



CABINET - 16 SEPTEMBER 2016

**FUTURE STRATEGY FOR THE DELIVERY OF LIBRARY SERVICES -
OUTCOME OF CONSULTATION ON KIRBY MUXLOE LIBRARY AND
UPDATE CONCERNING DESFORD LIBRARY**

REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet of the outcome of the consultation with the Kirby Muxloe community regarding alternative library service provision, and to provide an update on developments with Desford Library.

Recommendations

2. It is recommended that:
 - a) The comments of the Adults and Communities Overview and Scrutiny Committee be noted;
 - b) The consultation undertaken to explore alternative library provision in the Kirby Muxloe area and the outcome of the consultation be noted;
 - c) The submission of an outline business case by a group of residents in Kirby Muxloe which meets the County Council's criteria and is capable of moving forward to formal agreements be noted;
 - d) The Director of Adults and Communities, in consultation with the Director of Law and Governance, be authorised to enter into formal agreements for the transfer of Kirby Muxloe Library;
 - e) The current position regarding Desford Library be noted and if an agreed position cannot be reached with the Desford Community Group by the end of September, a three-month consultation exercise in Desford to explore alternative library provision in the area be agreed;
 - f) A report in respect of Desford Library be submitted to the Cabinet in the new year, following completion of the consultation referred to in e) above.

Reasons for Recommendations

3. The Council has a statutory obligation to ensure provision of a comprehensive and efficient library service. It has sought to enable and facilitate the ongoing provision, wherever possible, of library services by closer working with communities and other

providers, whilst at the same time sustaining the countywide infrastructure to enable it to meet both its statutory obligations and budget challenges.

4. In November 2014, the Cabinet agreed, inter alia, a delivery model for its library services and a support package for community libraries.
5. The outline business plan submitted by the Kirby Muxloe community group meets the criteria set out by the County Council to enable it to access the support package.
6. The County Council and the existing Desford Community Group have been unable to reconcile differences over the provision of leasing arrangements to enable them to progress with their original plans.

Timetable for Decisions (including Scrutiny)

7. The Adults and Communities Overview and Scrutiny Committee received a progress report on 6 September 2016 and its comments will be reported to the Cabinet.
8. Recommendations regarding Desford Library will be submitted to the Cabinet in the new year if a position has not been able to be reached with the Desford Community Group by the end of September 2016.

Policy Framework and Previous Decisions

9. In November 2014, following consultation, the Cabinet approved a remodelling of the library service based on the following elements aimed at meeting its statutory responsibilities:
 - 16 major market town and shopping centre libraries funded by the Council within the following locations: Ashby, Birstall, Blaby, Broughton Astley, Coalville, Earl Shilton, Glenfield, Hinckley, Loughborough, Lutterworth, Market Harborough, Melton Mowbray, Oadby, Shepshed, Syston, Wigston;
 - A formal invitation to encourage the delivery of library services to the remaining areas of the County (the 36 community libraries) to be undertaken by local communities and groups with an infrastructure support package from the County Council as outlined in the report of the scrutiny review panel;
 - Identification (during the next phase of engagement) of 8 of the 36 community libraries to act as bases from which a library liaison officer would advise and support local groups and management committees operating community libraries;
 - An online library service available 24 hours a day, 365 days a year to those with access to the internet;
 - A mobile library service providing a regular library service to most villages without a static library.
10. Between January 2015 and March 2016 several reports which outlined the business cases submitted by local groups wishing to manage their local libraries were considered by the Cabinet. To date, 27 libraries have transferred to community management.
11. Of the remaining nine libraries, two are the subject of this report (Desford and Kirby Muxloe), six are scheduled to transfer to community management (Braunstone Town,

Cosby, Ibstock, Mountsorrel, Narborough and Quorn and one library (Barwell) has closed.

Resources Implications

12. Since April 2014, the Communities and Wellbeing Service (part of the Adults and Communities Department) has implemented changes to deliver £1.5 million of savings from a mixture of efficiencies and service reductions.
13. Members will be aware of the worsening financial situation which is reflected in the 2016/17 Medium Term Financial Strategy approved by the County Council on 17 February 2016. At the time of writing this report, a further £1.9 million saving will need to be made by the Communities and Wellbeing Service by 2018/19. However, the outlook for public finances remains bleak and there is a likelihood that this savings requirement will increase significantly.
14. The annual savings from the community libraries programme remain in line with the initial estimates. For the libraries that have transferred, or are scheduled to transfer, to become community managed, annual savings are expected to be £0.4 million from staff savings and £0.3 million from running costs, (net of income) following the end of the seven-year tapering period when the groups assume full responsibility for the costs in question. This will also help to enable further savings from the departmental infrastructure that supports all libraries.
15. The County Council has set aside £0.4 million to support community groups in the initial set up stage. These implementation costs will be met from earmarked transformation funds, as will redundancy and pension costs relating to the staff changes.
16. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

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PART B**Background****Kirby Muxloe**

17. The report to the Cabinet on 1 March 2016 advised that Kirby Muxloe Parish Council, which had originally submitted an outline business plan to manage the library, had reluctantly decided to withdraw its plan. This was because the Parish Council elections in May 2015 did not give it sufficient elected members to be able to award itself the general power of competence required to undertake its original plans, and despite repeated attempts to recruit by the Parish Council, there was a lack of interest in volunteering.
18. The Cabinet was also advised that a number of issues had been raised by solicitors acting on behalf of unknown clients regarding the lease for Kirby Muxloe Library. The Cabinet agreed that the Director of Adults and Communities, in consultation with the Director of Law and Governance, should decide whether further consultation should take place, following receipt of legal advice.
19. Legal advice was sought on the issues raised regarding the leases which provided the necessary reassurance to allow the Director of the Adults and Communities and the Director of Law and Governance to recommend a three-month consultation. The consultation would seek local views on the provision of alternative library provision through a mobile library service, and invite a second and final period of ROI (registration of interests) from local groups to submit an outline business plan to manage the library. Interested parties would have until 22 May 2016 to submit an ROI. Subsequently, the deadline for submissions was extended to 29 July 2016.
20. On 19 April 2016, the Cabinet noted the comments of the Director of Law and Governance on the legal advice received regarding the lease and the commencement of the three-month consultation exercise which had begun in March to explore alternative library service provision in Kirby Muxloe

Kirby Muxloe consultation

21. A three-month consultation period began in Kirby Muxloe on 21 March 2016 and ended on 19 June 2016. The consultation sought responses to proposals to provide six hours of mobile library services across either a single session on a particular day of the week, or across two sessions on different days of the week. This would provide alternative library provision should no ROIs be received by the 22 May 2016 from local groups and a decision needed to be taken to close the library in the future.
22. The consultation comprised the following elements:
 - A bespoke consultation document that outlined the background and proposals for the specific library available online and in hard copy;
 - A survey questionnaire available online and as hard copy integrated into the bespoke document;
 - A public meeting in Kirby Muxloe on 20 April 2016 aimed at informing residents about the ROI process and consultation proposals to enable them to make an informed response to the consultation (via the survey);

- Posters at local venues and information boards to promote the consultation and the public meeting;
- An information display at the library;
- Social media messaging through Twitter and Facebook;
- A “future libraries” email address for people to direct comments and queries.

Analysis and Outcomes of Consultation

23. A report of the detailed findings of the consultation is attached as Appendix B and a note of the public meeting on 20 April 2016 is attached as Appendix C.
24. Queries were raised regarding this latest consultation exercise. Advice was sought which provided the necessary assurances to the Council that it was following the correct processes. The issues previously raised regarding the lease at Kirby Muxloe Library were again raised during the consultation.
25. Key responses emerging from the consultation are as follows:
 - Of the 27 respondents, 13 visited the library at least once a fortnight;
 - The most popular activity was borrowing a book, hiring a CD or DVD, followed by using the library to access face to face advice, attend events or access information;
 - Five respondents felt that the proposed mobile library would be a poor alternative to the current service, and five accepted that a reduced service was better than none;
 - If a mobile library were to be introduced, 16 respondents felt that this should consist of two half-day sessions on different days of the week in one location.
26. The public meeting held at Kirby Muxloe Library, attended by 24 people, resulted in a group of local residents submitting a ROI and subsequently an outline business plan to manage the library that met the deadline set for 29 July 2016. This plan has been assessed by officers and following minor amendments agreed with the group, the outline business plan now meets the criteria to progress the transfer of the library to community management.

Desford

27. Desford Library originally submitted a successful outline business plan that was approved for transfer by the Cabinet on 11 May 2015. Since then the local group have raised concerns over the condition of the building which has prevented the progression of the transfer of the library.
28. The Desford Community Group has stated that it has received legal advice from their solicitor who has recommended that it does not sign the 10 year lease agreement based upon its assessment of the current state of repair of the building and for it to apply to the Council for, and receive a commitment of funding of circa £45,000 to undertake a variety of repair work including the roof, heating system and window replacement prior to signing the lease.
29. The Council’s own building condition survey recognises that a number of the building issues contained in the group’s request have also been highlighted in its own report. However, none of the items raised by the Desford Community Group have been judged in the past to be priorities for the limited resources of the Council’s central

maintenance fund, and are not items which would pose either a risk to health and safety of occupants, or result in legislative non-compliance. Throughout the process of establishing community managed libraries, the Council has communicated clearly to all community groups that the Council would not invest in non-essential maintenance prior to the transfer.

30. Officers have reminded the Group that the Council has allocated a £150,000 contingency fund to which they can apply (once they have signed their lease) for non-routine repairs, ie when building or mechanical items are beyond economic repair and require replacement.
31. The risk in agreeing to fund any of the works requested for Desford prior to the lease agreement being completed is that this could be seen as firstly, a precedent that may lead to pressure from other groups to receive the same treatment with the resultant increase in costs, and secondly, if the lease did not then proceed, the Council would have committed expenditure thereby reducing the amount for other libraries.
32. Building leases were an issue that the Scrutiny Review Panel explored in detail as part of the original support package review in September/October 2014. As a result of the concerns raised, it was agreed that where buildings had less than 25 years "life" remaining that the lease would be offered on an internal repairing basis, rather than a full repairing lease due to potentially higher costs of maintaining buildings approaching the end of their useful life.
33. A full repairing lease means that a group would be liable for the entire building structure both internally and externally together with any external areas. For an internal repairing only lease a group would be responsible for keeping just the interior of the premises in repair.
34. Desford Library was assessed as having an estimated remaining life of circa 60 years (given the building age, construction and condition) it therefore falls into the full repairing category.
35. Despite a number of meetings on this issue, the County Council and the Desford Community Group have been unable to find a solution to the position.
36. Whilst discussions remain ongoing with the Desford Community Group, it is recommended that should an agreed way forward not be achieved by the end of September, a three-month public consultation is undertaken in the community served by Desford Library to explore alternative library provision through a mobile library service.
37. The aim of the public consultation will be to receive feedback on proposed replacement services via a mobile library service and to assess impact on users and inform any mitigating measures to be taken. Alongside the consultation, there would also be a second and final opportunity for any other group who may wish to submit a ROI and a subsequent outline business plan to manage the library with the support package offered by the County Council.
38. The consultation will comprise the following elements:
 - A bespoke consultation document that outlines the background and proposals for the specific library - available online and in hard copy;

- A survey questionnaire available online and as hard copy integrated into the bespoke document described above;
- An information event at each library location aimed at informing residents about the ROI process and consultation proposals and enable them to make an informed response to the consultation (via the survey);
- Information displays at Desford Library.

39. It is proposed to submit a further report to the Cabinet recommending a way forward for Desford Library in the new year if a position has not been able to be reached with the Desford Community Group by the end of September 2016.

Conclusion

40. To date, 27 local libraries have been transferred to community management across Leicestershire.
41. The outcome of the Kirby Muxloe consultation has resulted in a positive solution for the sustainability of the library in its current location.
42. Work will continue in finding a solution for services in Desford.

Background Papers

- Report of the Cabinet to the County Council meeting, 19 February 2014 - Medium Term Financial Strategy 2014/15 to 2017/18 - <http://ow.ly/JmQUZ>
- Report to the Cabinet, 5 March 2014 - Consultation on Proposals for Changes in the Delivery of Community Library Services - <http://ow.ly/JmQOC>
- Report to the Cabinet, 19 September 2014 - Outcome of Consultation on Proposals for Changes in the Delivery of Library Services - <http://ow.ly/JmQGv>
- Reports to the Cabinet - Future Strategy for the Delivery of Library Services
 - 19 November 2014 – <http://ow.ly/JmQwT>
 - 16 March 2015 – <http://ow.ly/Ynxiu>
 - 11 May 2015 – <http://ow.ly/Ynxxn5>
 - 16 June 2015 – <http://ow.ly/Ynxrw>
 - 7 October 2015 – <http://ow.ly/YnxuM>
 - 1 March 2016 - <http://ow.ly/kal4303IFb3>
 - 19 April 2016 - <http://ow.ly/YR6F303IFeo>

Appendices

- Appendix A - Alternative Library Services in Kirby Muxloe – Consultation Survey Results;
- Appendix B – LCC Library Events: Recorded Notes of Meeting Held on 20 April 2016.

Relevant Impact Assessments

Equality and Human Rights Implications

43. An Equality and Human Rights Impact Assessment (EHRIA) for each of the 36 community libraries was appended to the Cabinet report dated 19 November 2014 and can be accessed via the following link - <http://ow.ly/105GkG>

44. The EHRIA process is iterative in nature and Equality and Human Rights Improvement Plans, attached to the EHRIA, outlines mitigating actions to be monitored should there be any decision to close libraries in these areas.
45. An online interactive community profile for the libraries has been established which outlines key features associated with the community from a number of criteria. This can be viewed through the following link: <http://ow.ly/JmQgE>
46. It should be noted that although the majority of the information contained in the profiling work is not required in order to address the Council's Public Sector Equality Duties (PSED), it is regarded as good practice and a means of supporting informed decision making. However, any further reports to the Cabinet will include appropriate assessments with regard to the PSED.
47. Any decision to close the library would, through its EHRIA framework seek to mitigate the impact of such a decision on protected groups such as children and older people by producing and reviewing and equalities improvement plan.
48. Further work on Desford Library will be undertaken in time for the February Cabinet meeting should a decision need to be made to close the library and provide mitigating actions and alternative service provision in the area.