
Update on the Chambers Institution, Peebles

Report by Chief Executive

Scottish Borders Council

21 May 2015

1 PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to provide members with an update on the functioning of the Chambers Institution and Trust since the 30 October 2014 when the Council asked the Chief Executive to produce a report setting out possible alternative options for the revitalisation of the Chambers Institution to meet the terms of the bequest from Dr William Chambers; so that there could be a consultation with Tweeddale residents and Trustees on these options before a final decision is made. This paper discharges this remit and seeks approval for a recommended way forward.**
- 1.2 The report provides background to the current operation of the Chambers Institution and Trust and summarises work undertaken since the Council decision of 30 October 2014 to pause and reflect. Following discussions with the Trustees and the Scottish Historic Buildings Trust, approval is now sought to undertake a community consultation on the future direction of the Institution. The Council has limited experience of running this type of engagement event and therefore proposes to retain the Scottish Historic Buildings trust to assist with this process. This consultation would be undertaken recognising the restrictions of Dr Chamber's original bequest and would focus upon potential improvements to the building, options for fundraising, including the potential of attracting grant funding, for example from the lottery, and developing a joint vision with residents on how future public service should best be delivered from the building.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- a) agrees to the Chambers institution Trust reverting to sole Council Control;
 - b) delegates responsibility to the Chief Executive, in consultation with local Tweeddale members, to undertake a community engagement and consultation exercise to gather views on potential improvements to the buildings, identify options for fundraising (including the potential of attracting grant funding) and develop a joint vision with residents on how future public service should best be delivered from the Institution;
 - c) notes the likely financial requirements for matched funding to support any future capital project; and,
 - d) requests a further report detailing the outcome of this consultation.

3 BACKGROUND

3.1 History

The Chambers Institution, an iconic Grade A listed building on the High Street in Peebles, was originally gifted to the then Town Council as Trustees by Dr William Chambers and is vest in Scottish Borders Council as statutory successors. The Council as Trustees are required to keep to the terms of the bequest to ensure the building is devoted to the social, moral and intellectual improvement of the Peeblesshire community.

3.2 Chambers Institution Buildings

There is a long standing aspiration within the community, shared by the Council, to see the Chambers Institution develop to realise its full potential as a major community asset. Despite continuing to host several key public services including the library, registrars service and town museum it has long been felt that the buildings and their environs have more to offer than its current disjointed, multi-level, institutional configuration will allow. It is felt in particular that the Burgh Hall has huge potential which is currently limited by previous outdated works. These works, for example the installation of a false ceiling which lowered the height of the room, hide its full character and size and mask its status as an iconic venue. A more sympathetic treatment to address the deficiencies of previous works could transform this part of the building and widen its prospective uses.

3.3 Governance

Previous attempts to revitalise the governance arrangements of the Trust commenced with a Council report in 2010. Efforts to revitalise the trust through the establishment of a registered charity have however proven to be complex and problematic. Consequently, despite the best efforts of the previous Trustees, progress has been slow with a lack of agreement over the best way forward for the Trust and the buildings. Concerns over the future governance model being proposed caused the Council to pause to reflect in October 2014.

3.4 Trustees

Following the Council decision of October 2014 four trustees subsequently resigned. The Institution is therefore at present a non – charitable public trust comprising 6 appointed Councillor trustees and one continuing non Council trustee who has been appointed as Chair on an interim caretaking basis while options are established to take the trust forward.

3.5 Council Trustee Responsibilities

The Council as trustees are under a legal duty to ensure that sufficient elected members are appointed as trustees to the Trust. The specific responsibilities placed upon the Trustees are:

- to ensure that the premises are kept in good condition and are capable of being used for the trust purposes,
- that rental income for those parts of the building let to the Council and private tenants are properly determined and collected,
- that proper trust accounts are kept, and
- that the trust purposes are promoted.

The property is currently held in the name of the six Council appointed trustees or their successors in office under a deed of Assumption and Conveyance.

3.6 **Uses of The Building**

The current uses of the Institution complex are complicated and are regulated by a lease and management agreement. In keeping with the trust purposes the building hosts the Council's library and museum facilities in Peebles. The Council through a leasing agreement occupy part of the building for the Contact Centre and Registrars service. The War memorial is sited in the Institution quadrangle. Together with the foregoing parts of the buildings the Council also leases and operates the Burgh Hall. Other occupants of the buildings leased to the Council are the Citizens Advice Bureau (CAB) and Visit Scotland both as subtenants of the Council. There is also a shop at 25 High Street and office accommodation above the ground floor rooms that are let directly to the John Buchan Trust.

4 **Way Forward**

4.1 **Way Forward – Governance**

In light of the QC opinion previously reported to Members, Officers have considered the way forward. Options include:

- the Council continuing to support the application to OSCR made for charitable status;
- The Trust reverting back to sole Council control, with the Council continuing to manage the building;
- The Trust reverting back to sole Council control but appointing consultants to develop the business case for a lottery bid, or
- The Council attempts once again to appoint external trustees to jointly manage the building

The advantages and disadvantages of each option are considered in appendix 1 to this report. For the reasons outlined therein it is now recommended that the Council proceed as a wholly owned Council Trust with the 6 Tweeddale members acting as trustees on behalf of the 34 Scottish Borders Council Trustee. This will mean that the application submitted to the Office Of the Scottish Charities Regulator (OSCR) by the Previous Trustees will be formally withdrawn. Should this option be pursued the VAT registration previously established for the CIT would be cancelled with the CIT reverting to being part of the Council's overall VAT registration. The external bank account would be closed with all balances reverting back to the Council but ring-fenced to be held on behalf of Chambers Institution Trust. These changes if adopted will remove the uncertainty over the governance model which has affected the Trust since the council report in October 2014.

4.2 **Way Forward - Building**

This revised governance model if adopted does however leave the question of how best to take forward the revitalisation of the building. The recent history of the Trust has been problematic with no shared view of the best governance model or structure to ensure the continued success of the Institution. Council, in pausing to reflect in October in 2014, signalled a clear desire to seek the views of the wider local population and it is now proposed to run a public engagement consultation over the summer – autumn of 2015 to gather the views and opinions of the people of Peebles and the wider Tweeddale area about how best to redevelop the whole complex of buildings.

4.3 **Scottish Historic Buildings Trust**

The Council has limited experience of running this type of community consultation and has therefore undertaken initial investigatory discussions with the Scottish Historic Buildings Trust (SHBT) to help assist with this process. The SHBT has a long and impressive track record of saving over 30 important buildings across Scotland including notable examples in the Borders at Greenlaw Town hall and the Haining stable block Selkirk. SHBT is a not for profit charitable organisation dedicated to regenerating significant historic buildings through conservation and sustainable re use. Importantly the Trust has experience of running these types of public engagement events and has indicated a willingness to help in this instance.

4.4 An initial meeting between the trustees and the Director of the SHBT has taken place. The outcome of this discussion, which included a tour of the building, was positive with SHBT recognising the importance and potential of the building and indicating a willingness to assist the council. In particular the possibilities offered by the Burgh Hall were evident in discussion with the Trust. The hall for example could be transformed by relocating the existing kitchen facilities, removing the existing false ceiling and opening up the superb views to the Tweed through inserting feature glass in the back wall of the hall. With these types of modern, sympathetic alterations, the potential of the Burgh hall as a venue for community events and functions is very significant.

4.5 **Community Consultation and Engagement**

It is proposed, subject to the approval of elected members, that the Scottish Historic Buildings Trust should therefore be engaged to help design, and assist the Council to undertake a community consultation over the future direction of the Chambers Institution. The consultation would take place over the summer/autumn of 2015, would seek to engage on as wide and inclusive basis as possible with the residents of Tweeddale. This consultation would be undertaken recognising the restrictions of Dr Chambers bequest and would focus on:

- potential improvements to the building,
- options for fundraising including the potential of attracting grant funding for example from the lottery; and,
- developing a joint vision with residents on how future public service should best be delivered from the building.

Whilst detailed arrangements remain to be agreed, it is anticipated that any engagement would make use of techniques such as community meetings, web based survey techniques as well as a more traditional paper based leaflets to publicise the consultation. Questionnaires to gather the views of residents without access to computers would be available in the library, council contact centre, schools and the East Gate Theatre.

5 IMPLICATIONS

5.1 Financial

The costs of running such a community consultation are estimated to be in the order of £30,000. These costs will be funded by the revenue balances of the Trust. The redevelopment of the building will require significant investment and will be dependent upon the availability of external grant funding and a match-funding contribution may be required. This would need to be prioritised within the Council's overall 10 Year capital programme which will next be revised in February 2016.

5.2 Risk and Mitigations

(a) There are no risks to the Council in relation to the recommendation in this report.

5.3 Equalities

(a) The purpose of this paper is to safeguard the future use, condition and profile of an iconic building in Peebles. The intention is that the building will be open to all and a project is envisaged which would seek to unlock the building for use by the wider community by enhancing a valued community asset using sympathetic preservation techniques allied to modern accessibility requirements and building standards.

5.4 Acting Sustainably

(a) There are no adverse equality implications arising from this report.

5.5 Carbon Management

(a) There are no sustainability issues arising from this report.

5.6 Rural Proofing

(a) There is not considered to be any impact on carbon emissions.

5.7 Sustainability

(a) The charitable application is designed to protect the future of the Chambers Institution and increase its status and profile as an iconic community asset.

5.8 Changes to Scheme of Administration or Scheme of Delegation

(a) No changes are required to either the scheme of administration or the scheme of delegation.

6 CONSULTATION

6.1 The Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted with comments received incorporated in the final report.

Approved by

Tracey Logan
Chief Executive

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Background Papers:

Previous Minute Reference: Scottish Borders Council 30 October 2014

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. David Robertson can also give information on other language translations as well as providing additional copies.

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