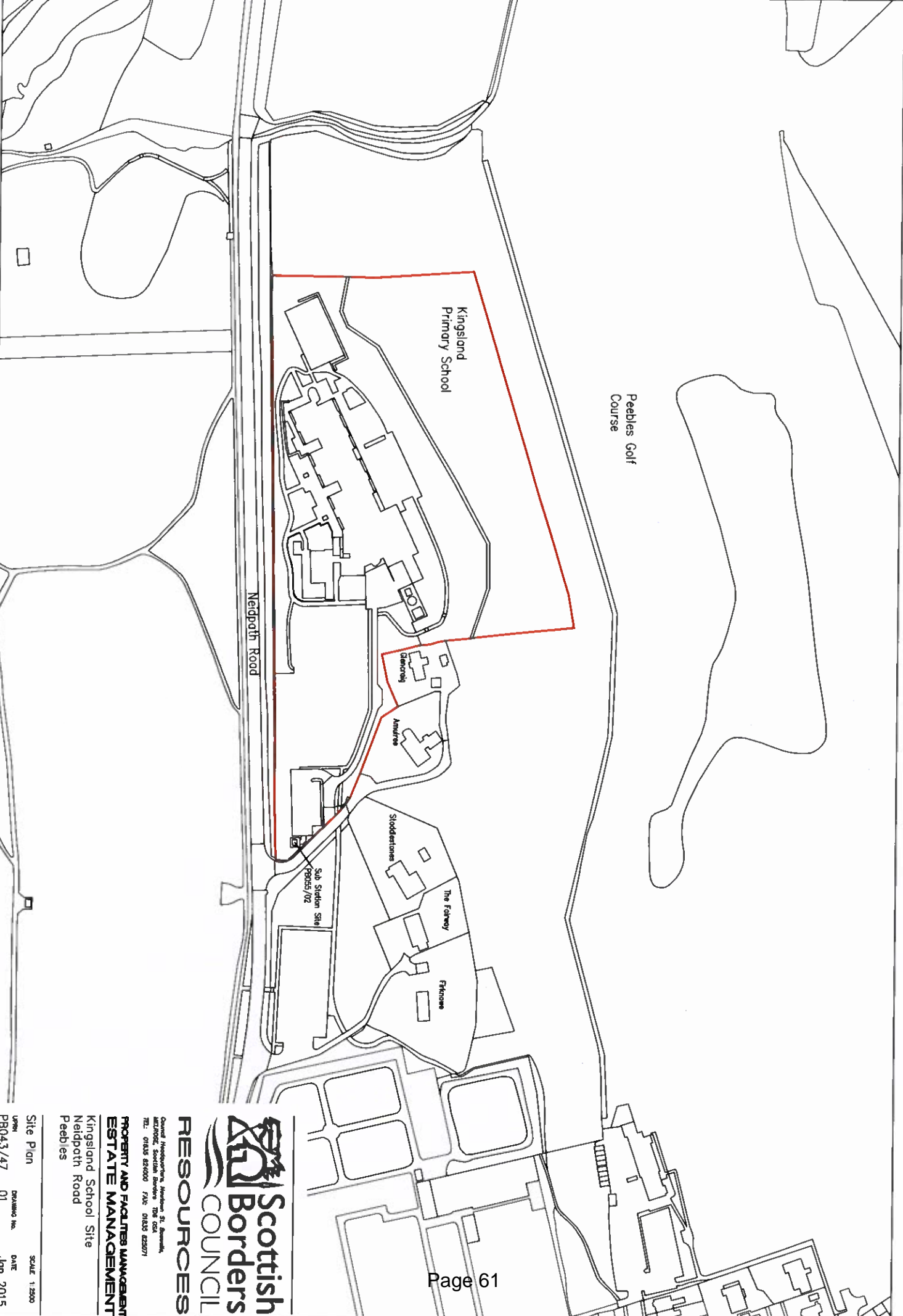


**Eliot's Park
Grazing
Peebles**

Area: 6221m² o.t

PB046/01

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Pebbles Golf Course

Kingsland Primary School

Neidpath Road

Glenroy

Amlure

Stoddertones

The Farney

Fknoxe

Sub Station Site
Pebbles/O2

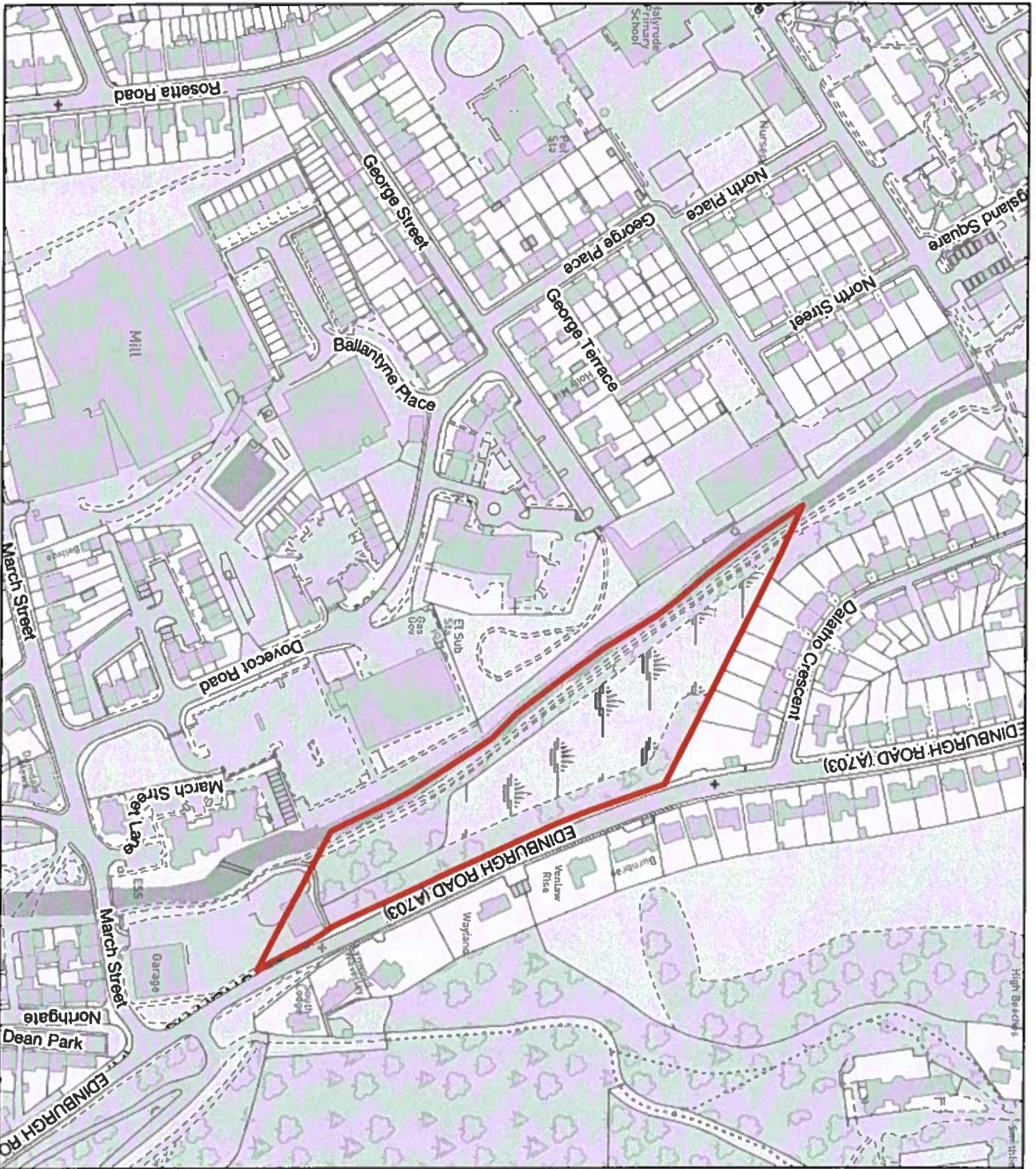
Scottish Borders
RESOURCES COUNCIL

General Headquarters, Market Street, Aberdeen
 KY10 1JQ
 TEL: 01835 834000 FAX: 01835 832071

PROPERTY AND FACILITIES MANAGEMENT
ESTATE MANAGEMENT

Kingsland School Site
 Neidpath Road
 Peebles

Site Plan SCALE 1:2500
 JRM DRAWING NO. DATE
 PB043/47 01 Jan 2015



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Edinburgh Road Peebles

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