**WICK REPRESENTATIONS AND RESPONSES**

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| **REPRESENTATIONS RECEIVED** | **RESPONSES** |
| **Carnegie library**  This was set up for the people of Wick so should it be Common Good? | **Carnegie library**  Title to this was held by Parish Council until they were abolished in 1929. Title then transferred to Burgh Council. However, as the library was for education in the broader sense and education was a statutory function of Parish Councils it is considered that this was acquired by the Burgh for a statutory purpose. In addition, it was a condition of the funding received that the local authority had to adopt the Public Libraries Acts applicable to Scotland from 1853. Property acquired for a statutory purpose cannot also be Common Good property. |
| **Carnegie library contents**  Art the artefacts and items that were stored in the basement Common Good? | **Carnegie library contents**  Clarifying the position regarding items held in building has been hampered by Covid restrictions. It is likely most items will belong to the library however; it is also possible that some items may simply have been displayed or stored in the library and should be classified as Common Good. The Asset Register is a living document and if any items such as contents from the library are classified as Common Good after the Register has been published, it can be amended to include them. |
| **Rosebank Playing Fields**  Why is this not on the list of proposed property? | **Rosebank Playing Fields**  Rosebank Playing Fields was purchased from the Highland Health Board in 1987. No new Common Good property can be created after the abolition of the Burgh system in 1975. Therefore, this is not Common Good. |
| **Riverside Park (north of River)**   1. Is the triangle area of trees at the west of Riverside Park Common Good land? 2. Is the rectangle area of trees between the wall along the south of 1, 3 & 5 George Street and Riverside Park Common Good land? | **Riverside Park (north of River)**   1. Yes – this area of land is considered to be Common Good and is included in the description of the area of the land for Riverside Park (north of the River) on the list of proposed property. 2. Yes – as above. |
| **Islands in the River**  Are the 2 large islands in the middle of the River Common Good property? | **Islands in the River**  The Council has no title to the 2 largest islands in the river to the west of the Bridge of Wick. |
| **Title deed of 1883**  Does it refer to St Fergus Road going right through to Kirk Lane or does it refer to St Fergus Road at the west end of St Fergus Church before it turned down to level ground? | **Title deed of 1883**  Description in the 1883 deed is “bounded on the north east partly by the property of the Trustees of the late James Sinclair … Commonly known as the old manse tenement and partly by the wall of the Church Yard of Wick, on the south west by the river of Wick, on the south east by Macleay Terrace and on the west or north west by the Burgh boundary”. This description indicates that the land only followed the line of St Fergus Road up to junction with Macleay Terrace and not as far as Kirk Lane.  In addition, the deed transferred a piece of waste ground consisting mainly of a road from High Street to the land referred to above bounded “on the north or north east by High Street, on the south by the piece of land first disponed, on the east or south east by the Church Yard wall and on the west or north west by the enclosure wall of the Glebe Being the said Burgh boundary there”. Comparing old maps from in or around 1880’s and present day, it would seem that this piece of land then became St Fergus Road leading down from High Street as it exists today. |
| **Trees on west side of churchyard**  Located below south west corner of church building and continuing round between south wall of churchyard and flat part of St Fergus Road as far as St Fergus Lane – are these trees Common Good? | **Trees on west side of churchyard**  The area of land referred to in this enquiry is included in the title deed mentioned above as the boundary of the land is specified to be the wall of the Church Yard. Old map from 1832 does not show St Fergus Road in its current form as much as the land south had not yet been reclaimed. By 1905 the land had been reclaimed and a drying green created, and a form of road is shown. Therefore, St Fergus Road immediately south west of the Church Yard up to St Fergus Lane cuts through land contained in the above title.  As a result, both area of land containing trees would be considered common good.  The Register will be amended to better clarify this position. |
| **Riverside Park (south of river)**  Where does the Common Good land finish at the western end? Is it bordered by the fence near the “short” Coghill Bridge going south and easterly towards the railway tunnel i.e. children’s’ playpark? | **Riverside Park (south of river)**  Only a relatively small part of Riverside Park (south of river) is considered to be common good. It is referred to in the list of proposed property. Its north east border runs adjacent to the river from the bridge for approximately 152 metres. Its south west border is adjacent to Station Street for approximately 90 metres from the bridge. The north west border joins these 2 points and runs adjacent to the footpath.  The rest of Riverside Park (south of river) is not common good. The central area of 1.37 hectares lying between the area referred to above and the land containing the caravan park was acquired by Caithness District Council from British Railways Board in 1979 after the Burgh were abolished in 1975. This area of land includes the play park and the statue of Dr John Alexander.  The most western part of Riverside Park (south of river) also known as “The Haugh” which contains the caravan park and rifle range is held subject to a trust deed and therefore, cannot also be common good. |
| **Portraits**   1. Sir John Sinclair of Ulbster – Benjamin West 2. Alexander Mackay – Henry Raeburn 3. James Sinclair – unknown artist | **Portraits**  The portraits referred to are not Common Good.  They were in the Town Hall when it was jointly owned by the Burgh of Wick and the County of Caithness. In October 1932, the County of Caithness transferred their half share in the Town Hall, other buildings, land, town clock & bell, furniture and fittings to the burgh. However, the disposition identified and expressly excluded the 3 portraits referred to (together with portrait of James Traill). The portraits remained the property of the County of Caithness and have now passed into the ownership of Highland Council following local government reorganisations. |