



# BRAUNSTONE TOWN COUNCIL

[www.braunstonetowncouncil.org.uk](http://www.braunstonetowncouncil.org.uk)

*Darren Tilley – Executive Officer & Town Clerk*

**BRAUNSTONE CIVIC CENTRE** Kingsway, Braunstone Town, Leicester LE3 2PP

**Civic Centre Reception & Bookings, Customer Service Shop**

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Darren Tilley

15th April 2016

Dear County Councillor

## **Braunstone Town Library**

Braunstone Town Council's Policy & Resources Committee met on 14th April 2016 and considered the current position with Braunstone Town Library.

The Committee resolved to bring the following matters to your attention in respect of the report of the Director of Adults and Communities on the Future Strategy for the Delivery of Library Services (Cabinet item 7, 19th April 2016):

1. Paragraph 35 is factually incorrect, the paragraph states "*BTC were not compliant with the funding package proposed by the County Council as they assumed continued County Council funding to cover the building running costs for a period in excess of its offer*".

Braunstone Town Council have not made any assumptions, there is a separate legal party agreement in place, which has been signed and sealed by both parties, which requires Leicestershire County Council to meet certain premises costs, which, as set out in Appendix A, equates to £124k over 10 years. At no stage has Leicestershire County Council as the tenant sought to renegotiate or vary the terms of the agreement, and to that extent the decision of Cabinet in November 2014 in respect of the elements of the support package relating to Braunstone Town Library's premises costs was ultra-virus.

Therefore, the second submission by Braunstone Town Council (as shown in Appendix A) was compliant with the applicable elements of the support package.

2. Paragraph 37, this paragraph is incomplete since it does not clarify that Fabula submitted a bid outside the Register of Interest process, and therefore, other organisations would not be aware of the opportunity to submit a bid.

The last sentence is also incorrect, the reason the bid requires an amendment to the Council's support package is not because of any assumption by Fabula but because the support package timescales are linked to the Register of

Interest process and do not take into account receiving bids outside this framework.

3. Paragraph 40 and Appendix A, states that Fabula propose “*some reduction of the adult lending stock*” and “*the reduction of adult library services for non-protected age ranges*”; this implies non-compliance with the community managed libraries “*condition of the grant funding that the community body uses the Council’s book-stock in the community-managed library. This means it will need to be available on the same terms as in County Council Libraries*”.
4. The report does not mention opening hours, which it was understood would be reduced in school term time. Cabinet members are urged to seek clarity on this from officers against the community managed libraries condition that “*the minimum level of provision in hours will need to be equal to the current opening hours. You can however vary the opening times from the current timetable and you can also increase the overall number of opening hours*”.

The Committee also supported the comments of members of the public, which were raised during the Public Participation part of the meeting, which are summarised as follows:

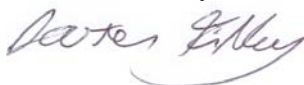
- a) SoLAG fully supported Braunstone Town Council’s proposals for a Community Hub;
- b) Fabula’s proposal did not meet Leicestershire County Council’s criteria for a Community Managed Library and it appeared that Leicestershire County Council were applying the criteria inconsistently;
- c) Fabula propose to reduce the adult stock, this is not consistent with a community library but appears to be a dedicated children’s library;
- d) proposals for structural alterations and moving adult book stock to the Civic Centre were a cause for concern;
- e) proposals would result in less adults using the Library, which would also result in less children being introduced to the Library and reading; and
- f) Fabula’s submission depended heavily on Braunstone Town Council’s cooperation and support, however, there was concern that support to the Town Council and the Community was not being offered in return.

It was also noted that there had been no public consultation on the process which considered Fabula’s submission.

I have attached the relevant extracts from the minutes of the meeting for your reference.

If you have any queries, please do not hesitate to contact me.

Yours sincerely



Darren Tilley  
Executive Officer & Town Clerk

To: LCC Cabinet Members; County Councillor: Braunstone Town Division  
Cc: LCC Chief Executive, Director of Adults & Communities, Head of Service Delivery



## **BRAUNSTONE TOWN COUNCIL**

### **EXTRACT FROM THE MINUTES OF POLICY & RESOURCES COMMITTEE**

**THURSDAY 14th APRIL 2016 AT 7.30PM**

**PRESENT:** Councillor Nick Brown (Chair), Councillor Amanda Hack (Vice-Chair) and Councillors Anthea Ambrose, Shabbir Aslam, Sharon Betts (substituting for Stuart Maxwell), Sam Maxwell, Phil Moitt, Gary Sanders, Robert Waterton and Bill Wright.

**Officers in Attendance:** Darren Tilley, Executive Officer & Town Clerk.

There were 13 members of the public present at the meeting.

**96. Apologies**

Apologies for absence were received from Councillor Stuart Maxwell.

**97. Disclosures of Interest**

There were no disclosures of any Disclosable Pecuniary or Non-Pecuniary Interests by Members.

**98. Public Participation**

In accordance with Standing Order 3.6, members of the public may attend the meeting for the purpose of making representations, giving evidence or answering questions in respect of any item of business included on the agenda.

There were 13 members of the public at the meeting.

In respect of item 5 on the agenda, Future options for the Library and Customer Service Shop, members of the Save our Library Action Group (SoLAG) highlighted the following points for the Committee's consideration:

- a) SoLAG fully supported Braunstone Town Council's proposals for a Community Hub;
- b) Fabula's proposal did not meet Leicestershire County Council's criteria for a Community Managed Library and it appeared that Leicestershire County Council were applying the criteria inconsistently;
- c) Fabula propose to reduce the adult stock, this was not consistent with a community library but appears to be a dedicated children's library;
- d) proposals for structural alterations and moving adult book stock to the Civic Centre were a cause for concern;
- e) proposals would result in less adults using the Library, which would also result in less children being introduced to the Library and reading;
- f) Fabula's submission depended heavily on Braunstone Town Council's cooperation and support, however, there was concern that support to the Town Council and the Community was not being offered in return.

Members of SoLAG concluded that they hoped the Committee would communicate the points raised to Leicestershire County Council.

**100. Future options for the Library and Customer Service Shop**

The Committee considered implementation of an agreement with Blaby District Council on the Customer Service Shop and an update on progress with Leicestershire County Council in respect of the future of Braunstone Town Library (item 5 on the agenda).

An extract, relevant to Braunstone Town, from the Leicestershire County Council Cabinet report for the meeting on 19th April 2016 on the Future Strategy for the Delivery of Library Services, was circulated.

**RESOLVED**

1. that the outline business cases submitted in September 2015 by Braunstone Town Council to run Braunstone Town Library remain offers available to Leicestershire County Council to accept;
2. that the Town Council's proposals for a joint Community Hub facility with partners and community organisations offering public, community and social inclusion services remain the Town Council's preferred solution for Braunstone Town Library and Braunstone Joint Customer Service Shop;
3. that the following points be submitted to the members of Leicestershire County Council's Cabinet, County Councillor for Braunstone Division and copied to relevant County Council officers, in respect of the report of the Director of Adults and Communities on the Future Strategy for the Delivery of Library Services (Cabinet item 7, 19th April 2016):
  - a) paragraph 35 was factually incorrect, the paragraph states "*BTC were not compliant with the funding package proposed by the County Council as they assumed continued County Council funding to cover the building running costs for a period in excess of its offer*"; Braunstone Town Council have not made any assumptions, there was a separate legal party agreement in place, which had been signed and sealed by both parties, which required Leicestershire County Council to meet certain premises costs, which as set out in Appendix A equates to £124k over 10 years; at no stage has Leicestershire County Council as the tenant sought to renegotiate or vary the terms of the agreement, and to that extent the decision of Cabinet in November 2014 in respect of the elements of the support package relating to Braunstone Town Library's premises costs was ultra virus; and therefore, the second submission by Braunstone Town Council (Appendix A) was compliant with the applicable elements of the support package;
  - b) paragraph 37, this paragraph is incomplete since it did not clarify that Fabula submitted a bid outside the Register of Interest process, and therefore, other organisations would not be aware of the opportunity to submit a bid; the last sentence was also incorrect, the reason the bid required an amendment to the Council's support package was not because of any assumption by Fabula but because the support package timescales were linked to Register of Interest process and

- did not take into account receiving bids outside this framework;
- c) paragraph 40 and Appendix A, states that Fabula propose “*some reduction of the adult lending stock*” and “*the reduction of adult library services for non-protected age ranges*”; this implies non-compliance with the community managed libraries “*condition of the grant funding that the community body uses the Council’s book-stock in the community-managed library. This means it will need to be available on the same terms as in County Council Libraries*”; and
  - d) the report does not mention opening hours, which it was understood would be reduced in school term time, Cabinet members are urged to seek clarity on this from officers against the community managed libraries condition that “*the minimum level of provision in hours will need to be equal to the current opening hours. You can however vary the opening times from the current timetable and you can also increase the overall number of opening hours*”;
4. that it be noted that the Committee supported the comments of members of the public, raised during the Public Participation part of the meeting (see minute 98) and that it was noted that there had been no public consultation on the process which considered Fabula’s submission and that these comments be forwarded to members of Leicestershire County Council’s Cabinet, County Councillor for Braunstone Division and copied to relevant County Council officers;
  5. that having had three submissions rejected by Leicestershire County Council as not being compliant with the community managed libraries model, Braunstone Town Council take steps to ensure that any proposed offer accepted by Leicestershire County Council had been considered using the same rules and approach and that should it appear that there was an inconsistent approach or unfair procurement rules were being applied, that legal advice be sought;
  6. that the principles set out in Braunstone Town Council’s Mission Statement and the motion approved by the Annual Towns Meeting on 15th May 2014, be the basis upon which the Town Council works with Leicestershire County Council and any organisation selected by the County Council to manage Braunstone Town Library, to reach agreement on future partnership arrangements and collaborative working; and
  7. that the position in respect of the Service Level Agreement with Blaby District Council concerning the Joint Customer Service Shop and Social Inclusion services be received and noted.

#### *Reasons for Decision*

1. *The Town Council’s proposals were viable, fully costed and were supported by the local community. The second option to manage the service based on the current service provision was compliant with the County Council’s support package, since the premises lease represented an existing and separate party legal agreement.*
2. *The option for a Community Hub provided savings to all partners while providing for both additional and enhanced services around a service*

*model which had the potential to deliver more effective and efficient services to the Community and therefore represented best value to the Council Tax payer overall.*

- 3. The report of the Director of Adults and Communities contained factual errors and omissions, which may give rise to a different understanding of the context by Cabinet members.*
- 4. To enable the Town Council to ensure that the Community's views were represented.*
- 5. To determine whether the process was consistent and fair and to make a judgement whether any challenge to the process would be in the public interest.*
- 6. It was recognised that Leicestershire County Council as the commissioning and responsible authority was able to determine who the service provider for Braunstone Town Library would be and as both the premises landlord and an elected body representing the community, Braunstone Town Council would work with public bodies, service providers and the community to meet its aims and objectives to protect and enhance public services, including the Library service.*
- 7. To enable agreement to be in place to implement the shared vision for providing local access to Council and social inclusion services.*

**NOTE:**

CRIME & DISORDER ACT 1998 (SECTION 17) – The Council has an obligation to consider Crime & Disorder implications of all its activities and to do all that it can to prevent Crime and Disorder in its area.  
EQUALITIES ACT 2010

Braunstone Town Council has a duty in carrying out its functions to have due regard to:-

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and;
- foster good relations between different groups

To ensure that no person receives less favourable treatment on the basis of race, disability, sex, gender re-assignment, sexual orientation, age, religion or belief, marriage or civil partnership, pregnancy or maternity.

These issues were considered in connection with each of the above decisions. Unless otherwise stated under each item of this report, there were no implications.