Library Provision in Leicestershire

Feedback on consultation findings Oct 2014

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Agenda

- The basis for our review

- Our view of your consultation process

- What we did

- Your proposed approach – strengths and weaknesses

- What are the alternatives?

- A recommended solution, with variations

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Principles

- We are not legal experts and none of what we are presenting constitutes legal advice;

- We are offering another, external perspective on your challenges and possible solutions to them;

- We will offer some alternatives for you to consider and ways in which you might respond to the responses received;

- We have given this external perspective based on the information that was provided;

- We have not looked at detailed demographics, transport links, social deprivation indices etc;

- This is not therefore a full options appraisal

We offer ideas and challenges for your consideration

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A definition of consultation

from a 2001 Court of Appeal case relating to the National Assistance Act 1948:

"….. Whether or not consultation of interested parties and the public is a legal requirement, if it is embarked upon it must be carried out properly. To be proper, consultation **must be undertaken at a time when proposals are still at a formative stage; it must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response, adequate time must be given for this purpose and the product of consultation must be conscientiously taken into account when the ultimate decision is taken**"

"it has to be remembered that consultation is not litigation; the consulting authority is not required to publicise every submission it receives or (absent some statutory regulation) to disclose all its advice. Its **obligation is to let those who have a potential interest in the subject matter know in clear terms what the proposal is, exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response**. The obligation, although it might be quite onerous, goes no further than this".

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Our observations

- From what we see, your consultation was thorough and well-conducted

- We believe that you fulfilled your obligation "to let those who have a potential interest in the subject matter know in clear terms what the proposal is, exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response"

- You will need to demonstrate that "the product of consultation (has been) conscientiously taken into account when the ultimate decision is made"

- It will be helpful to present your rationale for decisions made and feed back to the communities who made representations

Challenge may be inevitable; thorough work may help pre-empt and prepare

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Some recent (post-consultation) criticism

The high costs of maintaining a volunteer-based library system and the short time available for planning since the end of the consultation period probably mean that there will be very little take-up

A cynic might suspect that the real intention of the county council is to save £800,000 by closing most local libraries and renting the premises, including rates, to other users

The county council ... has not presented the public with a number of different ways to achieve this saving but one plan that would involve volunteers taking over the running of 36 libraries.

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What we did

- Reviewed all documents provided, including:
  - Core data
  - Library fact sheets
  - Consultation report
  - Reports from consultation events
  - Specific responses submitted
  - Outline of alternative proposals
- Looked at the strength of your rationale, in broad terms;
- Considered the validity of challenges you received;
- Considered a number of options and alternative approaches;
- Looked at your top level figures to reach some conclusions; and
- Developed some ideas for you to consider

Our recommendations are evidence based but not comprehensively so

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Alternatives we considered – and didn't consider

We have considered:

- Changes to which 16 remain in-house
- Changes in opening hours for the in-house libraries (in particular to include evenings)
- Potential to change or increase the support offered to community-run libraries through a "hub and spoke" model
- An IPS model such as Suffolk's

We have not considered :

- Outsourcing the service to a commercial or other provider
- Closing some libraries in order to keep others open
- Mutualisation
- Shared services
- Co-location

Headline conclusions

- Having proposed an option based on a community devolvement approach, and on the number of libraries that you could afford to keep within full council control, we see no strong arguments against the choices made;

- You will never make everyone happy; if you change these plans, you'll simply upset different people;

- BUT there may be a rationale for considering some alternatives / variations on a theme

We are in broad agreement with your planned approach

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Your proposed approach

We agree …

- If you are adopting a community-run libraries solution, and can only afford to retain 16 libraries to be run in-house, you have chosen the right libraries

- Providing a degree of support to the community-run libraries will be essential to their chances of success

- Your early engagement with potential partners, especially the parish councils, will bear fruit

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Your proposed approach

You will need to consider the following arising from the consultation:

- The alternatives proposed as a result of the consultation;

- Have you chosen the right 16 libraries?

  - The community is being asked to run the libraries that are performing less well but would it be easier for them to take on some of the better-performing ones?

  - There are planned developments in some areas that may increase levels of library use significantly

- Are those living in rural areas being penalised? If a Parish Council raises its precept, is this perceived as double taxation (people paying council tax and also a parish levy to support the service locally)?

- Impact on deprived areas – they need the library most but may be less motivated to volunteer or lack capacity

- Loss of staff expertise / volunteers don't know what they're doing / can't replace professional knowledge

- Not enough time being allowed for community groups to form and plan

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What really matters
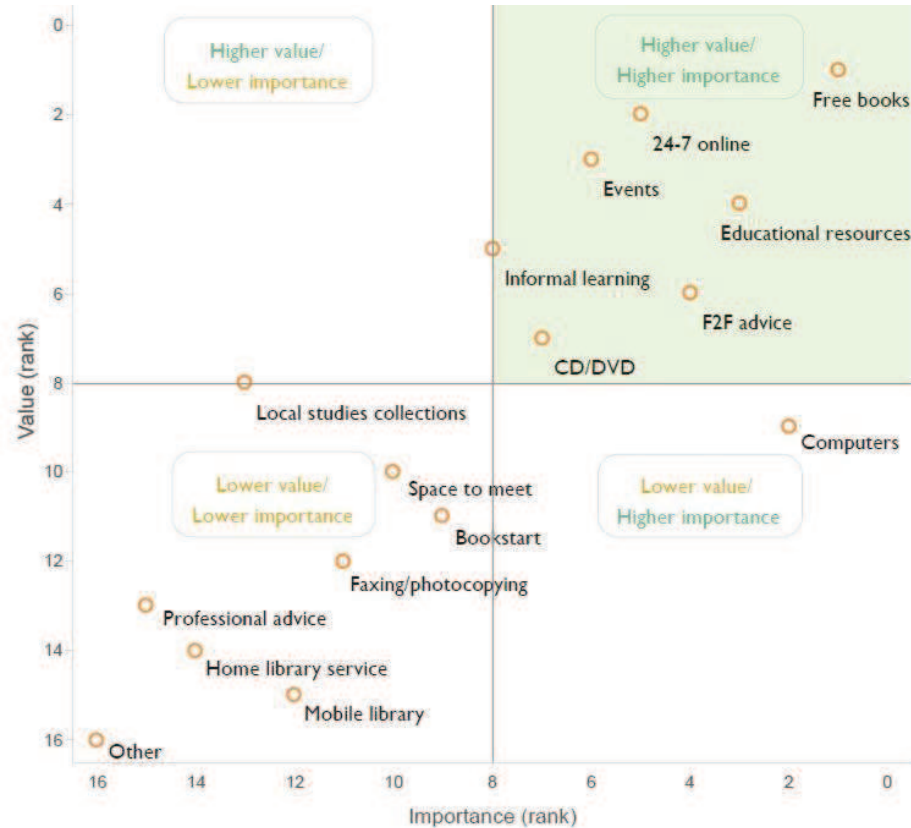
You can't keep everybody happy but you can focus on what matters most

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Our recommendation, with variations

- Maintain your proposed approach but with some modifications;

- Adopt a "hub and spoke" model for your community support network;

- Community coordinators would be based in hub libraries;

- These would need to be determined but could potentially be all or some of the council-run ones, or could include some of the community-run ones;

- This could be funded by a mix of all or some of the following:

  - rethinking the nature of the proposed support service and reallocating funding / staffing;

  - reducing staff in hubs;

  - combining with other responsibilities of staff in hubs; or

  - parish council contributions

- If some libraries do close, you consider opening some or all of the major libraries on one evening a week, even if at the expense of day time hours

- Review whether an IPS would strengthen the support to community-run libraries and increase their chances of success

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Industrial & Provident Society (IPS)

- Suffolk's 44 libraries are contracted out to an IPS;

- The IPS is formed by community groups becoming member organisations:

- The aim is to save £2.6M per annum;

- These savings will be achieved through relief on business rates and reduced costs of support services;

- Formed in August 2012 – too earlier to judge success but no libraries have closed in the first year

In our opinion, the IPS gives community-run libraries strategic overview, support and security of a larger organisation rather than independent organisations taking on individual libraries

Suffolk is so far the only example, but other authorities, e.g. Devon, appear to be giving the model serious consideration

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A hub and spoke approach

versus …

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Benefits of a hub and spoke support model

- More accessible support for communities;

- A real and a perceived active response to consultation feedback;

- Closer ties between community-run and council-run libraries;

- Potential to consider providing a higher level of support to some key community-run libraries, by basing a council member of staff there for part of the time;

- May increase the chances of [some] community-run libraries succeeding and therefore preserve a greater part of the service; and

- Will help with capacity-building within communities

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A rationale for selecting potential hub libraries

Libraries to consider	Evaluation Factors to consider					
	Visits over 24,000 per annum	Efficiency Cost/visit below £1.50	Income approx. £10k per annum	Development area	Shared premises	No other library within 2 miles
Anstey			■		■	
Barwell	■	■		■	■	
Braunstone Town	■	■				
Castle Donington	■	■		■		■
Enderby	■	■				
Fleckney			■		■	■
Groby	■	■				
Kegworth		■				■
Markfield	■	■				■
Measham	■	■				■
Mountsorrel	■		■			
Newbold Verdon	■	■	■			

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In summary

- Our advice is limited and based on the information that was supplied;

- However we believe that within the constraints of your budget, and given your proposal for a community libraries solution, there is evidence and data to support your decisions on which to retain in-house;

- Factors such as future developments in some areas, and the possible impact on their neighbours of some libraries closing, may however change the data;

- If financially viable, we believe there could be a number of advantages in opting for a more dispersed model of council support for the community libraries, based in part in communities; and

- You should if possible adopt a more realistic timetable for the achievement of savings, and give your communities more time to plan

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Thank you for listening

Any questions?

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