

SCOTTISH BORDERS COUNCIL
PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held in the Council Chamber, Council Offices,
Rosetta Road, Peebles 2 March 2016 at 5.00
p.m.

Present:- Councillors W. Archibald (Chairman), S. Bell, K. Cockburn, G. Garvie,
G. Logan. Community Councillor L Hayworth.
Apologies:- Councillor C. Bhatia.
In Attendance:- Capital and Investments Manager, Solicitor (G. Nelson), Estates Officer
(J. Morison), Democratic Services Officer (K. Mason).

Members of the Public:- 1.

1. MINUTE

The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 2 December 2015 had been circulated.

**DECISION
NOTED.**

- 1.1 With reference to paragraph 2.1 of the Minute, Community Councillor Hayworth advised he had not received a copy of the briefing note, relating to the pavilion, Kerfield Park, Peebles prepared by Mr G Nelson, Solicitor, dated 1 September 2015 and the Democratic Services Officer undertook to forward this to Community Councillor Hayworth.

DECISION

AGREED that the Democratic Services Officer would forward the briefing note, prepared by Mr G. Nelson, Solicitor dated 1 September 2015 to Community Councillor Hayworth.

2. MONITORING REPORT FOR 9 MONTHS TO 31 DECEMBER 2015

There had been circulated copies of a report by the Chief Financial Officer providing details of the income and expenditure for the Peebles Common Good Fund for the 9 months to 30 December 2015 and full year projected out-turn for 2015/16 and projected balance sheet values to 31 March 2016. Appendix 1 to the report provided a projected Income and Expenditure position which showed a projected surplus of £8,365 for the year. Appendix 2 to the report provided a projected Balance Sheet to 31 March 2016 showing a projected decrease in the reserves of £42,328. Appendix 3 to the report provided a breakdown of the property portfolio showing actual Income and Expenditure to 31 December 2015. Appendix 4 to the report showed the value of the Newton Fund to 31 December 2015. The Capital and Investments Manager answered a question in relation to potential commitments and actual accruals when grants approved had not yet been paid. She advised that the year end outturn report would highlight grants approved but not been paid to assist with the budget setting for the future year. A request was made that in certain cases when grants were approved but funding could not be paid out immediately that the applicant should be given a time limit in which to draw down the grant, and this was accepted.

**DECISION
AGREED**

- (a) **the projected Income and Expenditure for 2015/16 detailed in Appendix 1 to the report as the revised budget for 2015/16;**

- (b) to note the projected Balance Sheet value to 31 March 2016 detailed in Appendix 2 to the report;
- (c) to note the summary of the property portfolio detailed in Appendix 3 to the report; and
- (d) to note the current position of the investment in the Newtown Fund detailed in Appendix 4 to the report.

3. EXTENSION OF PAVILION AT HAYLODGE PARK, PEEBLES

There had been circulated copies of a report by the Service Director Commercial Services giving an update on the proposed works by Peebles Rugby Club to extend their pavilion and seeking approval for a Deed of Dedication to be granted to Peebles Rugby Club in order for them to secure grant funding and give them security of the pavilion site. The report explained that Peebles Rugby Club had had a pavilion at Haylodge Park for many years and that an unenforceable lease agreement rather than a deed of dedication for the site had inadvertently been entered into in 2004. Peebles Rugby Club had plans to renovate and extend the pavilion and as such required a new agreement for the site in order to secure funding. As Haylodge Park is an inalienable Common Good asset, a Deed of Dedication for the pavilion site was required in favour of Peebles Rugby Club. The term of the Deed of Dedication would depend on the requirements of the funders. The annual rent would increase from £150 to £250. The Estates Officer answered questions relating to title deeds and inalienable property.

DECISION

AGREED to grant a Deed of Dedication to Peebles Rugby Club for the pavilion site at Haylodge Park, Peebles in order for the pavilion to be renovated and extended as outlined in the report.

4. CATERING VAN SITE IN KINGSMEADOWS CAR PARK, PEEBLES

There had been circulated copies of a report by the Service Director Commercial Services advising of a request to site a catering van in the Kingsmeadows Car Park, Peebles and recommending that the request be refused due to the Traffic Regulation Order in place which prohibited trading in the car park. The report advised that the solum of the Kingsmeadows Car Park was a Common Good asset and rental income from the car park went to the Common Good fund. The car park was subject to a Traffic Regulation Order (TRO) which prohibited trading in or near the parking spaces. A catering van trader had requested to use the car park for the sale of food and drink which would be contrary to the TRO. Mrs Mary Williams who had requested use of the site was present at the meeting. She explained her business plans and advised that everything was in place for her catering van business with the exception of approval for use of the site. The Estates Officer advised that the TRO related to two car parks in Peebles. The Solicitor explained that although it was legally possible for the Council to rescind TROs in full or in part, such a decision could not be made unilaterally by the Peebles Common Good Fund Sub-Committee. The Solicitor further explained that it was likely a report would need to be considered by Council on the reasons why such a request was being made. Members agreed that the application be continued to allow for information on the reasons for the TRO being in place to be provided.

DECISION

AGREED to continue consideration of the application to a special meeting of the Peebles Common Good Fund-Sub Committee at the conclusion of Council on 31 March 2016 to allow for the provision of clarification of the reasons for the TRO being in place.

5. APPLICATIONS FOR FINANCIAL ASSISTANCE

(a) Peebles High School Ocean Youth Trust Trip

There had been circulated copies of an application for financial assistance from Peebles High School Ocean Youth Trust Trip in the sum of £1,000 towards the costs of a 5 day adventurous residential voyage aboard a large ocean going training vessel with an aim to build confidence, resilience and inspiration to 10 young people between the ages of 16 to 25 who were at risk of poor outcomes. The applicant was present at the meeting.

DECISION

AGREED to grant Peebles High School Ocean Youth Trust Trip the sum of £1,000 towards to costs of a 5 day adventurous residential voyage abroad.

(b) The Lieutenancy of Tweeddale

There had been circulated copies of an application for financial assistance from the Lieutenancy of Tweeddale in the sum of £1,300 towards providing every child in primary education in the 3 Peebles Primary Schools with a specially designed £1 coin to mark The Queen's 90th Birthday.

DECISION

AGREED to continue consideration of the application to a special meeting of the Peebles Common Good Fund-Sub Committee at the conclusion of Council on 31 March 2016 to give the Lord-Lieutenant of Tweeddale the opportunity to attend to answer Members' questions.

(c) Tweeddale Youth Action

There had been circulated copies of an application for financial assistance from Peebles Youth Trust in the sum of £2,000 towards updating their fire detection system at the Old Corn Exchange, Peebles.

DECISION

AGREED to grant Tweeddale Youth Action the sum of £2,000 towards updating their fire detection system at the Old Corn Exchange, Peebles.

6. URGENT BUSINESS

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

PRIVATE BUSINESS

7. 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 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

8. PROPOSED MULTI USE- PATHWAY FROM PEEBLES TO EDDLESTON

The Sub-Committee agreed to continue a request to secure access for the proposed multi-use pathway from Eddleston to Peebles to a future meeting.

The meeting concluded at 6.25 p.m.