**INVERGORDON REPRESENTATIONS AND RESPONSES**

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| **REPRESENTATIONS** | **RESPONSES** |
| **Bust of Sir John Gordon of Invergordon**1. The bust was widely believed to form part of Invergordon Common Good Fund but is now classed as Highland Council property. When was this transferred?
2. What was the basis for this transfer and what is the legal position?
3. Does this constitute a disregard of the benefit of the doubt in favour of the obvious relevance to the community that bears his name?
 | **Bust of Sir John Gordon of Invergordon**1. The Highland Council owns all Common Good assets of the former Burghs. These assets do not have a separate legal identity however the Council is required to administer them separately from other Council assets.
2. There was no formal transfer from Common Good to Council account. Until 21.08.2019 the position regarding the acquisition and ownership of the bust was unclear beyond knowing it had been in the possession of the Council for a number of years. Howeve,r on 21.08.2019 further searches of the Invergordon Town Council minutes confirmed that the bust was purchased by the Council in January 1930 for the sum of £5 and was displayed in the Invergordon Town Hall from February 1930. The sum paid was confirmed from the Council Treasurer’s Ledger.
3. There was no disregard of the relevance to the community. Until 21.08.2019 the only available information supported ownership by possession but did not allow the position regarding title to be confirmed. This has now changed and there is proof that the Council holds title.

It has been considered whether it is an asset that should be held as a Common Good asset. For an asset to be Common Good it must have been owned by a Burgh (or town council with responsibility for a Burgh) prior to 16 May 1975, must not have been purchased for a statutory purpose and must not form part of a trust.With regard to the bust of Sir John Gordon: * it was purchased by Invergordon Town Council in 1930 so was Burgh property,
* it was not purchased for a statutory purpose – the reason for the purchase was because he was “said to be the founder of Invergordon”,
* it does not form part of a trust.

Therefore, the bust is an asset of Invergordon Common Good Fund and will be added to the register.  |