

SCOTTISH BORDERS COUNCIL MEETING HELD ON 25 NOVEMBER 2021

MINUTE EXTRACT

9. CHAMBERS INSTITUTION TRUST MEMBERSHIP

With reference to paragraph 9 of the Minute of 27 May 2021, there had been circulated copies of a report by the Director of Finance and Corporate Governance which had been brought in response to the motion agreed at Council on 27 May 2021 which called upon Officers to bring a report to Council regarding the Membership of the Chambers Institution Trust (CIT). That motion stated:-

"Scottish Borders Council requests that the Chief Executive brings a report to Council setting out the options and implications of including additional external members in the Chambers Institution Trust to supplement the existing governance arrangements."

Since that time an analysis of the options for adding lay trustees to the current Membership of the Trust had been undertaken. The history of the Trust had been considered as has the range of Counsel's Opinions which had been obtained by the Council over a number of years. Another Opinion of Senior Counsel was obtained to seek further clarity on certain issues. That Opinion was appended to the report. It was noted that those Counsel's Opinions all agreed that lay individuals could not be Property Owning Trustees. By necessity this would mean that appointing such lay trustees would add an additional layer to the current make-up of the Trust and would therefore add a level of complication. Further an examination of the possible role for such Lay Trustees identified that there was little decision making in which they could appropriately engage given they would be neither vested in the property, nor vested in the statutory authority to act as library or museum authority. It was therefore proposed that the Council leave the position as it was and did not appoint lay Trustees to the CIT. It also recommended that a public engagement opportunity should be considered. Councillor Bell and Councillor Tatler as joint Chairmen of the Trust indicated their support for the recommendation to leave the membership of the Trust unchanged.

DECISION

AGREED to:-

- (a) leave the membership of the Trustees to the Chambers Institution Trust unchanged and not to appoint lay trustees; and
- (b) Invite the Chambers Institution Trustees to consider how best to engage with stakeholders in Peeblesshire about the Chambers Institution.