

This is your childrens future look after it

Origins: Common Good was a phrase coined as early as the 15th century to describe the purposes for which Burghs held assets and earned revenues under the terms of their Charters.

Common Good land and property, much of which was granted to the Burghs of Scotland in their original charters and gifted to the people in subsequent years.

Essentially, the Common Good denoted all property of a Burgh not acquired under statutory powers or held under special trusts.

If disposed of since 1975, the proper legal process should have been followed and financial receipts should have been credited to the Common Good Fund.

COMMON GOOD DETECTIVE WORK



LEGACY

These assets were the legacy of the former burghs of Scotland which were wound up in 1975 when town councils were abolished - The funds remained the property of the people of these towns for their own benefit but administered by the new district councils as they were in 1975 and now since 1996 by the new unitary authorities.

CHARTER

Charter: This foundation document defines the purpose of the organization and how it will be structured

COMMON GOOD

Common Good is the name given to the inherited property of the former burghs of Scotland and consists of a range of assets both moveable (furniture, paintings, regalia etc.) and heritable (land and buildings).

LEGAL TITLE

With respect to the 196 burghs defined in the Local Government (Scotland) Act 1947 (and whose Town Councils were wound up in May 1975), these assets are held by Local Authorities (in other words they have legal title) on behalf of the inhabitants of the former burghs. Title transferred under the terms of the Local Government (Scotland) Act 1973 because no provision was made for any community body to act as a successor to the Town Councils.

FURTHER RESEARCH

Other classes of Common Good exist. These include land forming part of burghs not included in the 1947 Act and land owned by former Parish Councils and County Councils where it was purchased or gifted for the benefit of a defined group of people (in a village or town). Such other classes, however, are far less clearly defined in either statute of case law and further research is needed to determine their fate.

GOALS

- The goal of the Common Good Campaign which this site supports, is to
- have an accurate public register of all Common Good assets (both heritable and moveable)
- have full and accurate accounts published for every Common Good Fund
- have a new Common Good Act which will define and stipulate how Common Good Funds should be managed and which will provide a statutory right for communities of burghs to have legal title to all Common Good assets.

Common Good

The removal of our common good has been one type of learning process. The reclaiming of the common good will be another. One is about disempowerment the other is about re empowerment

1. BEGIN

1. Begin with what is admitted by the local authority. This may be nothing at all, a partial or incomplete list,

2. HISTORY

2. Consult local history sources including books, individuals with knowledge (for example those who may have worked for the Town Council before 1975), local library collections and the works of local history societies.

3. BURGH RECORDS

3. Consult the burgh records. Many of these are held by local authority archive services. You can often find out about them on the Council's website or you can search a wide range of archival collections at www.nra.nationalarchives.gov.uk/nra. The National Archives of Scotland (www.nas.gov.uk) also hold some burgh records.

4. IDENTIFY

4. To identify the full legal history and status of specific properties, you will need to consult the Register of Sasines, the Land Register and the Burgh Registers

REMEMBER

Remember, that the Common Good Fund consists of moveable assets as well as heritable assets. Tracing the fate of moveable assets is a little bit more tricky. Probably the best place to concentrate is the records of the Town Council.

ULTIMATELY

Ultimately, you should be seeking to assert and recover the assets and value of your Common Good Fund.

ACCOUNTS

Your local authority should publish a set of Annual Accounts and should provide a list of assets owned by the Fund.

ACTS 1973 - 1994

Acts of 1973 and 1994 for these burghs' Common Good Funds to be transferred to District Councils and, later, Scotland's Unitary Authorities.

ACT OF 1491

Common Good Act of 1491 that the revenues from burgh property and various taxes and levies was to be used for the "common good of the town"

BURGHES

The Common Good originated as revenues from properties belonging to the early Burghs of Scotland.

AUTONOMY

Properly accounted for and properly managed, Scotland's Common Good can be used to revitalise communities and return to them the autonomy and initiative after years of municipal maladministration.

WEALTH

Common Good property represents a potential source of wealth and investment for the public good of your community.



Identifying Restoring Documenting

THE BOTTOM LINE.....is that you are looking for property which, on 15 May 1975,

- was owned by the Town Council (may be in name of Magistrates, Corporation etc.)
- had been acquired by them either by gift or acquisition
- had not been acquired using statutory powers(the title deeds will usually narrate if in fact it was).
- was not held by a constituted Trust (again the title deeds will reveal if this is the case)

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