

SCOTTISH BORDERS COUNCIL
JEDBURGH COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the
JEDBURGH COMMON GOOD FUND
SUB-COMMITTEE held via Microsoft
Teams on Monday, 12 September 2022
at 4.30 p.m.

Present: - Councillors S. Scott, (Chairman), P. Brown, S. Hamilton and
Community Councillor J. Taylor.

In Attendance: - Pension and Investments Manager, Principal Solicitor – Hannah
Macleod, Democratic Services Officer (F. Henderson).

Members of the Public: - 0

1.0 MINUTE

There had been circulated copies of Minute of the Jedburgh Common Good Fund Sub-Committee held on 13 June 2022.

DECISION

AGREED Minute of Meeting held on 13 June 2022.

2.0 JEDBURGH THISTLE RFC

With reference to paragraph 2 of the Private Minute of 21 March 2022, the Democratic Services Officer advised that the funding agreed for the extension to the Jedburgh RFC Club rooms was no longer required. Mr Kerr had advised that due to the current economic climate, the Club had decided not to proceed with the project and therefore the monies agreed would not be paid. The Jedburgh Thistle RFC had instead decided on a much smaller project to improve the storage available. Mr Kerr had been advised that should the club wish to apply to the Common Good for funding a completely new application together with costings and audited club accounts would be required.

DECISION

NOTED.

3.0 MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2022

- 3.1 There had been circulated copies of a report by the Acting Chief Executive which provided the income and expenditure for the Jedburgh Common Good Fund for the three months to 30 June 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 provided the projected income and expenditure for 2022/23 which showed a projected deficit of £44,016 for the year. Appendix 2 provided a projected balance sheet value as at 31 March 2023 and showed a decrease in reserves of £55,549. Appendix 3(a) provided a breakdown of the property portfolio showing actual rental income and projected 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 expenditure to 30 June 2022. Appendix 4 provided a breakdown of the property portfolio showing projected property valuations at 31 March 2023. Appendix 5 showed the value of the Aegon

Asset Management Investment Fund to 30 June 2023. The Pension and Investments Manager was present and answered Members questions.

DECISION

NOTED:-

- (a) the projected income and expenditure for 2021/22 in Appendix 1;**
- (b) the projected balance sheet value as at 31 March 2023 in Appendix 2;**
- (c) the summary of the property portfolio in Appendices 3 and 4; and**
- (d) the current position of the Aegon Asset Management Investment Fund in Appendix 5.**

4.0 CONSULTATION ON HERITABLE AND MOVEABLE ASSET REGISTERS FOR FORMER ROYAL BURGH OF JEDBURGH

With reference to paragraph 1 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 Jedburgh, 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 4 of these responses related to Jedburgh. The 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 Jedburgh was details 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. Community Councillor Taylor sought clarification on the ownership of the fenced area to the right of the area marked LB on page 29 of the Agenda Pack and the Principal Solicitor advised that this would be investigated and confirmed. Community Councillor Taylor questioned if the location of the George Tinline Plates in the Former library had been checked and the Principle Solicitor advised that this was awaiting confirmation. In response to a question about specific details of artefacts contained in the Mary Queen of Scot's Building, the Principal Solicitor advised that there was not the resources to carry out such detailed work and Mr Taylor referred to detailed information by Hugh Wight, which he would pass to Scottish Borders Council.

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 Jedburgh, as set out in Appendix 2 to the report;
- (c) that the Principal Solicitor investigate and confirm the ownership of the fenced area to the right of the area marked LB on page 29 of the Agenda Pack;
- (d) that the location of the George Tinline Plates in the former library be confirmed; and
- * (e) to recommend to Council the said final asset list for publication as a completed Common Good Register for Jedburgh.

5.0 APPLICATIONS FOR FINANCIAL ASSISTANCE

5.1 JEDBURGH ROTARY – BIRL AND BEER

There had been circulated copies of an application, together with a copy of the Trustees' Annual Report dated 1 July 2021 to 30 June 2022 from the Jedburgh Rotary requesting financial support for the Birl and Beer Festival in the sum of £1,500. Mr Christ Scott, Jedburgh Rotary presented the application via Microsoft teams and answered Members questions.

- 5.2 The application explained that as the pandemic had continued to restrict fund-raising opportunities, support was being sought for 30% of the running costs in 2022. The Birl and Beer Festival which was held on 27 August 2022 and 210 tickets had been sold. The Band Stand and Town Hall had been utilised to show local music and beers and to hold more family orientated events, than in previous years. As the submission deadline had not been met, the application was retrospective. The Rotary had used their surplus funds to stage the event, including new marketing, the purchase of festival glasses etc. and the Pension and Investments Manager highlighted that support was being requested when the event had already taken place. The Elected Members raised concerns about the sustainability of the event as the Common Good had paid grants for the past five years and the event required to be self - sustaining. Mr Scott acknowledged that the event had gone as far as it could relying on charity and a more commercial side was needed to take the event forward. The consensus was that the money raised from the Birl and Beer should be ring fenced for future Birl and Beer events and no distributed to other groups. The Common Good had previously supported the event and the Rotary had hoped to be self- funded using the proceeds from previous events and local sponsorship by 2021, however the pandemic had restricted the timescale to raise sponsorship for the event.

DECISION

AGREED to award £1,500 to the Jedburgh Rotary towards the running costs of the Birl and Beer Festival.

5.3 CAPON TREE PRESERVATION

There had been circulated copies of an application in the sum of £3,000, together with copies of the Financial Statement to 30 September 2021 and a letter dated 3 August 2022 from Lothian Estates (owners of the Capon Tree) in support of the proposed works to the tree and surrounding area. Mr Steele on behalf of the Jedburgh Community Trust was present via Microsoft teams and answered Members questions.

- 5.4 The proposal, which had been co-ordinated by Jedburgh Community Trust, as a legally constituted body on behalf of Jedburgh Community Trust, Jethart Callants Club, Jethart Callants Festival and Jedburgh Community Council also had the support of other organisations including Jethart Ex-Callants Association, Jedforest Pathways and Jedburgh Events Forum. The application explained that the Capon Tree was a Sessile Oak (*Quercus petraea*), between 500 and 1000 years old, and one of the few remaining trees from the ancient Jed Forest. It had been recognised as a Heritage Tree and Tree of National Special interest in the Ancient Tree Inventory of the Woodland Trust, listed as one of Great Britain's 50 greatest trees by The Tree Council, and recognised as an important historic tree by the Borders Forest Trust. It is a "classic" ancient tree, with a wide girth, hollow trunk and the upper crown of the tree retrenched, allowing nutrients to be utilised in keeping the tree alive and was owned by Lothian Estates, who were supporting the ongoing work to preserve it. The application went on to explain that in July 2021 the Capon tree suffered severe damage when a supported/propped limb collapsed, which in turn raised concerns about the future of the tree, in particular the question of how well the exposed remaining limb would stand up to wind loading and/or storm damage.
- 5.5 In March 2022 the JCT appointed Heritage Services to undertake a condition survey of the Capon Tree and provide recommendations of how the tree could best be preserved, retained and protected to prolong its life and maintain its position and role in the Jedburgh Community. Funding of £1,789.20, representing 90% of the total cost of undertaking the technical report was secured from Cheviot Community Fund. The application detailed the proposed work to the tree and how the work would benefit the Town of Jedburgh.

DECISION

AGREED:-

- (a) **to award a grant in the sum of £3,000 to Jedburgh Community Trust for the preservation, retention and protection to prolong its life and maintain its position and role in the Jedburgh Community; and**
- (b) **that the Jedburgh Community Trust report back to the Common Good on the progress and success of the proposed work**

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 Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

6.0 MINUTE

The Private Section of the Minute of 13 June 2022 had been circulated.

The meeting closed at 5.35 p.m.