

SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held in the Convener's Office, Council
Headquarters, Newtown St Boswells on
Wednesday 19 February 2020 at 1.30pm

Present:- Councillors D. Parker (Chairman), T. Miers, Community Councillor A. Smith

Apologies: Councillor K. Drum

In Attendance:- Pension & Investment Manager, Solicitor (B. McDonald), Estates Officer (J. Stewart), Democratic Services Team Leader, Trainee Democratic Services Officer.

1. **MINUTE**

There had been circulated copies of the Minutes of 14 November 2018, 31 July 2019 and Special Meeting of 31 October 2019.

DECISION

NOTED the Minutes.

2. **APPLICATION FOR FINANCIAL ASSISTANCE**

There had been circulated copies of an application for financial assistance from Lauderdale Scout Group seeking a contribution of £2,300 towards the purchase of an area of ground currently owned by Scottish Borders Council (SBC) as forming part of the car park of the Scout Hall. The application advised that the Scout Group had agreement, in principle, to acquire this land from SBC and the funding would help towards the purchase and the legal costs and would also cover the removal of the area from SBC's adopted road list. Acquiring this piece of land would further improve the facilities and would enable reconfiguration of the current car park to make it safe for pedestrians accessing the hall. It would also allow an opportunity to use a safer outdoor space for activities and long term, would also provide flexibility to extend or adapt the hall to accommodate the ever growing Scout Group. After consideration the Members agreed to approve the application.

DECISION

AGREED that a sum of £2,300 be granted to Lauderdale Scout Group as a contribution to cover the cost to acquire the area of ground.

3. **FINANCIAL MONITORING REPORT FOR 9 MONTHS TO 31 DECEMBER 2019**

There had been circulated copies of a report by the Executive Director Finance & Regulatory detailing income and expenditure for the Lauder Common Good Fund for nine months to 31 December 2019, a full year projected out-turn for 2019/20 and projected balance sheet values as at 31 March 2020. The Pensions & Investment Manager, Ms Robb highlighted the main points of the report and appendices. Appendix 1 to the report provided actual income and expenditure position for 2019/20. This showed a projected deficit for the year of £1,974. Appendix 2 to the report provided balance sheet values as at 31 March 2020. This showed a projected decrease in reserves of £13,467. Appendix 3 provided a breakdown of the property portfolio which showed the detailed annual rental income by individual property for 2019/20 and actual property expenditure to 31 December 2019. Appendix 4 detailed the value of the funds invested with Kames Capital Investment Fund to 31 December 2019. The fund had a projected outturn position

amount of £190 related to interest receivable on cash held by SBC and also included dividends from the Common Good Funds investment in Kames Capital Investment Fund which amounted to £13,850 which was in line with the overall 5% target and monthly distribution profile projections provided by Kames. Included within other income was a rebate from Kames Capital (£147), which had been re-invested to purchase an additional 134 units.

DECISION

(a) **AGREED the projected income and expenditure for 2019/20 as shown in Appendix 1 as the revised budget for 2019/20;**

(b) **NOTED**

(i) **the projected balance sheet value as at 31 March 2020 as shown in Appendix 2;**

(ii) **the summary of the property portfolio as shown in Appendix 3; and**

(ii) **the current position of the investment in the Kames Capital Investment Fund as shown in Appendix 4**

4. ASSET REGISTER

There had been circulated copies of a draft Asset List prepared by the Principal Solicitor in terms of the Council Report by the Service Director Regulatory Services dated 31 January 2019 on the duties placed on Scottish Borders Council in respect of common good assets by Part 8 of the Community Empowerment (Scotland) Act 2015 and recommended actions to ensure compliance with such duties. The Solicitor, Ms McDonald was present and reported that the draft asset list had been produced in compliance with the Act, using current heritable property registers together with information available regarding moveable items. Following approval of the asset list by the Common Good Sub-Committee, the Council would publish the proposed list of common good assets and undertake a 12 week public consultation period. Following the consultation period, the Sub-Committee would be asked to agree the finalised Common Good Asset Register. The Register would then be published within six months from the end of the consultation period. There was a discussion on the items on the Asset Register and some suggested amendments to descriptions were agreed. It was noted that any items identified in the future could be added to the Register at a later date.

DECISION

NOTED the updated Asset Register.

5. PROPERTY

5.1 There had been previously circulated a letter received from a member of the community making a request to rent the grazings known as Refuse Tips 1 and 2. The Estates Officer, Ms Stewart was present and explained the details around the land in question. Refuse Tip 1 was vacant and required topping and spraying. Refuse Tip 2 was vacant, but animals on the Calfward Park grazings were able to cross the burn and access it at present. Refuse Tip 2 had previously been rented by the person renting Calfward Park for three months of the year. A fence was to be erected across the base of Refuse Tip 2 as part of the previously agreed woodland planting scheme. A water pump would need to be installed before the fence was constructed and Ms Stewart would co-ordinate this. Members agreed that the application to rent Refuse Tips 1 and 2 should be progressed with the interested party and Members delegated powers to Ms Stewart to make contact with both tenants to put the necessary arrangements in place, in consultation with the Sub-Committee Members.

DECISION

AGREED that powers be delegated to the Estate Officer, in consultation with the Sub-Committee Members, to arrange the necessary tenancy agreements.

- 5.2 Ms Stewart advised that the Tree Consultant dealing with the Lauder Burn had proposed that he provide a report on the condition of the poplar trees adjacent to the road at a cost of £200. It was noted that it was likely that some branches would require to be removed.

DECISION

AGREED the payment of £200 to the tree consultant to carry out this work.

- 5.3 With reference to paragraph 3 of the Minute of 31 July 2019, Ms Stewart advised that the areas for the proposed woodland scheme on Lauder Common had now been agreed with the tenant. Hugh Chalmers of Tweed Forum presented the scheme to the Community Council in November and would now submit the report to the Woodland Trust. Ms Stewart was now in negotiations with the tenant to reduce the rent to reflect the reduction in grazing area and once agreed this would be legally documented in a Minute of Agreement. Ms Stewart advised that fees for the work had previously been estimated at £1.5k. However, this had increased and following negotiation amounted to £2,836k.

DECISION

AGREED to:-

- (a) **progress the woodland and negotiations with the tenant; and**
- (b) **meet the increased fees of £2.836k.**

- 5.4 It was reported that the Scottish Kennel Club had requested use of Lauder Common land for an event from Tuesday 24 November to Sunday 29 November 2020.

DECISION

AGREED to give consent to Scottish Kennel Club.

- 5.5 Ms Stewart advised that a request had been received to erect 3 telecommunications telegraph poles on farmland adjacent to Lauder Golf Club in return for a payment of £614.25. Ms Stewart advised that this payment was the maximum payable in terms of the relevant legislation.

DECISION

AGREED to allow the installation of three telegraph poles.

The meeting concluded at 2.03 pm