

Cabinet

Monday 5 November 2018

10.00 am Council Chamber, Shire Hall



To: The Members of the Cabinet

Cllr M Chilcott (Vice-Chair), Cllr D Fothergill (Chairman), Cllr D Hall, Cllr D Huxtable, Cllr C Lawrence, Cllr F Nicholson, Cllr F Purbrick and Cllr J Woodman

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk and Monitoring Officer
- 26 October 2018

For further information about the meeting, please contact Michael Bryant or Scott Wooldridge or 01823 357628 democraticservices@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers



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AGENDA

Item Cabinet - 10.00 am Monday 5 November 2018

1 **Public Question Time** (Pages 3 - 6)

The Chair will allow members of the public to present a petition on any matter within the Cabinet's remit. Questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

Public Questions – Cabinet 5th November 2018

Statement on behalf of FOSL by Peter Murphy, Chair of FOSL

FRIENDS OF SOMERSET LIBRARIES Statement for SCC Cabinet Committee 5 November 2018

FRIENDS OF SOMERSET LIBRARIES (FOSL) was formed when Somerset County Council (SCC) threatened the closure of eleven libraries in the previous review of the Library service. In a successful Judicial Review judgement, the judge declared the decision taken as an “example of bad government” and the decisions were quashed with costs awarded against SCC.

Since then, FOSL has engaged with SCC and perhaps acted as a critical friend towards the latest review of Library services in the build up to the consultation but has not hesitated to challenge the evolving proposals.

FOSL recognise that there has been extensive consultation with communities and that there is a commitment to continue this in order to establish Community Library Partnerships, which we do not oppose. We remain opposed to the replacement professional staff with volunteers and see the latter as complementing the work of trained staff.

In order to get CLPs established with the maximum chance of being sustainable FOSL believe that all CLPs should be funded, not just the eight recommended in your papers today. FOSL has showed officers how that could be achieved but that advice has not been heeded. Therefore, FOSL intends to write to the CEOs and Section 151 officers of the District Councils in Somerset to urge them to use their powers under the Local Government Finance Act 1988 to grant Discretionary Rate Relief to all of the proposed CLPs.

In conclusion, I would like to refer to the Northamptonshire County Council Libraries judgement earlier this year. Here, the Council decided to change their Library proposals as the full extent of the financial position of the Council became clear. The judge made a ruling on the “comprehensive and efficient” requirement of the 1964 Libraries and Museums Act doubting that the new proposals would meet that test. FOSL have taken preliminary legal advice that, amongst other possible grounds, there are grounds for legal challenge where a library building is replaced by mobile provision and outreach against the wishes of the community where the present library is sited as being likely to fail the “comprehensive and efficient” test.

The 2011 Judicial Review judgment awarded costs against SCC and FOSL retain these funds for a future legal challenge.

FOSL would urge that communities and the Council exercise maximum flexibility and good faith to permit Community Library Partnerships to be established where possible, which includes more equitable funding than currently provided for.

John Irven, Treasurer, Watchet Library Friends

Watchet Library Friends was established in 2011 to support wider library use and campaign for the saving of Watchet library when it was scheduled for closure and were part of the successful Friends of Somerset Libraries legal challenge.

We have urged SCC to find savings elsewhere, as since 2011 all libraries remained open whilst saving your original target. We question why SCC has not considered increasing precept to cover shortfalls, by asking communities if they are prepared to pay, rather than passing costs down to local parish level and asking them to do it. However, we have supported Watchet Town Council's aim to establish a Community Library Partnership and the joint letter of intent recently executed with SCC.

We do not believe in entirely volunteer run libraries. Volunteers can only complement, not replace staff, who provide a key resource skill set. Therefore, we endorse the 'Community Supported Library' model where they are still run by SCC and staff, whilst being supported by the local community.

We ask SCC to help ensure that the asset transfer of the Watchet library building from WSDC to WTC occurs, a condition of WTC support. SCC have liabilities for building repair under their full repairing lease and we ask that cabinet accept that SCC honours their commitment to make good such repairs. This should be done from within the one-off implementation cost, currently budgeted at £445k with a 1.3 year payback period for the projected annual £345k savings. If an increased provision is required, this is affordable within your payback period hurdle rate. For example, an increased provision of £520k provision would still give a payback of 1.5 years.

Similarly, additional one-off payments for helping communities set up CLPs could be funded from such implementation cost budget. I note that your unsuccessful plans for closures in 2011 proposed such one-off set-up grants, so why not in 2018?

We sympathise with other communities less able to establish CLPs because they lack resources, skills or finance and therefore urge SCC to use such methods to support more equitably **all** communities struggling to establish CLPs.

Nigel Behan

Q1 In Appendix 3 – Consultation report there is only a summary of the Joint Unison and Unite response:

<http://democracy.somerset.gov.uk/documents/s8472/Appendix%203%20-%20Consultation%202018%20Report%20Sept%202018.pdf>

page 122-123)

Will Elected Councillors take into account the full response as shown on this weblink: <https://unitesomersetcounty.wordpress.com/2018/06/19/unison-and-unite-response-to-the-2018-somerset-county-council-library-consultation-2/>)?

Q2 It states in paragraph 1.4 of the Report of the Scrutiny for Policies and Place Committee – Libraries Service Redesign

<http://democracy.somerset.gov.uk/documents/s8469/Annex%201%20-%20Scrutiny%20Report%20to%20Cabinet.pdf> that:

“It was noted that libraries were valued by communities and individuals and to help reduce loneliness and social isolation, and also attracting younger people to reading and allowing public internet access and other IT facilities. It was noted that people were strongly opposed to changes, particularly the potential closure of library buildings and the preference appeared to be for community library partnership solutions. Officers had made the proposals reflecting changes to population, social need and usage whilst taking care to try to ensure maximum reasonable access.”

- a) Does the Cabinet agree with these concerns: “It was noted that libraries were valued by communities and individuals and to help reduce loneliness and social isolation, and also attracting younger people to reading and allowing public internet access and other IT facilities” and what steps and measures are being taken to ensure the library service is improved across the County with no diminution in the existing “Comprehensive and Efficient”. What sort of Comprehensive and Efficient checklist has been considered and utilised prior to consulting on alternative library models and potential closures?
- b) What legal advice has been obtained to justify the proposed changes? Which Law Firms have been used, if any, to advise on the proposals set out in the documents being considered today?
- c) Has this Council devised a plan to restore, improve and enhance Library provision - rather than reform equating to remove - given that “austerity is coming to an end..” according to Philip Hammond (The Chancellor of the Exchequer)?

Q3 Access, Social Connectedness and Public Transport

- a) How have changes in public transport provision (including reductions in subsidised bus services) been taken into account and what are the risks associated with access to the Library service, if a Community Library Partnership possibility does not become a reality for the 15 Libraries?
- b) What are the triggers for reviewing access, social need and isolation, if social connectedness and exclusion increase as a consequence of these proposals and other negative socio-economic societal changes?
- c) Will there be adverse consequences/impacts for children and young people (development etc.) if existing Library provision is reduced (what modelling has been done?) and what mitigating factors have been considered?

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