

Cockburnspath Allotment Association application for an Asset Transfer, January 2020.

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COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

ASSET TRANSFER REQUEST FORM

IMPORTANT NOTES:

This is a standard asset transfer request form which can be used to make a request to any relevant authority. Relevant authorities may also provide their own forms in their own style.

You do not need to use this form or a relevant authority's form to make an asset transfer request, but using a form will help you to make sure you include all the required information.

You should read the asset transfer guidance provided by the Scottish Government before making a request. Relevant authorities may also provide additional guidance on their schemes.

You are strongly advised to contact the relevant authority and discuss your proposals with them before making an asset transfer request.

When completed, this form must be sent to the relevant authority which owns or leases the land your request relates to.

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.

Section 1: Information about the community transfer body (CTB) making the request

1.1 Name of the CTB making the asset transfer request

Cockburnspath Allotment Association SCIO (SCO48488)

1.2 CTB address. This should be the registered address, if you have one.

Postal address:

Kittiwake Cottage

Cove

Cockburnspath

Scottish Borders.

Postcode: TD13 5XD

1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name: Neil F. Simpson.

Postal address:

Kittiwake Cottage

Cove

Cockburnspath

Scottish Borders

Postcode: TD13 5XD

Email: nfsimpson@icloud.com

Telephone: 07514 437120

☒ **We** agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement)*

You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.

1.4 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company, and its company number is	
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is 48488.....	X
	Community Benefit Society (BenCom), and its registered number is	
	Unincorporated organisation (no number)	

Please attach a copy of the CTB's constitution, articles of association or registered rules.

1.5 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No ☒

Yes ☐

Please give the title and date of the designation order:

1.6 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

No ☐

Yes ☒

If yes what class of bodies does it fall within?

Scottish Charitable Incorporated Organisation.

Section 2: Information about the land and rights requested

2.1 Please identify the land to which this asset transfer request relates.

You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.

It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must give a full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. A drawing may be helpful.

The land near Bankhead Cemetery (55.935880, 2.357292) Cockburnspath, Scottish Borders., TD13 5XB.

The land covers an area of approximately 0.6 hectare.

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

If the property has a UPRN you will find it in the relevant authority's register of land.

UPRN:

Section 3: Type of request, payment and conditions

3.1. Please tick what type of request is being made:

☒

for ownership (under section 79(2)(a)) - go to section 3A

☐

for lease (under section 79(2)(b)(i)) – go to section 3B

☐

for other rights (section 79(2)(b)(ii)) - go to section 3C

3A – Request for ownership

What price are you prepared to pay for the land requested? :

Proposed price: £ 6,000.00 (Six thousand pounds).

We consider this more than a fair price if it were to be judged on the land's previous use, that of agricultural land, especially because of its irregular shape, lack of a total perimeter fence and that it has no water supply.

Also, in accordance with the 'Scottish Public Finance Manual' (Updated June 2019) 'the key principle of 'Value for Money' is highlighted and that for surplus assets organisations should either: -

dispose of an asset at less than Market Value to deliver wider public benefits consistent with the principles of 'Best Value'

Please attach a note setting out any other terms and conditions you wish to apply to the request.

3B – request for lease

What is the length of lease you are requesting?

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £ per

Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.

3C – request for other rights

What are the rights you are requesting?

--

Do you propose to make any payment for these rights?

Yes ☐

No ☐

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £		per
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Please attach a note setting out any other terms and conditions you wish to apply to the request.

Section 4: Community Proposal

4.1 Please set out the reasons for making the request and how the land or building will be used.

This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.

Cockburnspath Allotment Association (the Association) has requested the asset transfer of this land so that it can develop the land into allotments and growing spaces for the use of the community of Cockburnspath and Cove (population circa 500).

The Association wish to develop the site in association with the charitable organisation 'Abundant Borders' (Registered Charity SC046962) whose stated aim is: - 'By working with communities we aim to help alleviate household food insecurity and we will work to ensure that everyone, regardless of their personal circumstances, can have access to healthy, nutritious food'.

Our plan is for the site to be split into individual plots and a communal plot or 'sharing garden' managed by Abundant Borders. The involvement of Abundant Borders will enhance the appeal and range of activities available to members of the Cockburnspath and Cove Community and provide an alternative to working individual plots. There is also an intention to provide facilities and encouragement to the local primary school and youth organisations (Brownies) to use the allotment site for educational and recreational purposes. The site will be under the overall control of the of the Association's Board who are elected by the individual members according to the Association's constitution.

At this moment in time the Association have no land and there are no other sites suitable that are not already allocated for development and under the ownership of private development companies. If we are successful in our quest the area will be converted from a parcel of waste land between the A1 trunk road and the main Edinburgh/London railway line into a useful amenity where none existed before.

Cockburnspath and Cove is a relatively small community and is a fallacy to think that because this is a rural community that there is plentiful land available for gardening pursuits. The site (approx 5158m² in total) will support a reasonable amount of individual allotments and an area in the region of 500 to 600 square metres for Abundant Borders to use as a communal gardening space. There is of course a loss of growing area due to communal areas, paths and shelter belts taking up available space. A traditional plot of 250yds² is probably much too large and plots of 125m² would probably be offered giving the possibility of 27 plots or more if half plots are required. We would hope that this site would be a base for expansion as there are other smaller pieces of similar land in the locality that could be acquired and come under our wing if demand increased in the future.

The Association is not in a position of making final definite plans for the site at this moment of time for as a charity the members of the Association are the final arbiters of how the site will be used beyond the provisions set out in this application and the constrictions of the planning permission.

Benefits of the proposal

4.2 Please set out the benefits that you consider will arise if the request is agreed to.

This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.

Economic Development.

Cockburnspath Allotment Association SCIO is a charitable organisation but would expect the beneficiaries (allotment garden plot holders) where financially able to contribute an annual fee in line with what the Scottish Borders Council charge for their allotment plots. Economic development is not our aim but we would wish the organisation to be self-sustainable if possible and not be wholly dependent on charitable donations.

Any contribution of fresh food is of economic importance in Scotland which has a trade deficit in most fruit and vegetables and the UK as a whole is only 74% self-sufficient in the food that will grow in our climate.

There is a growing realisation that food production has to move towards a more sustainable model where over reliance on fossil fuels and dwindling fresh water supplies are reduced significantly. The site at Cockburnspath will not save the world but every little bit helps.

Regeneration.

The site as it is rough grassland gradually being overgrown with brambles and broom, previously agricultural land it has not produced any food since the building of the A1 Cockburnspath by-pass over twenty years ago. By utilising the site to grow food it will help to go some way to redress the loss in food production from land lost to road development. Allotment garden plots are extremely productive for the area of land they take up. It will be transformed from a piece of scrub land into a productive area whose biological diversity and ecosystem will be in marked contrast to the sterile road and rail-side areas bordering it.

Public Health.

The promotion of 'Community Food Growing' has many benefits which range from increased health and wellbeing to reducing inequalities. Community growing projects help to address issues of rural and social isolation which is particularly important to rural communities in Berwickshire. One proven, effective way of tackling this is by the creation of open spaces where people get to know one another and start to take pride in, and shape, their community.

Social Wellbeing: -

One of the organisations purposes is 'the provision of recreational facilities or the organisation of recreational activities with the object of improving the conditions of life for the persons for whom the facilities are primarily intended, by giving the opportunity to work outdoors in a healthy environment, developing skills in horticulture while fostering community spirit and cooperation among members' (Clause 4.1 of our constitution)

As well as allowing the fit, keen and healthy members of the community to benefit from individual gardening pursuits the activities of 'Abundant Borders' will allow, encourage and support the less able members of the community to take advantage of the positive physical and mental health benefits of gardening in a more communal setting. Although our primary aim is to be of benefit to the Cockburnspath and Cove community our charitable status allows us to offer the benefits of our facilities to those outside those confines if the opportunity and need arises.

It is the intention of the organisation to create a certain amount of 'raised beds' with all round access so that people with disabilities can also partake in the activities of the allotment association. The development of a support structure around helping the less able is an important aspect of our charitable goals.

The participation of pupils from the local primary school will be welcomed as well as members of the Guides and Brownies. Even in a rural areas like Cockburnspath/Cove young people are distanced from the land and the food that is grown on that land. The head teacher of the local primary school wants to redress the notion that food originates in the supermarket by using the allotment site for the 'hands on' participation of her pupils to grow produce and use the allotment gardens as an educational and recreational experience.

It is our aim to provide the local Community Café which operates once per week in the Cockburnspath Village Hall with surplus produce from the allotments. Abundant Borders would also seek to use the village hall facilities to run their 'Healthy Cooking' courses using allotment produce.

It is our intention to build a shelter so that all members of the public can come and enjoy the space which has wonderful aspects looking over the Lammermuir Hills and the East Berwickshire Coast as well as the site itself (See artists impression).

Environmental wellbeing.

One of the organisations purposes is 'the advancement of environmental protection or improvement by encouraging wildlife and biodiversity within the area as well as the cultivation of sustainable fresh vegetable and fruit growing' (Clause 4.2 of our constitution).

Our programme apart from the growing of vegetables, fruit and flowers will see the planting of trees both for fruit and for shelter and hopefully future development will see bee keeping, a wormery and composting programme to provide nutrient rich compost from local green waste.

Our wish is for the site to be wholly organic in nature with some of the site given over to the 'Permaculture' method of food production. Aspects of Permaculture are being increasingly recognised and taken up by mainstream agriculture and is going some way to reverse the problems of soil structure degradation caused by what was modern agricultural methods.

Restrictions on use of the land

- 4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.

The only known restriction on this land is that it was outside the Cockburnspath 'Local Development Plan' but as there is a weight of political will in favour of the establishment of allotments and growing spaces for the community Scottish Borders Council has granted planning permission for the project thus showing the support by the council towards its success.

The land previously was used for agricultural purposes and there is no recollection in living memory of any other use. That it has lain fallow for over 20 years untouched by modern agricultural practices should make it a prime site for allotments.

The land has already been offered back to the original owner under the 'Crichel Downs Rules'. The original owner declined the offer and has given their full support for the project.

Scottish Borders Council were asked if they would ever consider obtaining this land which is adjacent to the Cockburnspath Cemetery for future expansion of the cemetery and their answer was that it would not be required in the foreseeable future.

Negative consequences

- 4.4 What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.

The close proximity to Cockburnspath Cemetery has to be taken into consideration and respect given to the people's wishes for quiet and peace for reflection. It is our intention to have a fruit tree belt between the cemetery and the allotments and the association will ask for notice of any funeral so that our activities can be suspended for the duration. To this end we will work closely and collaboratively with Scottish Borders Council (who own/manage the cemetery, as well as other allotments in the Borders) on establishing our allotments and the activity within.

Capacity to deliver

- 4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.

The four members of the board have experience including over 25 years in farm management, are a retired IT consultant from the banking industry, a retired company secretary, a professional photographer and we can draw on ordinary members of the association who can offer an enormous range of skills and expertise.

The Abundant Borders Team bring a wealth of expertise and experience in many sectors including advisory bodies, NGO's, charitable organisations and a range of voluntary organisations.

We are already 'development' members of the Scottish Allotment and Gardens Association (SAGS) and have received excellent guidance, information and encouragement from both the secretary and associations in other parts of Scotland.

The Scottish allotment community is one on the whole made up of enthusiasts who are more than willing to share their expertise. We hope that any shortfall in any technical expertise can be made up by seeking advice from fellow members of SAGS and other organisations such as the Borders Organic Gardening Society.

There is provision in our constitution for a board member to be nominated by the community council to ensure that in the longer term the needs and views of the wider community are taken into consideration.

There are considerable responsibilities as a charity in conforming to the rules laid down by OSCR and conforming to these rules should ensure the Association is run with due diligence.

Section 5: Level and nature of support

- 5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.

The Cockburnspath Allotment Association was formed 2016 after a public meeting to ascertain the interest for allotments in the community. The area of land identified (at Cockburnspath Cemetery)

was the only suitable piece of land for allotments was thought to belong to the Scottish Borders Council (SBC).

There were initially twelve individuals or couples applying for an allotment and this was more than sufficient for an application to SBC to set up allotments under the Allotments Act 1892. The local primary school was also keen to be involved. Unfortunately, the land was owned by the Scottish Ministers and not SBC and their hopes were thwarted for a quick and clear way forward for the establishment of the project.

The Cockburnspath and Cove Community Council has since changed its role from assisting the group to a more active role in trying to achieve the Association's goals. Asset transfer of the land under the Community Empowerment (Scotland) Act 2005 was identified as a possible way forward and the Cockburnspath Allotment Association has had to go through the process of becoming a two tier SCIO in order to become a Community Transfer Body for this application to be made. At this moment in time we have 26 members associate members although further advertising and recruitment has been put on hold due to no allotment land being available.

This project has the full backing and help from the Cockburnspath and Cove Community Council. (Copy of letter supplied).

Cockburnspath and Cove Village Hall Committee are supportive of our application and would like to discuss with us the potential for surplus produce to be used in the Community Café (Copy of letter supplied).

The Cockburnspath and Dunglass Horticultural Society gives us support as it hopes that the involvement of more members of the community gardening activities will foster more support and entries in their annual Flower Show, a highlight of the village year. (Copy of letter supplied).

The head teacher of the local primary school gives us her support and wishes for her pupils to be involved in the project (As explained in 4.2).

The local Guides and Brownies are members.

We are committed to working with the SBC's Community Capacity Building team either directly as Cockburnspath Allotment Association SCIO or through our support for, and association with Abundant Borders (See copy of email from Juliana Amaral CCB worker SBC).

Advice, help and encouragement has been given by the three SBC East Berwickshire councillors.

Colin Banks and Clare Malster (Communities and Partnerships Team, Scottish Borders Council) and their colleagues have given us help and guidance with asset transfer and will give funding guidance with funding application.

Both Scottish Government and Borders Council support the creation of allotment sites as part of the Scottish Nation Food and Drink Policy.

This land is an unused asset which has been left to grow wild from the last 25 years and ownership and development by the Association will allow opportunity where none existed.

Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the land, and your proposed use of the land.

You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.

*The Cockburnspath Allotment Association can apply through the community council for **Wind Farm Community Benefit Funds** from the following sources: -*

Crystal Rig 1 and II (Fred Olsen Renewables).

Penmanshiel Energy Ltd (RES).

Fernylea (Renewable Power Exchange).

Greencoat Drone Hill (Greencoat Renewables).

Aigengall 1 and II (Community Windpower Ltd)

Fishermen Three (Berwickshire Housing Association/Community Energy Scotland).

Kinegar

The following local funds could be applied for: -

SBC Localities Bid Fund (Constituted groups can bid for up to £10,000 from £48,000 pot available for the Berwickshire locality)

The SBC Communities Grant Scheme (Grants up to £5,000 to 'constituted voluntary/community groups to deliver community projects in the Borders area').

Viridor Credits

Viridor Charitable Donations

Funds will be needed for the following: -

<i>Land transfer:</i>	<i>£ 6,000</i>
<i>Fencing:</i>	<i>£ 6,750</i>
<i>Cultivations:</i> <i>(A local farmer has offered to do some of this work for).</i>	<i>£ 1,550</i>
<i>Creation of path system, tree planting and raised beds:</i>	<i>£ 5,775</i>
<i>Water supply</i>	<i>£ 2,750</i>
<i>Legal and professional fees:</i>	<i>£ 2,100</i>
<i>Contingency:</i>	<i>£ 2,625</i>
<i>Total:</i>	<i>£ 27,550.</i>

Further finance may be needed for the shelter which is yet to be designed.

The ongoing costs should be minimal as we are looking at insurance, fence and raised bed maintenance, site and path maintenance, some communal planting, and on occasions any expenses incurred by members in pursuit of association business. As a charity Scottish Water will provide water for. It is hoped that we can run some educational courses for which we will look for local funding from wind farm funds and the allotment holders who are the beneficiaries of the charity will be asked to contribute an annual fee in line with what SBC allotment tenants are charged which is currently £41.00 per annum. These fees will be used for maintenance of the site as mentioned above and possibly communal buying of bulk goods.

Abundant Borders have no income and raise funds required for running the organisation and payment of staff from charitable donations from various sources such as the 'People's Postcode Lottery' small grant funding etc.

Checklist of accompanying documents

Section.

- 1 Our organisation's constitution, articles of association or registered rules.**
- 2 Maps drawings or description of the land.**
- 3 Note of any terms and conditions that are to apply to the request**
- 4 Our proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation's capacity to deliver.**
- 5 Evidence of community support .**
- 6 Funding.**

Section 1.

SCIO Constitution (two tier)

**CONSTITUTION OF Cockburnspath Allotment
Association SCIO**

SCIO Constitution (two tier)

CONSTITUTION

of

Cockburnspath Allotment Association SCIO

(Amended 15th October 2018).

CONTENTS		
GENERAL	type of organisation, Scottish principal office, name, purposes, powers, liability, general structure	clauses 1 - 13
MEMBERS	qualifications for membership, application, subscription, register of members, withdrawal, transfer, re-registration, expulsion, termination	clauses 14 - 46
DECISION-MAKING BY THE MEMBERS	members' meetings, power to request members' meeting, notice, procedure at members' meetings, voting at members' meetings, written resolutions, minutes	clauses 47 - 86
BOARD (CHARITY TRUSTEES)	number, eligibility, election/ retiral/re-election, termination of office, register of charity trustees, office bearers, powers, general duties, code of conduct	clauses 87 - 125
DECISION-MAKING BY THE CHARITY TRUSTEES	notice, procedure at board meetings, minutes	clauses 126-144
ADMINISTRATION	sub-committees, operation of accounts, accounting records and annual accounts	clauses 145 - 156
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GENERAL

Type of organisation

- 1 The organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

Scottish principal office

- 2 The principal office of the organisation will be in Scotland (and must remain in Scotland).

Name

- 3 The name of the organisation is

'Cockburnspath Allotment Association SCIO'

Purposes

- 4 The organisation's purposes are:
 - 4.1 The provision of recreational facilities or the organisation of recreational activities with the object of improving the conditions of life for the members of the Cockburnspath and Cove community (as defined by the Community Council boundary) for whom the facilities are primarily intended by giving the opportunity to work outdoors in a healthy environment, developing skills in horticulture while fostering community spirit and cooperation among members.
 - 4.2 The advancement of environmental protection or improvement by encouraging wildlife and biodiversity within the area as well as the cultivation of sustainable fresh vegetable and fruit growing.
-

Powers

- 5 The organisation has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.
- 6 In particular, (but without limiting the range of powers available under the Charities and Trustee Investment (Scotland) Act 2005) the SCIO has power:
 - 6.1 to register any interest in land and to exercise any right to buy under Part 2 of the Land Reform (Scotland) Act 2003;
 - 6.2 to exercise any right to buy under Part 3A of the Land Reform (Scotland) Act 2003;

- 6.3 to exercise any right to buy under Part 5 of the Land Reform (Scotland) Act 2016; and
- 6.4 to make any participation request under Part 3 of the Community Empowerment (Scotland) Act 2015 and/or any asset transfer request under Part 5 of the Community Empowerment (Scotland) Act 2015, and to take any appropriate steps following upon the making of any such request.

Application of income and property.

- 7 The income and property of the SCIO shall be applied solely towards promoting the SCIO's objects (as set out in clause 4) and in particular (but without limiting the generality of that provision) any surplus funds or assets of the SCIO must be applied for the benefit of the Community.
- 8 No part of the income or property of the SCIO may be paid or transferred (directly or indirectly) to the members of the SCIO, whether by way of dividend, bonus or otherwise - either in the course of the SCIO's existence or on dissolution - except where this is done in direct furtherance of the SCIO's charitable purposes.
- 9 9 No benefit (whether in money or in kind) shall be given by the SCIO to any charity trustee except:
 - (a) repayment of out-of-pocket expenses; or
 - (b) reasonable payment in return for particular services (outwith the ordinary duties of a charity trustee) actually rendered to the SCIO.

Liability of members

- 10 The members of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the members will not be held responsible.
- 11 The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 10 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

General structure

- 12 The structure of the organisation consists of:-

- 12.1 the MEMBERS - comprising (i) Ordinary Members (who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the board and take decisions on changes to the constitution itself; (ii) the Associate Members and (iii) the Junior Members;
 - 12.2 the BOARD - who hold regular meetings during the period between annual general meetings, and generally control and supervise the activities of the SCIO; in particular, the board is responsible for monitoring and controlling the financial position of the SCIO.
- 13 The people serving on the board are referred to in this constitution as CHARITY TRUSTEES.

MEMBERS

Categories of members

- 14 For the purposes of this constitution:-
- (a) "Ordinary Member" means a member who fulfils the qualifications set out in clause 17; "Ordinary Membership" shall be interpreted accordingly;
 - (b) "Associate Member" means a member admitted under clause 18 (as read with clause 19); "Associate Membership" shall be interpreted accordingly;
 - (c) "Junior Member" means a member admitted under clause 20; "Junior Membership" shall be interpreted accordingly
- 15 Associate Members and Junior Members are not eligible to stand for election to the Board nor are they eligible to vote at any members' meeting.

Qualifications for membership

- 16 The members of the SCIO shall consist of those individuals who made the application for registration of the SCIO and such other individuals and organisations as are admitted to membership under clauses 17 to 29.

- 17 Ordinary Membership shall (subject to clauses 22, and 27) be open to any individual aged 16 years or over who:
- (a) is ordinarily resident in the community (as defined in clause 4);
 - (b) is entitled to vote at a local government election in a polling district that includes the Community or part of it; and
 - (c) supports the objects and activities of the SCIO.
- 18 Associate Membership shall (subject to clauses 22, 23, 24, and 25) be open to individuals who are not ordinarily resident in the Community and (subject to clause 19) to organisations (wherever they have their principal office or place of business or main area of operation) that support the objects and activities of the SCIO.
- 19 In the case of an organisation which is not a corporate body, the organisation itself cannot be a member of the SCIO; instead, membership shall be open to an individual nominated by that organisation (where the organisation would qualify for membership under clause 18), but on the basis that no more than one individual nominated by each organisation under this clause 19 can be a member of the SCIO at any given time.
- 20 Junior Membership shall (subject to clauses 22 and 23) be open to those individuals aged between 12 and 15 (whether or not they are ordinarily resident in the Community) who support the objects and activities of the SCIO.
- 21 An individual, once admitted to Ordinary Membership, shall automatically cease to be a member if he/she ceases to fulfil any of the qualifications for Ordinary Membership set out in clause 17.
- 22 Employees of the SCIO are not eligible for membership; a person who becomes an employee of the SCIO after admission to membership shall automatically cease to be a member.

Application for membership.

- 23 Any individual who wishes to become a member must (subject to clause 33) sign, and lodge with the SCIO, a written application for membership, specifying the category of membership for which he/she is applying.
- 24 Any organisation which is a corporate body and wishes to become an Associate Member must (subject to clause 33) lodge with the SCIO a written application for membership, signed on its behalf by an appropriate officer of that organisation.
- 25 Any individual nominated under clause 19 by an organisation which is an unincorporated body who wishes to become an Associate Member

must (subject to clause 33) lodge with the SCIO a written application for membership, signed by him/her and also signed by an appropriate officer of the organisation which is nominating him/her for membership.

- 26 The SCIO shall supply a form for applying for membership to any individual or organisation on request.
- 27 An individual applying for Ordinary Membership shall, if the SCIO so requests, supply such evidence as the SCIO may reasonably request to demonstrate that he/she fulfils the qualifications set out in clause 17.
- 28 For the avoidance of doubt, when deciding whether to admit any individual or organisation to membership, the board shall adhere to a transparent process which enshrines the principles of equal treatment and non-discrimination.
- 29 The board shall consider each application for membership at the first board meeting which is held after receipt of the application; the board shall, within a reasonable time after the meeting, notify the applicant of their decision on the application.

Minimum number of members.

- 30 The minimum number of members is 20; and at least three quarters of the members must, at all times, be Ordinary Members.
- 31 In the event that either or both of the requirements under clause 31 cease to be met through a reduction in the number of members or a reduction in the proportion of Ordinary Members included within the membership, the board may not conduct any business other than to ensure the admission of sufficient members (or, as the case may be, Ordinary Members) to ensure that those requirements are met once more.

Membership subscription.

- 32 There will be no membership subscription fee.
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Arrangements involving the SCIO's website

- 37 The charity trustees may, if they consider appropriate, introduce arrangements under which an individual or organisation can apply for membership and/or membership subscriptions may be paid, by accessing the SCIO's website (and, where applicable, links from the SCIO's website), and completing and submitting forms electronically; the charity trustees shall ensure that any such arrangements incorporate appropriate security measures and reserve the right for the SCIO to request signed hard copy documentation and/or evidence of eligibility in any case where the charity trustees consider that to be appropriate.

Register of members

- 38 The board must keep a register of members, setting out
- 38.1 for each current member:
 - 38.1.1 his/her full name and address; and
 - 38.1.2 the date on which he/she was registered as a member of the organisation;
 - 38.1.3 the category of membership into which he/she/it falls.
 - 38.2 for each former member - for at least six years from the date on he/she ceased to be a member:
 - 38.2.1 his/her name; and
 - 38.2.2 the date on which he/she ceased to be a member.
- 39 Where an individual was admitted to Associate Membership on the basis of nomination by an organisation which is not a corporate body, the entries against his/her name in the register of members shall include details of the organisation which nominated him/her for membership.
- 40 The board must ensure that the register of members is updated within 28 days of any change:
- 40.1 which arises from a resolution of the board or a resolution passed by the members of the organisation; or
 - 40.2 which is notified to the organisation.
- 41 If a member or charity trustee of the organisation requests a copy of the register of members, the board must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a member (rather than a charity

trustee), the board may provide a copy which has the addresses blanked out.

Withdrawal from membership

- 42 Any person who wants to withdraw from membership must give a written notice of withdrawal to the organisation, signed by him/her; he/she will cease to be a member as from the time when the notice is received by the organisation.
- 43 An organisation which has nominated an individual for membership under clause 19 may withdraw its nomination at any time, by way of notice to the SCIO to that effect, signed by an appropriate officer of that organisation; on receipt of the notice by the SCIO, he/she will automatically cease to be a member of the organisation.

Transfer of membership

- 44 Membership of the organisation may not be transferred by a member.

Expulsion from membership

- 45 Any person may be expelled from membership by way of a resolution passed by not less than two thirds of those present and voting at a members' meeting, providing the following procedures have been observed:-
 - 45.1 at least 21 days' notice of the intention to propose the resolution must be given to the member concerned, specifying the grounds for the proposed expulsion;
 - 45.2 the member concerned will be entitled to be heard on the resolution at the members' meeting at which the resolution is proposed.

Termination

- 46 Membership of the organisation will terminate on death or (in the case of an individual admitted to membership on the basis of nomination by an unincorporated body) if the unincorporated body is dissolved.

DECISION-MAKING BY THE MEMBERS

Members' meetings

- 47 The board must arrange a meeting of members (an annual general meeting or "AGM") in each calendar year.
- 48 The gap between one AGM and the next must not be longer than 15 months.
- 49 Notwithstanding clause 48, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is formed.
- 50 The business of each AGM must include:-
 - 50.1 a report by the chair on the activities of the organisation;
 - 50.2 consideration of the annual accounts of the organisation;
 - 50.3 the election/re-election of charity trustees, as referred to in clauses 95 to 100.
- 51 The board may arrange a special members' meeting at any time.

Power to request the board to arrange a special members' meeting

- 52 The board must arrange a special members' meeting if they are requested to do so by a notice (which may take the form of two or more documents in the same terms, each signed by one or more members) by members who amount to 5% or more of the total membership of the organisation at the time, providing:
 - 52.1 the notice states the purposes for which the meeting is to be held; and
 - 52.2 those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.
- 53 If the board receive a notice under clause 53, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

Notice of members' meetings

- 54 At least 14 clear days' notice must be given of any AGM or any special members' meeting.

- 55 The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and
- 55.1 in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or
- 55.2 in the case of any other resolution falling within clause 78 (requirement for two-thirds majority) must set out the exact terms of the resolution.
- 56 The reference to "clear days" in clause 55 shall be taken to mean that, in calculating the period of notice,
- 56.1 the day after the notices are posted (or sent by e-mail) should be excluded; and
- 56.2 the day of the meeting itself should also be excluded.
- 57 Notice of every members' meeting must be given to all the members of the organisation, and to all the charity trustees; but the accidental omission to give notice to one or more members will not invalidate the proceedings at the meeting.
- 58 Any notice which requires to be given to a member under this constitution must be: -
- 58.1 sent by post to the member, at the address last notified by him/her to the organisation; *or*
- 58.2 sent by e-mail to the member, at the e-mail address last notified by him/her to the organisation.

Procedure at members' meetings

- 59 No valid decisions can be taken at any members' meeting unless a quorum is present.
- 60 The quorum for a members' meeting (subject to clause 61) is eight ordinary members, present in person.
- 61 A quorum shall not be deemed to be present at any members' meeting unless the Ordinary Members present a majority of the members present.
- 62 For the avoidance of doubt, Associate Members and Junior Members shall not be counted in determining whether a quorum is present at any members' meeting.
- 63 If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices of meeting will require to be sent out, to deal with

the business (or remaining business) which was intended to be conducted.

- 64 The chair of the organisation should act as chairperson of each members' meeting
- 65 If the chair of the organisation is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.
- 66 The chairperson of a members' meeting may, with the consent of the meeting, adjourn the meeting to such date, time and place as the chairperson may determine.

Voting at members' meetings

- 67 Every ordinary member has one vote, which must be given personally.
- 68 For the avoidance of doubt, Associate Members and Junior Members shall have no power to vote at members' meetings.

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- 75 An Associate Member which is a corporate body shall be entitled to appoint an individual to attend and speak at any members' meeting as its authorised representative.

- 76 All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 78.

- 77 The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 83):) providing proper notice of the meeting and of the intention to propose the resolution has been given in accordance with clauses 55 to 59:

77.1 a resolution amending the constitution (subject to clause 81);

77.2 a resolution expelling a person from membership under clause 45;

- 77.3 a resolution directing the board to take any particular step (or directing the board not to take any particular step);
 - 77.4 a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);
 - 77.5 a resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);
 - 77.6 a resolution for the winding up or dissolution of the organisation.
- 78 If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.
 - 79 A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the chairperson (or at least two other members present at the meeting) ask for a secret ballot.
 - 80 The chairperson will decide how any secret ballot is to be conducted, and he/she will declare the result of the ballot at the meeting.
 - 81 Amendments to the purposes of the SCIO (as set out in clause 4) will require the prior approval of OSCR.

Written resolutions by members

- 82 A resolution agreed to in writing (or by e-mail) by all the members will be as valid as if it had been passed at a members' meeting; the date of the resolution will be taken to be the date on which the last member agreed to it.

Minutes

- 83 The board must ensure that proper minutes are kept in relation to all members' meetings.
- 84 Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.
- 85 Any person may request a copy of the minutes of members' meetings and, provided that the request is reasonable, the SCIO must, subject to clause 86, provide a copy of the minutes to that person within 28 days of the request.

- 86 Where a request for a copy of minutes is made under clause 85, the SCIO may withhold information contained in the minutes provided that the person requesting a copy of the minutes is informed of the reasons for doing so.

Board

Categories of charity trustee.

- 87 In this constitution:
- 87.1 “Member Trustee” means a charity trustee (drawn from the membership of the SCIO) elected/appointed under clauses 94 to 99;
 - 87.2 “Co-opted Trustee” means a (non-member) charity trustee appointed by the board under clauses 100 and 101
 - 87.3 ‘Appointed Trustee’ nominated by the Cockburnspath and Cove Community Council.

Number of charity trustees

- 88 The maximum number of charity trustees is six; out of that number:
- 88.1 no more than four shall be Member Trustees; and
 - 88.2 no more than two shall be Co-opted Trustees; and
 - 88.3 no more than one will be an Appointed Trustee nominated by the community council.
- 89 At any given time, charity trustees who are also Ordinary Members must form a majority of the total number of charity trustees in office.
- 90 The minimum number of charity trustees is three of whom a majority must be Member Trustees.

Eligibility

- 91 A person shall not be eligible for election/appointment as a Member Trustee unless he/she is a member of the SCIO; a person appointed as a Co-opted Trustee need not, however, be a member of the SCIO.
- 92 A person will not be eligible for election or appointment to the board if he/she is: -

- 92.1 disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
- 92.2 an employee of the SCIO.

Initial charity trustees

- 93 The individuals who signed the charity trustee declaration forms which accompanied the application for incorporation of the SCIO shall be deemed to have been appointed by the members as charity trustees with effect from the date of incorporation of the organisation.

Election, retiral, re-election

- 94 At each AGM, the Ordinary Members may (subject to 88 and 92) elect any member (providing he/she is willing to act) to be a charity trustee (a "Member Trustee").
- 95 The board may (subject to clauses 88 and 92) at any time appoint any member (providing he/she is willing to act) to be a charity trustee (a "Member Trustee").
- 96 At the first AGM, one third (to the nearest round number) of the Member Trustees shall retire from office; the question of which of them is to retire shall be determined by some random method.
- 97 At each AGM (other than the first)
 - 97.1 any Member Trustee appointed under clause 95 during the period since the preceding AGM shall retire from office;
 - 97.2 out of the remaining Member Trustees, one third (to the nearest round number) shall retire from office.
- 98 The charity trustees to retire under paragraph 91 shall be those who have been longest in office since they were last elected or re-elected; as between persons who were last elected/re-elected on the same date, the question of which of them is to retire shall be determined by some random method.
- 99 A charity trustee who retires from office under clause 96 or 97 shall be eligible for re-election.

Appointment/re-appointment: Co-opted Trustees

- 100 In addition to their powers under clause 95, the board may (subject to clauses 88 and 92) at any time appoint any non-member of the SCIO (providing he/she is willing to act) to be a charity trustee (a "Co-opted Trustee") either on the basis that he/she has specialist experience and/or skills which could be of assistance to the board.

- 101 At the conclusion of each AGM, all of the Co-opted Trustees shall retire from office – but shall then (subject to clauses 88 and 92) be eligible for re-appointment under clause 100.

Termination of office

- 102 A charity trustee will automatically cease to hold office if: -
- 102.1 he/she becomes disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;
 - 102.2 he/she becomes incapable for medical reasons of carrying out his/her duties as a charity trustee - but only if that has continued (or is expected to continue) for a period of more than six months;
 - 102.3 (in the case of a Member Trustee) he/she ceases to be a member of the SCIO;
 - 102.4 he/she becomes an employee of the SCIO;
 - 102.5 he/she gives the SCIO a notice of resignation, signed by him/her;
 - 102.6 he/she is absent (without good reason, in the opinion of the board) from more than three consecutive meetings of the board - but only if the board resolves to remove him/her from office;
 - 102.7 he/she is removed from office by resolution of the board on the grounds that he/she is considered to have committed a serious breach of the code of conduct for charity trustees (as referred to in clause 122);
 - 102.8 he/she is removed from office by resolution of the board on the grounds that he/she is considered to have been in serious or persistent breach of his/her duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
 - 102.9 he/she is removed from office by a resolution of the members passed at a members' meeting.
- 103 A resolution under paragraph 102.7, 102.8 or 102.9 shall be valid only if: -
- 103.1 the charity trustee who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for his/her removal is to be proposed;
 - 103.2 the charity trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and

- 103.3 (in the case of a resolution under paragraph 102.7 or 102.8) at least two thirds (to the nearest round number) of the charity trustees then in office vote in favour of the resolution.

Register of charity trustees

- 104 The board must keep a register of charity trustees, setting out
- 104.1 for each current charity trustee:
- 104.1.1 his/her full name and address;
- 104.1.2 the date on which he/she was appointed as a charity trustee; and
- 104.1.3 any office held by him/her in the SCIO;
- 104.2 for each former charity trustee - for at least 6 years from the date on which he/she ceased to be a charity trustee:
- 104.2.1 the name of the charity trustee;
- 104.2.2 any office held by him/her in the SCIO; and
- 104.2.3 the date on which he/she ceased to be a charity trustee.
- 105 The board must ensure that the register of charity trustees is updated within 28 days of any change:
- 105.1 which arises from a resolution of the board or a resolution passed by the members of the SCIO; or
- 105.2 which is notified to the SCIO.
- 106 If any person requests a copy of the register of charity trustees, the board must ensure that a copy is supplied to him/her within 28 days, providing the request is reasonable; if the request is made by a person who is not a charity trustee of the SCIO, the board may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

Office-bearers

- 107 The charity trustees must elect (from among themselves) a chair and a treasurer.

- 108 In addition to the office-bearers required under clause 107, the charity trustees may elect (from among themselves) further office-bearers if they consider that appropriate.
- 109 All of the office-bearers will cease to hold office at the conclusion of each AGM, but may then be re-elected under clause 107 or 108.
- 110 A person elected to any office will automatically cease to hold that office: -
- 110.1 if he/she ceases to be a charity trustee; *or*
- 110.2 if he/she gives to the SCIO a notice of resignation from that office, signed by him/her.

Powers of board

- 111 Except where this constitution states otherwise, the SCIO (and its assets and operations) will be managed by the board; and the board may exercise all the powers of the SCIO.
- 112 A meeting of the board at which a quorum is present may exercise all powers exercisable by the board.
- 113 The members may, by way of a resolution passed in compliance with clause 77 (requirement for two-thirds majority), direct the board to take any particular step or direct the board not to take any particular step; and the board shall give effect to any such direction accordingly.

Charity trustees - general duties

- 114 Each of the charity trustees has a duty, in exercising functions as a charity trustee, to act in the interests of the SCIO; and, in particular, must:-
- 114.1 seek, in good faith, to ensure that the SCIO acts in a manner which is in accordance with its purposes (as set out clause 4);
- 114.2 act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;
- 114.3 in circumstances giving rise to the possibility of a conflict of interest between the SCIO and any other party:
- 114.3.1 put the interests of the SCIO before that of the other party;

- 114.3.2 where any other duty prevents him/her from doing so, disclose the conflicting interest to the SCIO and refrain from participating in any deliberation or decision of the other charity trustees with regard to the matter in question;
- 114.4 ensure that the SCIO complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
- 115 In addition to the duties outlined in clause 114, all of the charity trustees must take such steps as are reasonably practicable for the purpose of ensuring: -
- 115.1 that any breach of any of those duties by a charity trustee is corrected by the charity trustee concerned and not repeated; and
- 115.2 that any trustee who has been in serious and persistent breach of those duties is removed as a trustee.
- 116 A charity trustee who has a personal interest in any transaction or other arrangement which the SCIO is proposing to enter into, must declare that interest at a board meeting; he/she will be debarred (under clause 137) from voting on the question of whether or not the SCIO should enter into that arrangement.
- 117 For the purposes of the preceding clause, a charity trustee shall be deemed to have a personal interest in an arrangement if any partner or other close relative of his/hers or any firm of which he/she is a partner or any limited company of which he/she is a substantial shareholder or director or any limited liability partnership of which he/she is a member (or any other party who/which is deemed to be connected with him/her), has a personal interest in that arrangement.
- 118 Provided he/she has declared his/her interest - and has not voted on the question of whether or not the SCIO should enter into the arrangement - a charity trustee will not be debarred from entering into an arrangement with the SCIO in which he/she has a personal interest; and (subject to clause 120 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), he/she may retain any personal benefit which arises from that arrangement.
- 119 Where a charity trustee provides services to the SCIO or might benefit from any remuneration paid to a connected party for such services, then:
- (a) the maximum amount of the remuneration must be specified in a written agreement and must be reasonable;
- (b) the charity trustees must be satisfied that it would be in the interests of the SCIO to enter into the arrangement (taking account of that maximum amount); and

- (c) less than half of the charity trustees must be receiving remuneration from the SCIO (or benefit from remuneration of that nature).
- 120 No charity trustee may serve as an employee (full time or part time) of the SCIO; and no charity trustee may be given any remuneration by the SCIO for carrying out his/her duties as a charity trustee.
- 121 The charity trustees may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.

Code of conduct for charity trustees

- 122 Each of the charity trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the board from time to time.
- 123 The code of conduct referred to in clause 122 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time.

DECISION-MAKING BY THE CHARITY TRUSTEES

Notice of board meetings

- 124 Any charity trustee may call a meeting of the board *or* ask the secretary to call a meeting of the board.
- 125 At least 7 days' notice must be given of each board meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

Procedure at board meetings

- 126 No valid decisions can be taken at a board meeting unless a quorum is present; the quorum for board meetings (subject to clause 127) is 4 charity trustees, present in person.

- 127 A quorum shall not be deemed to be constituted at any board meeting unless the Member Trustees who are also Ordinary Members form a majority of the total number of charity trustees present at the meeting.
- 128 A charity trustee may participate in a board meeting by means of a conference telephone, video conferencing facility or similar communications equipment whereby all the charity trustees participating in the meeting can hear each other; a charity trustee participating in a meeting in this manner shall be deemed to be present in person at the meeting.
- 129 If at any time the number of charity trustees in office falls below the number stated as the quorum in clause 126, the remaining charity trustee(s) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.
- 130 The chair of the SCIO should act as chairperson of each board meeting.
- 131 If the chair is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.
- 132 Every charity trustee has one vote, which must be given personally.
- 133 All decisions at board meetings will be made by majority vote.
- 134 If there is an equal number of votes for and against any resolution, the chairperson of the meeting will (subject to clause 135) be entitled to a second (casting) vote.
- 135 A chairperson who is not an Ordinary Member shall not be entitled to a casting vote.
- 136 The board may, at its discretion, allow any person to attend and speak at a board meeting notwithstanding that he/she is not a charity trustee - but on the basis that he/she must not participate in decision-making.
- 137 A charity trustee must not vote at a board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which he/she has a personal interest or duty which conflicts (or may conflict) with the interests of the SCIO; he/she must withdraw from the meeting while an item of that nature is being dealt with.
- 138 For the purposes of clause 137: -
- 138.1 an interest held by an individual who is "connected" with the charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee;

- 138.2 a charity trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which he/she is an employee, director, member of the management committee, officer or elected representative has an interest in that matter.
- 139 A charity trustee shall not be counted in the quorum present at a meeting in relation to a resolution on which he/she is not entitled to vote.
- 140 The SCIO may, by majority vote, suspend or relax to any extent – either generally or in relation to any particular matter – the provisions of clauses 137 to 139.

Minutes

- 141 The board must ensure that proper minutes are kept in relation to all board meetings and meetings of sub-committees.
- 142 The minutes to be kept under clause 141 must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.
- 143 Any person may request a copy of the minutes of meetings of the charity trustees of the SCIO and, provided that the request is reasonable, the SCIO must, subject to clause 144, provide a copy of the minutes to that person within 28 days of the request.
- 144 Where a request for a copy of minutes is made under clause 143, the SCIO may withhold information contained in the minutes provided that the person requesting a copy of the minutes is informed of the reasons for doing so.

ADMINISTRATION

Delegation to sub-committees

- 145 The board may delegate any of their powers to sub-committees; a sub-committee must include at least one charity trustee, but other members of a sub-committee need not be charity trustees.
- 146 The board may also delegate to the chair of the SCIO (or the holder of any other post) such of their powers as they may consider appropriate.
- 147 When delegating powers under clause 145 or 146, the board must set out appropriate conditions (which must include an obligation to report regularly to the board).

- 148 Any delegation of powers under clause 145 or 146 may be revoked or altered by the board at any time.
- 149 The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the board.

Operation of accounts

- 150 Subject to clause 151, the signatures of two out of three signatories appointed by the board will be required in relation to all operations (other than the lodging of funds) on the bank and building society accounts held by the SCIO; at least one out of the two signatures must be the signature of a charity trustee.
- 151 Where the SCIO uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 150.

Secretary

- 152 The board shall appoint a secretary, and on the basis that the term of the appointment, the remuneration (if any) payable to the secretary, and the such conditions of appointment shall be as determined by the board; the secretary may be removed by them at any time.

Accounting records and annual accounts

- 153 The board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.
- 154 The accounting records shall be maintained by the treasurer and overseen by the chair, or otherwise by, or as determined by, the board; such records shall be kept at such place or places as the board think fit and shall always be available for inspection by the board.
- 155 The board must prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions (or if the board consider that an audit would be appropriate for some other reason), the board should ensure that an audit of the accounts is carried out by a qualified auditor.
- 156 No member shall (unless he/she is a charity trustee) have any right of inspecting any accounting or other records, or any document of the SCIO, except as conferred by statute or authorised by a resolution passed at a meeting of the members of the SCIO.

MISCELLANEOUS

Winding-up

- 157 If the SCIO is to be wound up or dissolved, the winding-up or dissolution process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.
- 158 Any surplus assets (including any land acquired by the SCIO under Part 2 or Part 3A of the Land Reform (Scotland) Act 2003 or Part 5 of the Land Reform (Scotland) Act 2016) available to the SCIO immediately preceding its winding up or dissolution must be applied for the benefit of the Community to be used for purposes which are the same as - or which closely resemble - the purposes of the SCIO as set out in this constitution.

Alterations to the constitution

- 159 This constitution may (subject to clause 160) be altered by resolution of the members passed at a members' meeting (subject to achieving the two thirds majority referred to in clause 77) or by way of a written resolution of the members.
- 160 The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (eg change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of OSCR. If:
- (a) the company is a community body (as defined in article 162.3 and (i) it has registered a community interest in land under Part 2 of the Land Reform (Scotland) Act 2003 and remains so registered, or (ii) has bought land under Part 2 of the Land Reform (Scotland) Act 2003 any part of which remains in its ownership; or
 - (b) the company is a Part 3A community body or Part 5 community body (in each case, as defined in article 162.5) and has bought land under Part 3A of the Land Reform (Scotland) Act 2003 or Part 5 of the Land Reform (Scotland) 2016 any part of which remains in its ownership,
- the company must give written notice to the Scottish Ministers of any amendments to the articles of association of the company as soon as possible after such amendments take effect."

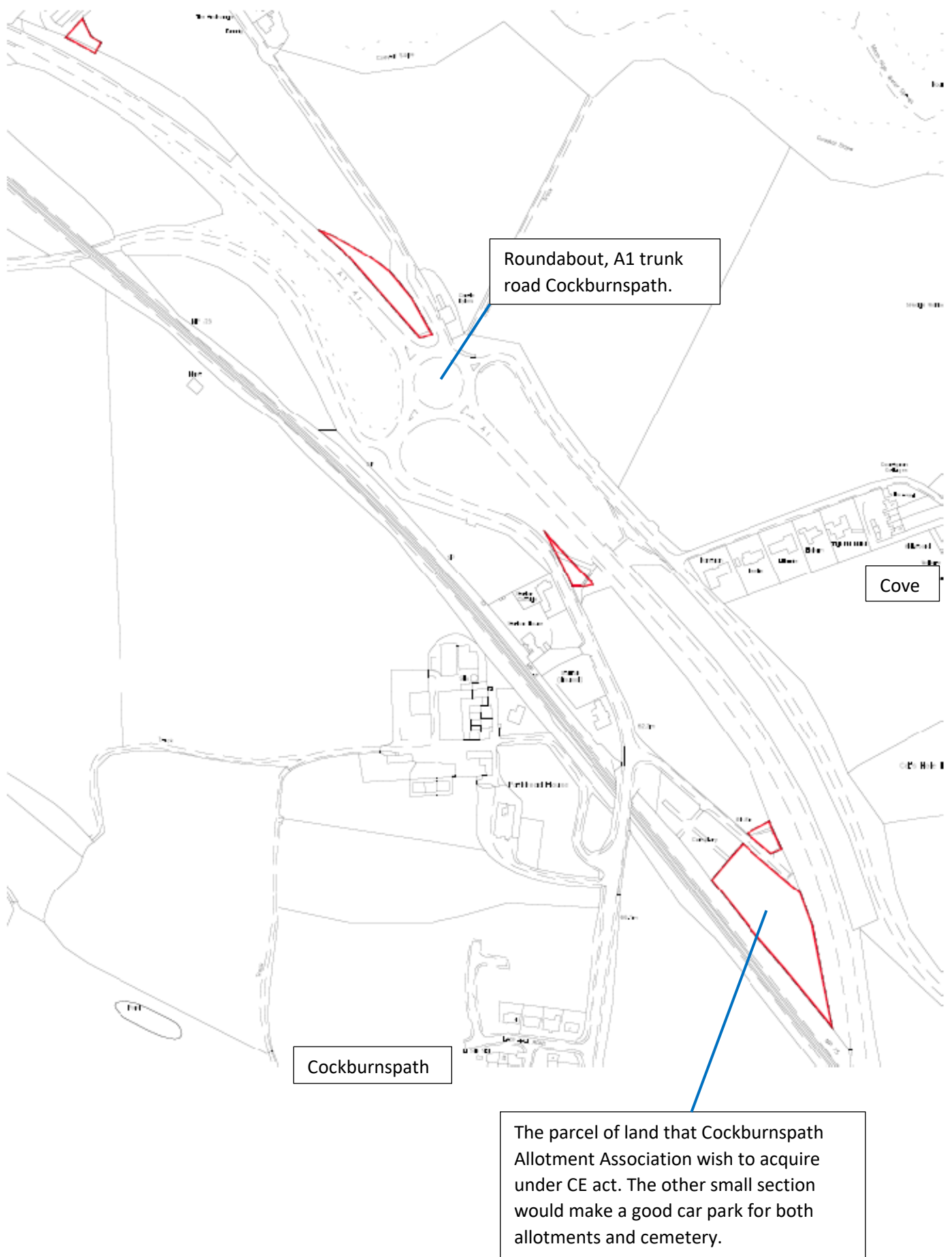
Interpretation

- 161 References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -

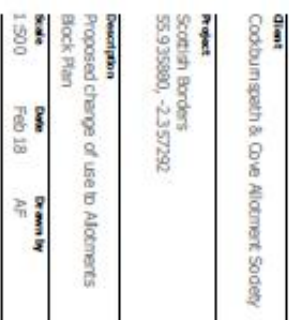
- 161.1 any statutory provision which adds to, modifies or replaces that Act; and
- 161.2 any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 161.1 above.
- 162 In this constitution: -
- 162.1 “charity” means a body which is either a “Scottish charity” within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a “charity” within the meaning of section 1 of the Charities Act 2011, providing (in either case) that its objects are limited to charitable purposes;
- 162.2 “charitable purpose” means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts;
- 162.3 “community body” means a community body within the meaning of section 34 of the Land Reform (Scotland) Act 2003 (as amended by section 37 of the Community Empowerment (Scotland) Act 2015);
- 162.4 “OSCR” means the Office of the Scottish Charity Regulator;
- 162.5 “Part 3A community body” means a Part 3A community body with the meaning of section 97D of the Land Reform (Scotland) Act 2003 (as inserted by section 74 of the Community Empowerment (Scotland) Act 2015);
- 162.6 “Part 5 community body” means a Part 5 community body within the meaning of section 49 of the Land Reform (Scotland) Act 2016;
- 162.7 “sustainable development” means development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Section 2. Maps drawings or description of the land.

2.1 Land currently owned by Transport Scotland in the Cockburnspath area



2.2. . Copy of 'block plan with sketch 09.03.18', as sent to SBC planning officer.



2.3. Copy of 'Registers Direct Title Plan'

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Section 2.

2.4. Artist's impression.



Section 3.

Note of any terms and conditions that are to apply to the request.

None.

Section 4.

4.1. Copy of email from SBC 'Community Capacity Building' team.

RE: Cockburnspath Allotments

Amaral, Juliana <Juliana.Amaral@scotborders.gov.uk>

Thu 18/10/2018, 10:18

Here's my contribution Neil:

"The Scottish Borders Community Capacity Building (CCB) team aims to work with older people and people with physical disabilities addressing and tackling the issue of social isolation while improving health and wellbeing through a range of sustainable community projects and activities. In the year 2016-2017 for example, the team managed to engage with 500 people on a weekly basis, encouraging participation and citizenship. These numbers increase every year as the project expands. A Social Return on Investment study found that for every £1 invested, the CCB project returns £10 in savings to NHS and Social Care in terms of prevention and early intervention. Among many activities on offer across communities, physical, intellectual and sensory stimulation ranges from walking sports such as football and netball to creative writing and craft to gardening, outdoor walks and contact with nature. The CCB team works closely with health and social care professionals around the social prescribing model of care

We are very supportive of new initiatives in the community and strive to work in partnership, building resilience and empowering local communities to take action towards improving the health and wellbeing of its residents. We are particularly keen to support outdoor projects and the development of groups and activities to encourage ongoing use of common, environmental spaces by individuals, families, schools, older people and those with disabilities. The Cockburnspath allotment project is a very good example of community approach to health improvement and one that the CCB team fully supports. This project will be providing opportunities for socialising, learning and encouraging integration and co-operation.

Participation in social activities such as this has been proven to improve people's health and wellbeing. Thus, allotment schemes of similar nature have also been proven to improve cardiac and respiratory rehab groups as well as people recovering from illness. We have no doubt that this project will help to bring together in one place a variety of community groups from schools to family life and into older age. Working closely with our NHS partners, we can say that gardening interventions have an important place in the NHS and wider health and care system, particularly given the focus on greater integration of health services, social care and prevention, and on working with people as citizens within communities. Additionally, there are a body of publications and reports from Community Food & Health (Scotland) as well as Space to Grow, highlighting the range of benefits allotment spaces and community gardens can provide to individuals and communities health and wellbeing, playing an important role in reaching health policy goals, nationally and locally"

Please, feel free to use bits or all of as you see relevant to your application. I hope you find this helpful.

Warm regards,

Juliana

Juliana Amaral

Community Capacity Building Worker

Scottish Borders Council

Newtown St. Boswells

Melrose

TD6 0SA

Phone: 01835825080

Tel.: 07917 277139

Email: juliana.amaral@scotborders.gov.uk

<http://www.scotborders.gov.uk>

Find the SBC Community Capacity Building Team on Facebook

4.1 continued.

Email from Juliana Amaral to Jennie Sutton (Development Facilitator Cockburnspath and Cove).

From: Amaral, Juliana <Juliana.Amaral@scotborders.gov.uk>

Sent: 17 January 2020 12:14

To: jenniee@hotmail.co.uk <jenniee@hotmail.co.uk>

Subject: RE: Allotments at Co'path

Hello Jennie,

I am replying from my SBC email.

I did work with Neil initially on my Community Capacity Building role and I am fully aware about the amount of work he has put into this project. The reason I am so supportive of this project is that I can clearly see the benefits of this sort of initiative to the community.

I have been working in partnership with Abundant Borders in my recent role as a Local Area Co-ordinator, is a full loop project around growing food, training/ skilling up volunteers, preparing food and serving nutritious at lunch clubs to people in the community as a way to tackle loneliness and isolation. We have developed a pilot project in Coldstream and we are really keen to see this model replicated in other communities. Food is a great way to bring people together, either growing, preparing or sharing and I have no hesitation to recommend this project further.

I do have service users in Cockburnspath and Cove who would certainly benefit in taking part in this activity if it was available. One service user in particular, travels to Chirnside on Fridays to take part in a social lunch. Such project not only benefits the health and wellbeing of individuals but it also provides respite time to family and carers.

I hope you find this helpful but please, do not hesitate to contact me if you need more information.

Many thanks,

Juliana

Juliana Amaral

Local Area Co-ordinator (Older Adults)

4-8 Newtown Street, Duns, TD11 3DT

Phone: 01361 886103/ Mob.: 07917 277139

Email: juliana.amaral@scotborders.gov.uk

<http://www.scotborders.gov.uk>

Find the SBC Local Area Co-ordination Service on Facebook

4.2.



Scottish Allotments
and Gardens Society

To whom it may concern

The Scottish Allotments and Gardens Society (SAGS) works for plotholders to protect, preserve, promote and campaign for allotments. SAGS is a membership organisation representing plotholders throughout Scotland. We do not have any paid staff and our activities are managed by an executive committee who have wide experience of allotments and growing. Cockburnspath has joined SAGS as a “Developing Group” and we are pleased to write in support of their proposal to establish allotments for the area.

Allotment gardening is first and foremost about growing one’s own food for one’s family and friends within a community setting. Increasingly people are appreciating the wider social, environmental and health benefits to be gained from an allotment. Surplus produce is often donated to local groups such as care homes and lunch clubs. Schools and community groups are welcomed on to sites to learn about allotments and growing food, and about the wildlife an allotment site encourages. In addition, responsible gardening is one of the biggest contributions which ordinary people can make to adaptation and mitigation of climate change. We hope that in time everyone who wants to have an allotment will have access to one within easy reach of their home.

Part 9 of the Community Empowerment (Scotland) Act 2015 concerns allotments. The Act includes a section updating and replacing all existing allotment legislation and was passed in the spring of 2015. The Scottish Allotments and Gardens Society (SAGS) has been collaborating with the Scottish Government and Local Authorities on the ‘Secondary Legislation’ and ‘Guidance for Local Authorities’ which will support the new legislation and it is envisaged that it will come into force later this year – the final period of consultation has just closed.

Frequently, SAGS is asked by local authorities or groups of aspiring allotment plotholders to assist them. Representatives of SAGS are members of the City of Edinburgh Council’s Allotment Strategy Steering Group and Dundee Federation of Allotments. We have recently published several booklets available on our website and/or as paper copies as follows:

- **Scotland’s Allotment Site Design Guide** - The aim of this Guide is to provide detailed solutions to all aspects of good allotment site design ensuring that an allotment site can be designed to bring pleasure to users, providers and the general public, and to enhance the environment.

4.2. cont'd

- **Galvanising Grass Roots 1 – Grow Your Own Allotment Site.** This publication has ideas and case studies to help groups work towards creating and developing an allotment site.
- **Galvanising Grass Roots 2 – Good Governance:** the key to successful allotments. This booklet explains why good governance is the key to any successful allotment site. It is full of practical ideas for designing and implementing effective systems. It will be of interest to any plot holders, members of management committees and members of groups trying to set up an allotment association.

Visiting other allotment sites is an important part of setting up a new site, drawing from the experience of established sites and we are happy to have helped the Cockburnspath group make contact with them.

Please do not hesitate to contact us for further information

Jenny Mollison

On behalf of the Scottish Allotments and Gardens Society www.sags.org.uk

The Laigh House

Inveresk Village

East Lothian EH21 7TD

0131 665 2055

secretary@sags.org.uk

30th August 2018

•

• • • •



Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

20th January 2020

Dear Sir/Madam

We, the elected councillors of East Berwickshire, would like to express our joint support for the proposals to establish a community allotment project in Cockburnspath. We understand that application has been made to Transport Scotland for the acquisition of an area of land between the A1, the railway-line and the cemetery. This land has lain derelict for 40 years and can now be put to good use by the community.

The plans are to create a community facility for use by all age groups and abilities. This will encourage community spirit through collaboration in a joint venture and enable local residents to grow and eat their own food thereby improving health and fitness and increase skills and knowledge. The hope is to encourage intergenerational involvement and improve social interaction between local groups. The community of Cockburnspath have recently undertaken a "Planning for Real" project and have funded the employment of a development worker to facilitate this mission. Surveys completed highlight the eagerness of local people to get involved and common themes such as encouraging friendliness, reducing the problem of isolation, having more open space and increasing skills and crafts have been identified. We believe that the Allotment Project ticks many of the boxes to help the community achieve their aims.

The project has the support of Abundant Borders, the local school and the community council. To date there has been significant work completed to see the project thus far, such as the completion of a business plan and gaining planning permission. There has been real commitment and endeavour shown and we have no doubt that this will continue. Many members of the community have knowledge, skills and experience in securing funding and implementing projects such as the building and running of the local village hall and café which has been a great success and is a fabulous community asset. The people of Cockburnspath have a proven track record of getting things done and clearly have ambitions to continue to improve and expand their local facilities and amenities. We feel they should be commended and supported in their efforts.

In summary, we would like to lend our support to Cockburnspath Allotment Association application to Transport Scotland to secure the plot of land needed to further their aspirations.

We hope that Transport Scotland will look favourably on their proposals and look forward to hearing the outcome of their application.

Yours faithfully

Helen Laing, Carol Hamilton, Jim Fullarton

Councillors East Berwickshire.

Section 5. 5.1.

COCKBURNSPATH & DUNGLASS ESTATE HORTICULTURAL SOCIETY

35 Crofts Road
COCKBURNSPATH
Berwickshire
TD13 5YB

Tel. 01368 830357

24th August 2018

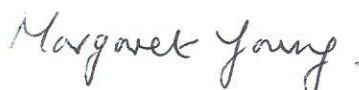
Neil F. Simpson
Chairperson
Cockburnspath Allotment Association SCIO
Kittiwake Cottage
Cove
Cockburnspath
Scottish Borders
TD13 5XD

Dear Neil

Following on from your display at our recent Flower Show, I now write to officially advise you that the Flower Show Committee gives its full support to the application for the acquisition of land as a site for allotments. Some people in the local area, surprisingly do not have access to gardens, and we feel strongly that if allotments were available, this would surely encourage individuals or groups to grow their own produce and therefore enjoy the benefits both of produce and the outdoors. We would also hope that this would then actively encourage future participation in our annual flower show, thus ensuring that this long standing organisation continues to flourish in the future.

Kindest regards

Yours sincerely,



Margaret Young
Secretary/Treasurer



Callander Place
Cockburnspath

28th September

2018

Dear Neil

Ref: Cockburnspath Allotment Association

The Cockburnspath Village Hall Board is delighted that the Allotment Association has been awarded SCIO status. It is supportive of the development and is happy to commend it, and other initiatives, which encourage community cohesion and cooperation.

The Community Cafe would be interested in a discussion at a future date regarding how any excess produce from the allotments may be utilised in the Village or cafe.

With best wishes for a successful endeavour.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Elspeth Davey", with a large, stylized flourish at the end.

Elspeth Davey
Chair

5.3

Contact Details of Current Members.

Surname	First	Address
---------	-------	---------

Nelson	Peter	
Stanton	Steve	
Gillan	Edna	
Simpson	Neil F.	
Lamb	Pauline	
Payne	Kevin	
Tulloch	Kate	
Last	Susan	
Eeles	Colin	
Keirle	Michel	
Myles	Georgina	
McCann	Lisa	
Hood	Peter	
Hood	Pauline	
Keirnan	Dee	
Swanston	Dorothy	
Tindall	Benjamin	
Donhachie	Margueritta	
Rea	Della	
Rea	John	
Watson	Jill	
Robb	Gwen	
Warner	Katie	
Moran	Pamela	
Gillan	Robert	
Davies	Beverly	

5.4.1

Generations Working Together – Creation of Co'path Allotments

Introduction:

Intergenerational Practice aims to bring people together in purposeful and mutually beneficial activities, by promoting greater understanding and respect between generations and contributing to building more cohesive communities. It's a mechanism that is all inclusive and builds on positive resources that younger and older generations have to offer each other and those around them. Intergenerational work involves people from different generations coming together to help and learn from each other and work for the common good.

In the Context of the Creation of the development of Allotments and a Community Garden, alongside the Residents and Abundant Borders the following themes were identified from a Community Survey in November 2019;

Safe play areas for children and teens, Pride in village appearance, Social isolation, Open spaces and wellness, Community allotment, Business creation, Tourism.

Here is an example of the unedited narratives from the survey which had 71 responses via Facebook SurveyMonkey:

"A better park for the children!"

"Something for the young teens to encourage them off the streets. Hopefully leading to pride in where they live. Hard one as we were all teens once."

"Some interaction with teenage children."

"Something to do for the adolescents. Perhaps liaise with them."

"Make the approach road to the village more attractive."

"Improve the planting on the shared green areas."

"Preserve the character of the village."

"A more attractive entry to the village."

"Make entrances into the village appealing."

"Flowers and tubs throughout."

"I would like to see efforts being made on making Co-path and Cove a more beautiful place."

"Improve supports for older residents to enable them to live in our community for longer."

"A greater social life."

"Social events."

"Companionship for older residents who live alone and feel lonely."

"Community woodland to prevent more clear felling of woods closer to village."

"Wildlife friendly."

"I would like for the village to be more environmental – with perhaps community woodlands (and hence new tree planting) on disused areas such as the old A1."

"Encourage tree planting in open areas."

5.4.2

Generations Working Together – Creation of Co'path Allotments

“Identify growing space in the village for garden space/group look at funding avenues for purchasing woodland from estate.”

“Identify land for composting site.”

“Sowing native wild flowers, wildlife friendly verge management.”

“Provide allotments.”

“Garden spaces to connect people through growing village composting site.”

“Allotments.”

“Allotments to build real community interaction.”

“Engage younger volunteers to continue the current excellent volunteers.”

“That it remains its old worldliness and friendliness.”

“People appreciating the great asset which is the village.”

The Intergenerational Approach:

The intergenerational approach is about engaging young people up to 25 years and older people 50 years plus. It's an effective way to address a number of issues and many of them are key Scottish Government Priorities (**Wealthier and Fairer** – increase wealth of individuals and businesses, **Smarter** – foster lifelong learning and widely shared achievements, **Healthier** – sustain health ensuring local and faster access to health, **Safer and Stronger** – offering communities opportunities to flourish, be safe and a better quality of life and **Greener** – natural and built environment which is sustainable and enjoyable).

As the Community Development Facilitator for the creation of the community development plan, I believe that a specific allotments and community gardens project, alongside the expertise of Abundant Borders will clearly address the themes within the survey.

The project can easily be recognised as best practice and celebrated by the residents, its supporters and the generosity of Scottish Transport in ensuring that the principles of the Scottish Government are adhered to within this project.

The principles of Intergenerational Practice:

To assist further, the Intergenerational approach follows 8 core principles of; mutual and reciprocal benefit, equal participation, person centred through respect, well planned for positive change, culturally grounded in the context of needs and attitudes, strengthens community bonds and promotes active citizenship, challenges ageism for both young and senior and cross disciplinary for inclusivity.

Why is Integrated Practice Important for Cockburnspath and Cove Allotments and Community Garden?

Based on the themes that have been highlighted above in the narrative from the community, an intergenerational approach offers the following positive behaviours:

- increases social inclusion
- strengthens connections among different age groups that don't normally meet
- develops friendships,
- promotes health and wellbeing for all

5.4.3

Generations Working Together – Creation of Co'path Allotments

- creates stronger communities
- brings different views together and develops mutual understanding
- breaks down stereotypes, myths and misconceptions
- defuses ageism
- increases communication and removes isolation or loneliness
- brings generations in practical ways
- impact's people's attitudes
- supports volunteering
- creates positive pride in the area
- reduces disputes
- creates mutual respect and reduces anti-social behaviour
- understand and respect differences
- strategic tool to enable change
- increase participation, sharing values and making decisions.

What's the next step?

Interesting that within the feedback from the community they recognised that there are solutions to the development of allotments and a community garden;

“Activities for social time with old and young together as well as separate.”

“I would love it if there was a local trail for people to enjoy.”

“Engage younger volunteers to continue the current excellent volunteers.”

“I would like for there to be places to work in the village, a collection of craft/food/business workshops.”

“Greater benefit for being at the end of the Southern Upland Way.”

“Perhaps look at a community project to make it happen.”

The proposal would be to facilitate a project that:

1. Increases community involvement within the development of allotments and the community garden from children at the Primary School through to the senior residents within the village.
2. Creates good relationships and pursues the behaviours that both generations desire.
3. Improve social capital for Co-path and Cove through creativity, fun, careful environmental impact, nutritious food, pride and beauty of the place they live, tourism and business.

In the end!

The creation of both allotments and a community garden would be evaluated for social impact and difference. Clear outcomes and outputs would be identified.

As the Community Development Facilitator this project can clearly come alongside the remit of fostering engagement, relationships and development of both residents and the place in which they live.

***Compiled by Jennie Sutton, Community Development Facilitator
(Generations Working Together, Scottish Borders Volunteer Co-ordinator)
January 2020***

5.4.4

Generations Working Together – Creation of Co'path Allotments

Below are potential funding bodies that funds could be accessed from:

St James's Place Charitable Foundation: Aimed to make a positive and lasting change to the lives of children and young people.

ALDI - Scottish Sport Fund: Grants of up to £500 for sporting organisations with registered charity status, including rugby clubs and after school groups, to make it easier for kids to take part in sports in their local communities. Applicants need to be based in Scotland.

Aspiring Communities Fund: Enable community bodies and third sector organisations in our most deprived and fragile communities to develop and deliver long-term local solutions that address local priorities and needs, increase active inclusion and build on the assets of local communities to reduce poverty and to enable inclusive growth.

£29 million to build fairer Scotland: First Minister opens new funding for communities and third sector.

Bags of Help is Tesco's local community grant scheme: Bags of Help is Tesco's local community grant scheme where the money raised from the 5p bag levy in Tesco stores is being used to fund thousands of community projects across the UK.

Bank of Scotland Foundation: Supports people and their local communities across Scotland.

Big Lottery launches Community-led Activities Fund: Focuses on projects which are community led or will help people and communities most in need.

Celebrate Scotland Fund: Offering grants of between £500 and £5,000 for groups to hold one off events or activities which celebrate their local community and bring people together.

Comic Relief Launch New Active Ageing Grants Programme: Offer grants to organisations which enable disadvantaged older people to design, deliver and take part in opportunities to contribute to their communities.

Cruden Foundation Limited: Grants available for registered charities in Scotland working for the support and improvement of the community.

Grants for community-led activity Medium grants for community-led activity: Funding aims to support communities to improve the places they live and the wellbeing of those most in need.

Grants for improving lives: Grants from £10,000 to £1 million to help people facing challenging circumstances.

Heart of Experian Charity Fund: Schools, charities and community groups can apply for grants of up to £5,000 for projects with a charitable purpose which benefit the community as a whole.

Live UnLtd: Supports people aged 11-21 who want to change their world for the better.

LLOYDS TSB FOUNDATION FOR SCOTLAND – HENRY DUNCAN AWARDS: Makes one-off grants of between a few hundred pounds and £7,000 available for grassroots charities in Scotland delivering programmes or services that are clearly focused on improving the quality of life for people who are disadvantaged.

People's Postcode Lottery Dream Fund: Helps to transform communities across the country.

5.4.5

Generations Working Together – Creation of Co'path Allotments

People's Postcode Trust Small Grants Programme: Registered charities in England, Scotland & Wales can apply from £500 - £20,000 (£10,000 in Wales) for projects meeting the above remit, whilst other organisations may apply for up to £2,000.

People's Health Trust Active Communities: For local voluntary and community groups in specific areas of Scotland.

People's Health Trust – HealthKind: Local groups and organisations with great ideas to make their communities even better places to live are now invited to apply for funding to turn their ideas into reality.

Police Mutual - Local Community Fund: Supporting good causes and building community spirit

Postcode Community Trust: Support projects which benefit a community's mental and/or physical health and wellbeing.

Scotmid co-operative - Scotmid's Community Grant scheme helps deserving causes across Scotland. Apply online for a community grant now by filling out the form. The maximum amount available for a Community Grant is £500.

Scottish Government's Community Choices: Do you have an idea to improve your community? Do you need funds to put your idea into action?

Scottish LEADER programme from Scottish Rural Network: LEADER is a bottom-up method of delivering support to communities for rural development. Grants are awarded by Local Action Groups to projects that support delivery of a Local Development Strategy.

Skipton Building Society: Grassroots Giving, Funding for volunteer run community groups

South Centra£ Decides - Intergenerational Activities

Sports Scotland: Sport Facilities Fund (SFF) supports capital projects that create or improve places where people take part in sport and physical activity.

Starbucks Youth Action: Funding is to be used by young people not in education or employment to develop and run projects in their local community

The Aviva Community Fund: Offers funding for an important cause in your community.

The capacity building fund: Supports groups and agencies in Scotland running food and health activities to build the knowledge, skills and expertise they need to help deliver these better.

Lloyds TSB Foundation for Scotland is working in partnership with the Scottish Government to administer and manage the Scottish Government's Children, Young People and Families Early Intervention Fund and Adult Learning and Empowering Communities Fund (CYPFEIF and ALEC Fund).

The Magic Little Grants Fund: Offer charitable organisations the opportunity to apply for grants of either £250 or £500. The Magic Little Grants Fund provides local charities and community groups the opportunity to access funding to deliver physical activities.

The Robertson Trust: Fund projects which promote and incorporate intergenerational work.

The Youth Scotland Rural Action Fund: Funding to support Community based Youth Work across Scotland

5.4.6

Generations Working Together – Creation of Co'path Allotments

Inspired: Funding for Sports Related Projects Run by Young People: Offers the power (and the money) to bring your own community project to life. Tell us what great change you want to make and how your project clearly benefits others. We'll give you up to £500 to make it happen.

W.G. EDWARDS CHARITABLE FOUNDATION: Grants of up to £5,000 to registered charities providing care for older people in the UK. There are no specified requirements for match funding although the average grant size is £2,200.

Weir Charitable Trust: Small charities and community groups in Scotland.

Wesleyan Foundation Small Grants: Supports registered charities, constituted voluntary and community groups across Scotland.

WHSmith Trust Community Grants: Voluntary organisations, charities schools and pre-schools can apply for grants of up to £500 from the WHSmith Trust.

Year of the Young People National Lottery Fund: Lottery fund to help young people #SparkAChange in their lives.

Young Start programme: Helping young people aged eight to 24 to become more confident and play an active part in realising their potential.

Youth Scotland Rural Action Fund: Fund aims to support and develop community-based youth work in Scotland's rural communities.

Section 6.

6.1

Cockburnspath and Cove Community Council

Chair: PM Hood, The Corn Barn, Cove, Cockburnspath.
Email: pmhood20@gmail.com

Secretary: K Tulloch, Cellarfountain, The Square, Cockburnspath
Email: kate.tulloch@btinternet.com

Generic email: secretarycccc@live.co.uk

Treasurer: K Nelson - secretarycccc@live.co.uk

Re: Development of Allotments within Cockburnspath – Asset Transfer of land from Transport Scotland

To Mr Alan Roberts, Transport Scotland

I write, as Chair of the Cockburnspath and Cove Community Council, in support of the application to Transport Scotland for an asset transfer of land adjoining the new cemetery, on the outskirts of Cockburnspath, in Berwickshire, Scottish Borders.

As you are aware, this plot of land, comprising approximately 0.6 Ha, together with other very much smaller plots, was compulsorily purchased by the Transport section of the Scottish government as part of the land required for the new A1 Cockburnspath bypass in the 1980s. This particular section of formerly agricultural land, together with the other smaller pieces of land, was not, in the end needed for the new A1, and has lain derelict ever since 1994. I understand that Transport Scotland has now formally stated that it no longer requires these pieces of land.

When the Scottish Borders Council set up the new village cemetery, this piece of land adjoining the cemetery was, at one stage, zoned as the cemetery overspill. We understand from SBC that this is no longer the case, and that they fully support the community's proposal for this land to be set up as allotments, particularly in view of all the Scottish Government policies encouraging community food production, for health and economic sustainability.

Again, as you are no doubt aware, this, effectively triangular shaped piece of derelict agricultural land, is bordered on one side by the increasingly busy A1, on another side by the main Edinburgh/London rail line, and on it's third side by the cemetery. There are no facilities, and as such, is not appropriate for any development, save allotments.

There is widespread community support for this project evidenced by: -

- The setting up of the Cockburnspath Allotment Association (SCIO);
- The various community meetings held to decide the lay out and rules of the allotment, including plans for raised beds and half plots for those with special needs, and a community garden area;
- The planning applications that have been made to SBC, and approved;
- The interest and support of the village primary school and nursery, who are keen to take up plots and expand from their very limited present planting areas;
- And the continued support and work of the Community Council and local church, which represent the views of all the community.

6.1 continued.

The recently appointed local community development worker – who has been commissioned to collate community ideas and opinions, with a view to creating a Community Action Plan for Cockburnspath and Cove, has in her initial survey, found considerable support for allotments on this piece of land. She has also been made aware that there is also a lot of frustration in the community that, what is felt to be an eminently sensible proposed use of derelict agricultural land, has been delayed for so long.

The health, well being, social, and economic community benefits, from community allotments are well known – as are the numerous Scottish Government policies promoting community food production, and we in Co'path and Cove are keen to set up and run such allotments. Various other sites have been considered, but this site has proved to be the only viable option.

We also have the benefit of various wind farm community benefit payments, managed for some years by the Community Council, so would anticipate that some of the initial set up and running costs of the allotments will be sourced from those wind farm monies. In addition, considerable research has been done into other possible funding sources, including the Localities Funding from the Area Partnerships. This community has considerable experience in sourcing funding, as the new village hall was funded by successful Big Lottery applications.

The Allotment Association has, after considerable research and advice, no doubts that it will be in a position to cover the running costs of this project, but, of course the costs of the land is a vital aspect of the economic planning of the project.

Considerable effort has been, and is being put into establishing what the community wants and needs from this project – mention has already been made of the various types of allotments that are proposed, community garden etc. – but nothing further can be done until such time as the question of the asset transfer can be settled. I would add that the nearest allotments are either eight or fifteen miles away – both with long waiting lists, so the Association will have no difficulty in filling any places on this piece of land.

I hope that it is apparent from this brief resume of the effort, and thought, that has gone into this project over some years, that if successful in obtaining a transfer of this land, the allotments will provide numerous community benefits in compliance with Scottish Government policies, and deliver the community's wants and needs, whilst remaining sustainable.

If you require any further information, please do not hesitate to contact myself or any other member of the Community Council



Pauline Hood

Chair Cockburnspath and Cove Community Council