

# Public Document Pack

## SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PEEBLES  
COMMON GOOD FUND SUB-COMMITTEE  
held in Council Chamber, Rosetta Road,  
EH45 8HG on Tuesday, 28th February, 2023  
at 5.00 pm

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Present:- Councillors D. Begg, M. Douglas, J. Pirone, E. Small, V. Thomson and Maudsley  
In Attendance:- Acting Chief Corporate Governance Officer, Estates Strategy Manager, Estates  
Surveyor (T. Hill), Democratic Services Team Leader, Trainee Democratic Services  
Officer

### 1. **MINUTE AND ACTION TRACKER**

The Minute of the meeting of Peebles Common Good Fund Sub-Committee held on 23 November 2022 and the Action Tracker had been circulated. With reference to paragraph 7 of the minute of 23 November 2022, it was noted that Councillor Tatler had declared an interest in the item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion.

#### **DECISION**

**APPROVED** the minute for signature by the Chairman and **APPROVED** the Action Tracker.

### 2. **PEEBLES COMMON GOOD FUND SUB-COMMITTEE APPOINTMENT**

Peter Maudsley had indicated his intention to step down from the Sub-Committee since his appointment as Chair of Peebles Community Council. George Ramsay was nominated by the Peebles Community Council to take his place.

#### **DECISION**

**NOTED** the appointment of George Ramsay to the Peebles Common Good Fund Sub-Committee as the Peebles Community Council representative.

### 3. **FINANCIAL MONITORING FOR THE 9 MONTHS TO 31 DECEMBER 2022 AND PROPOSED BUDGET FOR 2023/24**

There had been circulated copies of the Peebles Common Good Fund Financial Monitoring Report from the Acting Chief Financial Adviser. The report provided the details of income and expenditure for the Peebles Common Good Fund for nine months to 31 December 2022, a full year projected out-turn for 2022/23, projected balance sheet values as at 31 March 2023 and proposed budget for 2023/24. Appendix 1 detailed the projected income and expenditure position for 2022/23 and showed a projected deficit of £10,300 for the year which was higher than the previously reported deficit on 23 November 2022 as a result of an increase to the Central Support Charge. Appendix 2 detailed a projected balance sheet value as at 31 March 2023 and showed a projected decrease in reserves of £81,860. Appendix 3a detailed a breakdown of the property portfolio, projected rental income and projected net return for 2022/23 and the actual property income to 31 December 2022. Appendix 3b detailed a breakdown of the property portfolio, projected property expenditure for 2022/23 and actual property expenditure to 31 December 2022. Appendix 4 detailed a breakdown of the property portfolio and projected portfolio valuations at 31 March 2023. Appendix 5 detailed the value of Aegon Asset Management Investment Fund to 31 December 2022. The Investment Fund had an 11.43% unrealised loss in market value since investment largely due to continued volatility in investment

markets. The cash held by the fund was projected to be £67,704 at 31 March 2023. Grants and other donations approved and distributed to 31 March 2023 totalled £9,230 with £10,770 unallocated from the 2022/23 budget.

#### **DECISION**

##### **AGREED to:**

- (a) **the projected income and expenditure for 2022/23 in Appendix 1 as the revised budget for 2022/23;**
- (b) **the proposed budget for 2023/24 as shown in Appendix 1;**
- (c) **note the projected balance sheet value as at 31 March 2023 in Appendix 2;**
- (d) **note the summary of the property portfolio in Appendices 3 and 4; and**
- (e) **note the current position of the Aegon Asset Management Investment Fund in Appendix 5.**

#### **4. PROPERTY UPDATE**

The Estates Surveyor advised that the following park bookings had been made for 2023:-

- Funfair, Victoria Park
- Cycle event, Tweed Green
- Tweedlove Bike Festival, Tweed Green

With reference to paragraph 7 of the meeting of 23 November 2022, the income from commercial bookings in 2022/23 was confirmed as £2424 and was generated from a circus and two funfairs.

#### **DECISION**

**NOTED the update.**

#### **5. HAYLODGE AND VICTORIA PARKS BENCHES AND TABLES**

There had been circulated copies of a presentation from the Peebles Callants Club, the purpose of which was to seek the approval of the Committee for the installation of a number of picnic tables and park benches. The Callants Club had been successful in securing 50% of the necessary funding from the Small Schemes budget to upgrade four benches and install four picnic tables in Haylodge Park, install two benches in Haylodge Hospital garden and install two picnic tables adjacent to the new playpark in Victoria Park. There had been an open question related to the installation of picnic tables which asked for consideration of a table with a disposable barbeque plate to prevent grass damage. A request was made that the Callants Club consider the inclusion of the barbeque plates. It was suggested that the Community Payback Team might be considered as a source of labour. Members approved the installation of the benches and tables.

#### **DECISION**

**AGREED to the installation of six benches and six picnic tables in Haylodge and Victoria Parks by the Peebles Callants Club.**

#### **6. KINGSMEADOWS CAR PARK TOILETS**

There followed a discussion on the future of Kingsmeadows Car Park Toilets. A report was to be presented to Scottish Borders Council on public convenience provision across the region. It was anticipated that provision was to be reduced to one site per town with only the East Station Toilets to be maintained in Peebles by Scottish Borders Council. The operation and maintenance of Kingsmeadows Car Park toilets was therefore to revert

back to the Peebles Common Good Fund Sub-Committee. It was agreed that an item be added to the next agenda to consider a report on the running costs and regime proposal. In addition it was requested that the parking bays be remarked to maximise the use of space. The need for the retention of bus/coach parking and space for the uplift of bottle banks was noted. A request was to be made to Roads for a summary of running costs and a regime proposal, to be considered at the next public meeting of the Peebles Common Good Fund Sub-Committee on 24 May 2023.

**DECISION**

- (a) **NOTED that the Kingsmeadows Car Park toilets were to revert back to the control of Peebles Common Good Fund Sub-Committee;**
- (b) **AGREED to add an item to the next agenda to consider a report on the running costs and regime proposal for Kingsmeadows Car Park toilets; and**
- (c) **AGREED to request a report on a plan and summary of costs for the remarking of parking bays to maximise the use of space in Kingsmeadows Car Park.**

**7. PRIVATE CEREMONY: HAYLODGE PARK**

There had been a request to hold a private ceremony to scatter ashes in Haylodge Park. The Committee raised no objections. It was agreed to add an agenda item to discuss memorials on Common Good land in general to the next in-person meeting of the Committee.

**DECISION:**

**AGREED to the holding of a private ceremony in Haylodge Park and to add an agenda item to discuss memorials on Common Good land in general to the next in-person meeting of the Committee.**

**8. PEEBLES BOWLING CLUB**

There followed a brief discussion on a request from Peebles Bowling Club to carry out site investigations with a view to installing a silt trap and soakaway and to the re-siting of a store on a small area of Common Good Land. It was confirmed that this was to be carried out at no cost to the Common Good Fund. The request to carry out site investigations was agreed and a further private meeting was scheduled to discuss a rental agreement for the land on which the store was to be erected.

**DECISION:**

**AGREED to**

- (a) **Peebles Bowling Club carrying out site investigations with a view to installing a silt trap and soakaway; and**
- (b) **convene a private meeting of the Peebles Common Good Fund Sub-Committee to discuss a rental agreement for the land on which the store was to be erected.**

**9. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chair was of the opinion that the item dealt with in the following paragraphs should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

- 9.1 A request had been received from the Peebles Beltane Committee to plant one of the Queen's Platinum Jubilee Trees on Tweed Green, the deadline for which was the end of March. At the conclusion of the Queen's Platinum Jubilee, the trees which had formed

part of the event on the Mall in London were earmarked for distribution to counties via Lord Lieutenants. These 'trees of trees' were to be awarded to groups who had done great work for their communities. Tweeddale was given one 'tree of trees' and Sir Hew Strachan nominated the Beltane Committee to receive it, a proposal which met the full approval of the organisers of the Queen's Green Canopy. The rowan tree was currently about 8ft and could grow to 25-30 ft and was to be accompanied by a commemorative plaque. Members agreed to the preferred site of near the wishing well provided the necessary checks were made for cabling and pipework. Haylodge Park had been earmarked for the second site if required.

- 9.2 A request had been received from Anne Woodcock, Communications and Fundraising Officer with RiverTweed.org.uk for permission to stage an event on behalf of the Tweed Foundation and Peeblesshire Trout Fishing Association on Tweed Green on Saturday 1<sup>st</sup> April 2023. The event was to celebrate the start of the Trout Season on Tweed. The day was an opportunity to promote the health and wellbeing benefits of fishing; to chat with local anglers and engage with new, lapsed, or inactive anglers and help grow participation within the area; to launch the new Trout & Grayling Logbook which monitored trout and grayling with Citizen Science and to launch the RiverFly Monitoring Initiative for Tweed with an opportunity for local residents to find out more and to get involved. Tweed Foundation biologists were also to discuss the Tweed Trout & Grayling Initiative on the river which included the Trout Acoustic Tracking project. The applicant was to be directed to the booking form to be completed and emailed to PLACE Bookings to secure the date. A request was made that the event was used to publicise the Tweeddale area and the Chair undertook to meet with Ms Woodcock to discuss how this might be achieved.

**DECISION  
AGREED:-**

- (a) **to the Beltane Committee planting the Queen's Platinum Jubilee rowan tree and commemorative plaque by the wishing well on Tweed Green, provided the necessary checks were made for cabling and pipework;**
- (b) **to the staging of an event by RiverTweed.org.uk on Tweed Green on 1 April 2023, with the proviso that the event was used to publicise the Tweeddale area**

Note

**At the conclusion of the formal business the Sub-Committee held a Q&A session with members of the public. A copy of the questions and the responses given forms the Appendix to this Minute**

10. **OPEN QUESTIONS**

***The meeting concluded at 5.35 pm***

## **COMMON GOOD EXHIBITION**

Question from Joe Wilton: Most residents of Peebles seem to know very little about the Peebles Common Good. A recent straw poll showed that, although the majority of those questioned had heard of the Common Good, very few had a clear understanding of how it was managed. When asked to name any of the 40 fixed assets that currently make up the Common Good, few could name even one asset. To try to rectify this lack of knowledge and engagement we think there is a strong need for a public (purely factual) exhibition describing Peebles Common Good. This idea was endorsed unanimously by the Peebles community council at their last meeting and the Peebles Civic Soc think this is a "good idea". We have already written a draft text for the councillors to consider and the Eastgate Theatre cafe has agreed to host the exhibition. Would the councillors support such a proposal?

**Response from the Chair: The proposal was supported. Further discussions were to be arranged with SBC officers to consider content, format, date, venue, staffing and cost implications.**

## **COMMON GOOD INVESTMENTS**

Question from Lesley Morrison: Peebles CG has approximately £500,000 invested through Aegon Asset Management, a global investment company. SBC has declared a climate emergency. Can you reassure us that this money is invested in sustainable businesses and not fossil fuel or other non-sustainable companies? And shouldn't more of this money be spent investing for the future in local sustainable energy & renewables?

**Response from the Chair: The report from Aegon can be made available to attendees. Members of the Sub-Committee had received assurances from Aegon on the sustainability of investment funds.**

**Response from Councillor Pirone: The Pension Fund Committee reviews and scrutinises investments. Councillor Pirone is a member of that Committee and reiterated the response from Councillor Tatler.**

## **CLIMATE CHANGE/ENVIRONMENT**

Question from Joe Wilton: SBC has declared a climate emergency. Some of the Peebles Common Good assets offer a great chance for sustainable energy production, such as PV panels on roofs. This would also provide a long-term income to the CG Fund. Is this currently being considered by the councillors?

**Response from the Chair: This issue was to be added to the agenda for the next meeting of the Peebles Common Good Fund, 24 May 2023.**

Question from Nic Barrett: In what ways is carbon reduction a factor in decision making around common good assets or allocation of funds?

**Response from the Chair: The Council is committed to achieving Net Zero and this is considered as part of all decision making.**

## **PROCESSES and ADMIN**

Three Questions from Cat Hamilton

1. Could there be a publicly accessible AGM (with annual summary document) held where our elected councillors, as the committee of The Peebles Common Good, report back to the community, as stakeholders, the current situation of all the PCG assets & the PCG Fund?

**Response: There was an agreement to produce an annual report to present to an in-person AGM. Further discussions were to take place with SBC officers.**

2. There should be a named point of contact for Peebles Common Good. What/who is it and where can it be found?

**Support Officer : Lynne Cuerden 01835 826527  
lynne.cuerden@scotborders.gov.uk**

**Support Officer details was to be found on the Peebles Common Good Fund page [Committee details - Peebles Common Good Fund Sub-Committee - Scottish Borders Council \(moderngov.co.uk\)](#)**

3. The Peebles Common Good section of SBC website is not the easy to navigate. To find details you have to trudge through previous meeting minutes and documents. To fulfil the requirement of transparency, information should be 'clear and easily accessible' (Scottish Land Commission). How do the councillors propose to make information clear and easily accessible?

**Agendas and minutes of all meetings were to be found at [Browse meetings - Peebles Common Good Fund Sub-Committee - Scottish Borders Council \(moderngov.co.uk\)](#) Consideration was to be given to where to site a paper copy of the minutes for public reference. There was currently a review of the Council website with a view to improving accessibility.**

**An attendee had offered to set up a Peebles Common Good Fund website. However, it was explained that there was no resource to keep such a website up-to-date and that the Acting Chief Corporate Governance Officer would liaise with the Council's Communication Section to look to improve the information provided.**

Two Questions from Richard Welander

1. An Ofcom report published last April highlighted the fact that more than 1.5million households across the UK have no access to the internet. Many more have only limited access via their mobile phones. Do councillors agree that the publishing of all information about Common Good solely on the SBC website is not best practice (particularly when navigating to that information on the website is itself hard) and would they undertake to:

1. produce an annual report on the status of the Fund, the activities of the previous year and plans for the forthcoming year, to be published in the Peeblesshire News **Already answered**
2. to hold an annual open meeting in a suitable local venue (such as the Burgh Hall), at which the sub-committee chair would present an annual report and take questions, and (following the laudable current practice of the Peebles Community Council) **Already answered**
3. post printed copies of the sub-committee latest minutes on the notice boards at the entrance to the Chambers Institute? **Already answered.**

2. The Common Good register for Peebles, published last year by SBC on its website, contains errors and oversights. SBC have undertaken to review the registers 'at least every 5 years'. This seems an excessively long time to leave mistakes uncorrected. Tapping into the wealth of local knowledge in Peebles, would councillors please explore the possibility of instigating an effective mechanism for the capture of issues in need of correction or further investigation and to encourage SBC to undertake an annual (or biennial) review to incorporate new and/or corrected information on its website?

**Response: The Register was reviewed every five years and could be added to in the intervening years. Members of the public should write to Scottish Borders Council with details of any artefacts for inclusion on the register.**

Five questions from Nick Barrett

1. Who is responsible for validation of the 12 CG asset lists, and who is responsible for valuations, insurance & maintenance?

**Response from Norrie Curtis: Rolling assets revaluations occurred every five years, which were then audited.**

2, Why is there such a big depreciation on many of the property values? Eg old corn exchange?

**Response from Councillor Douglas: Depreciation of property values was a standard accountancy tool to write off their value over the life of the asset.**

3. Who ensures that SBC's environmental protection policies are followed in the management & maintenance of CG assets, and how is compliance monitored & recorded?

**Response from Norrie Curtis: Leases covered environmental and nuisance clauses and properties with the aim of regular inspections.**

4. How do long leases of CG assets apportion responsibility for all components of the asset, and who is responsible for enforcing those responsibilities?

**Response from Norrie Curtis: Property Maintenance, based in Peebles, looked after Peebles Common Good Fund assets and followed landowner obligations.**

5. Where are grants and applications listed / summarised on CG minutes and the SBC website?

**Response from the Chair: Minutes from previous meetings detailed the applications made and funds granted.**

## **INCOME and ACCOUNTS**

Four Questions from Joe Wilton

1. The Peebles Common Good accounts show that the 8 lock-up garages at Kirkland St (within the Golf Club car park) bring in an annual rental income of just £800. That's £8.50 per month per garage. The current going rate for same is around £80 pm per garage. That's 10 x the current CG rent. Garages 1,2 and 3 Tweed Green may also be underpriced. What is the explanation for these low rents?

**Response from Norrie Curtis: Ground rent is paid for the land on which the garages were built. The garages were built by those who rented the ground. When the rental agreement ends, ownership of the garage falls to Peebles Common Good Fund/SBC.**

2. On a similar theme, who makes the decisions regarding who pays fees (and who doesn't pay fees), what the costs are for the use of Peebles Common Good land for events, commercial and not for profit/charitable?

**Response from Nuala McKinlay: A cross party working group was to be formed to consider the issue of Common Good charges across the Council area, followed by a report from the Director Infrastructure and Environment to be presented to Scottish Borders Council in due course. Councillor Begg reported that a retailers' association had been recently formed to which he had been an attendee and this group was to be consulted as part of any future review of Peebles Common Good Fund charges. There was no charge for charities and not for profit events.**

3. How are rental incomes reviewed? Where is this recorded?

**Response from Norrie Curtis: Each rental agreement contained a clause which allows for rent review.**

4. Although first established 600 years ago, the principle of the Scottish Common Good is still a brilliant idea - it keeps local money local. Can land or assets still be gifted to Peebles Common Good?

**Response from Nuala McKinlay: Land or assets cannot be gifted to the Peebles Common Good Fund. Gifts can be made to Scottish Borders Council through various means.**

#### **QUESTIONS FROM RUTH NOBLE**

1 Who is responsible for checking condition and safety of areas of Haylodge Park? Are you aware that the gate in the north-west corner is off one hinge, making it difficult to open and potentially hazardous? When will this be repaired? Picture attached

**Response: Parks Manager Craig Blackie was to be informed of the issue.**

2. I commend the Callants' initiative re bench and picnic table installation. However I hope these will not be abused. I wonder if it might be useful to consider installing at least one picnic table with a disposable barbecue plate. This would save charring of tables or grass.

**Response: The matter was to be referred to the Callants for their consideration.**

3. I note the (rather unsightly) shipping container adjoining the rugby building has been placed directly in front of a bench making it unusable. This bench was previously used by NHS staff for their (cigarette) breaks. Now the staff have to stand around. Was any consultation undertaken with them (apart from the statutory planning notification) and are there any plans to resite the bench? Picture attached

**Response: The matter had already been discussed with the owners of the Highland Games container. The bench was to be re-sited.**





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