

SCRUTINY FOR POLICIES AND PLACE COMMITTEE

Minutes of a Meeting of the Scrutiny for Policies and Place Committee held in the Luttrell Room, on Wednesday 24 October 2018 at 9.30 am

Present: Cllr M Lewis (Vice-Chair), Cllr P Ham, Cllr B Filmer, Cllr John Hunt, Cllr J Thorne, Cllr G Noel, Cllr L Leyshon, Cllr A Groskop (Chair) and Cllr N Bloomfield

Other Members present: Cllr Munt, Cllr Davies, Cllr Loveridge, Cllr Hall, Cllr Chilcott and Cllr Pullin.

Apologies for absence:

124 **Declarations of Interest** - Agenda Item 3

In respect of agenda item 5 – Library Service Redesign, the following Members declared a personal interest:

Cllr Leyshon as a Friend of Street Library; Cllr Lewis as a Friend of Castle Cary Library; and Cllr Groskop as a Friend of Bruton Library.

125 **Minutes from the previous meeting** - Agenda Item 1A

The minutes of the meeting held on 11 September 2018 were accepted as being accurate by the Committee.

126 **Public Question Time** - Agenda Item 4

The Committee Chair invited members of the public who had registered to speak to address the Committee regarding agenda item 5.

Cllr Dave Mansell of the Save Wivey Library Group – The Save Wivey Library group asks the Scrutiny Committee to recommend to the Cabinet that Wiveliscombe Library be included in the list of libraries to continue to be operated and funded by the County Council.

Response

Thank you for your question which the Scrutiny Committee will consider and debate. As an Officers I would advise that, for legal reasons, decisions about what libraries are operated and funded by the County Council and what libraries may transfer to Community Library Partnerships, or close, should be based on a full and consistent consideration of the evidence and analysis. We would need to be able to justify a decision to add one library back into the network, but not other libraries. With this in mind we would advise that the question is considered within the context of the alternative option set out at paragraph 4.6 of the Cabinet report, which would retain Wiveliscombe, Castle Cary, Street and Somerton libraries. This option is not recommended because we have concluded that providing library services in different ways, in conjunction with reasonable access to alternative library buildings, will fulfil our statutory duty in these communities. The reasons for these conclusions are set out in detail in Appendix 1 to the Cabinet report. We estimate that the cost

saving proposed in this paper would reduce by about £115,000 if these libraries were maintained; we would advise Scrutiny Committee to consider how this cost can be met within a reducing level of funding, when considering their recommendations to Cabinet.

Mr Peter Murphy, Chair, Friends of Somerset Libraries (FoSL) – 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. When the Library proposals were published on 16 October, FOSL prepared a Press Release which I attach to this statement for your information and hope that it gives you further background on our constructive engagement with the SCC Library Service. In conclusion, I would like to return to the Northampton Libraries judgement referred to in the Press Release. 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 are concerned that, amongst other possible grounds, there could be grounds for legal challenge where a library building is replaced by mobile provision against the wishes of the community where the present library is sited as we believe that this may fail the “comprehensive and efficient” test. The 2011 Judicial Review judgment awarded costs against SCC and FOSL retain these funds for possible future legal challenge. We are in contact with our legal advisors at the present time. 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.

Response

Thank you for the question Peter and thank you for the considerable input and effort you and colleagues from FoSL have put into the process. To answer your various points in turn: 1. Firstly, on the provision of additional funding to all Community Library Partnerships. We have carefully considered FoSL’s submissions throughout the process, including the proposal to provide funding to all Community Library Partnerships. The cost of providing a £5,000 contribution for a further 7 Community Library Partnerships would be £35,000; this funding would have to be found from somewhere. Paragraph 4.7 outlines an alternative option which could save a further £35,000, by seeking Community Library Partnerships at Cheddar, Martock and Ilminster. However,

this would risk the closure of these libraries and we are not recommending this option because as an officer team we have concluded that a library building is necessary to meet local needs in these communities. However, Scrutiny Committee or Cabinet may take a different view. 2. We note FoSL's concerns about whether the proposals would meet the statutory requirement to provide a 'comprehensive and efficient' service. We are confident that they would, for all the reasons set out in considerable detail in Appendix 1 to the Cabinet report. It is important to note that we do not consider mobile services to be a replacement for a library building - this has never been our contention. Mobile library services are there to provide local access to a more limited range of library services for those who find it more difficult to access library buildings. Mobile libraries, outreach services and digital library services complement, and do not replace, the funded network of library buildings. The recommendations propose a library network which provides reasonable access to library buildings, and services - like mobile libraries - for those who find it more difficult to get to alternative libraries. This point is fully explained in Appendix 1 to the Cabinet report. 3. The Northamptonshire judgment which FoSL cite - in Peter's question and in recent press releases - was based on the particular facts of that case. The recommendations we have developed here, which are set out in the Cabinet report, are the result of a long and thorough process of consultation and analysis, and are grounded in a strategic approach to modernising the service and putting our libraries on to a sustainable financial footing. FoSL have characterised the Northamptonshire decision as a 'knee jerk' reaction to a financial situation; what we are proposing is not a knee jerk reaction. Whilst it is true to say that the financial situation of the council has changed since the beginning of the re-design programme, we have maintained a steady course; in fact, the level of saving proposed for network re-design is below the range initially indicated in Autumn 2017. We believe the process we have followed is robust and thorough to the full extent required by the law. This thorough approach is the right thing to do when conducting a once in a generation review of a very important and much valued service. Whilst we understand that the recommendations may be a disappointing outcome for many, including FoSL, we hope that FoSL would agree that the approach we have taken is an example of good government. 4. Turning to your final point, please be assured that we will work very hard to support communities, and will be as flexible as possible. However, as an authority we have to live within our means, and if the recommendations are agreed they would set a reduced budget for the libraries service, which we must operate within.

Mr John Irven, Treasurer, Watchet Library Friends – The 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. We were part of the Friends of Somerset Libraries legal challenge taken in the name of a disadvantaged Watchet resident and continue to support their current position. The judgment resulted in the quashing of the decision, and Watchet has remained open since as a vital resource for local people, especially isolated individuals and those less able to access library facilities or travel elsewhere. The library is a key facility on Watchet Esplanade, the Town's community space. We have urged SCC to find savings elsewhere, as since 2011 all libraries remained open whilst saving your original target. 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 sympathise with other communities less able to establish these because they lack resources & skills or finance. We urge SCC to find more generous and equitable ways to support all communities struggling to establish community library partnerships, which should be done without the threat of consequential closure. We do not accept that replacement by mobile and/or outreach alternatives will provide a comprehensive and efficient service as required under the 1964 act, and do not agree with SCC statements that the changes are to enhance the service, but rather to meet budget cut targets. Therefore, we question why has SCC not considered increasing precept to cover shortfalls, if necessary asking communities if they are prepared to pay, rather than passing costs down to local parish level and asking them to do it all. We feel overhead costs are being unfairly allocated to CLPs, particularly from our experience of the inconsistencies in SCC cost accounting. We also ask SCC to help ensure that the asset transfer of the Watchet library building from WSDC to WTC occurs, a condition of WTC support.

Response

Thank you for the question John. I am sure that Committee members would be interested to note that Watchet Town Council and Friends of Watchet Library were amongst the earliest groups to put forward positive and firm suggestions of how they could support their library; this local leadership, in which John has played a key role, is much appreciated.

Turning to your question, some of the points have hopefully been answered in my response to Peter's question. I will take the remaining points slightly out of order, if I may:

- Your concern that the savings have been developed to meet budget cut targets is misplaced. The recommendations have been developed to put the service on a sustainable footing and modernise a 40-year old library network. In order to live within our means as a council and a library service we have to review what we can and can't do in the light of reduced funding, and the law is clear that providing a comprehensive and efficient service does not mean that everyone will live near to a library. We do not take the view that the changes proposed in Watchet are likely to enhance the service there, and we acknowledge the adverse impact that the proposals could have. But the recommendations are lawful.
- To address your point about overheads; please be assured that overhead costs would not be unfairly allocated to Community Library Partnerships. In fact, the reverse is true. Overhead costs would not be allocated to Community Library Partnerships. Through its 'Core Offer' to Community Library Partnerships, the County Council will supply book stock, ICT infrastructure, ongoing support, training and guidance, access to systems, delivery networks. These overheads come at a considerable cost to the County Council, but would be provided free of charge, as part of a partnership approach.
- Turning to the point you have made about volunteer-run libraries; we agree that library staff provide a key skill set which it is extremely difficult to replace by volunteers. We are very proud of our staff, and Watchet Library, like many across the county, is operated by a committed, highly capable and dynamic staff team. Volunteers are unlikely to be able to replace the full skill-set of paid staff, but, for Community Library Partners who are unable to afford the costs of paid staff, volunteer-run libraries can work and

can provide an effective service. The example of Porlock has proved this in Somerset, and there are many more examples nationally of volunteer-run libraries that are effective and sustainable. • To answer your final point, if the recommendations are agreed, we will support Watchet Town Council's request to transfer Watchet Library building from West Somerset District Council to Watchet Town Council, however, this is a matter for the District Council and our influence is limited. • Finally, as an officer it is not for me to comment on the County Council's future decision on the level of Council Tax precept. We would, however, like to make it clear that the recommendations do not represent an intention to pass costs down to parish or town councils. We understand that local councils, at all levels of government, face difficult choices and whilst we hope that some will consider supporting their library, there is no expectation that parish and town councils step in to fund Community Library Partnerships. It is the County Council's responsibility to provide a comprehensive library service, and Appendix 1 of the Cabinet report sets out how we propose to do this in other ways, if Community Library Partnerships cannot be developed.

Mr Jan Karpinski, Friends of Shepton Mallet Library – On behalf of the Friends of Shepton Mallet Library I would like to ask the Committee whether it will please bear in mind that 'Libraries Matter', the wishes of the people of Shepton Mallet and other pertinent points.

Response

Thank you for the question Jan and for the considerable efforts that you have put into the consultation exercise. We have carefully considered the views of the Friends of Shepton Mallet Library and other consultation respondents in Shepton Mallet, and these views have had a considerable influence on the recommendations in relation to Shepton Mallet Library, which are to retain a library in Shepton Mallet, and take more time to fully consider the right location for a library within the town.

Cllr Jon Hardy, Shepton Mallet Town Council – Since the original announcement that, on grounds of financial expediency, the Library Service's preferred option was to move the Shepton library to an as yet unbuilt facility at the Mendip District council's office in the SHAPE complex, Shepton Mallet Town Council and the Friends of Shepton Mallet Library have been developed a business plan that will allow SCC to keep the Library in the Town Centre where the vast majority of residents and local business wish it to stay. The report before you acknowledges this fact. The Business Plan demonstrates that it is possible for the Library to be funded at either of the SMTC's alternative options in the Town Centre at the same cost as at SHAPE with the additional bonus of an immediate saving in one-off costs of nearly £40,000 to SCC. In view of this would this committee welcome a presentation by SMTC regarding the Business Plan (which is currently being refined) so that SCC can make a more informed decision regarding the future of the Library at Shepton?

Response

Thank you for the offer, which the Committee will consider as part of its work programme for 2019.

Mr Steve Barlow – Children who develop a love of books at an early age are likely to become committed adult readers who will ensure the future of the library service. Besides developing a love of story, they will learn valuable lessons about the world and their place in it. Therefore, in developing Community Library Partnerships in Somerset, would this committee agree that it is vital that community librarians are trained by the Library Service to respond to the needs of young readers, developing an understanding of which titles may be suitable for a range of ages and abilities and knowing how to guide young readers to books that will assist their development and appeal to their imagination? Will the committee further agree that ongoing staff development should be available so that community librarians' knowledge remains up to date, and that Community Libraries should seek help and advice from bodies such as the Federation of Children's Books Groups to ensure that the children who use their libraries have ready access to appropriate reading materials and sound advice that will help them develop their reading skills and widen their experience of literature?

Response

Thank you for the question Steve. We would agree that nurturing a love of reading from an early age is important for a variety of reasons including fostering future libraries usage. One of the Libraries Service's commissioned outcomes focuses specifically on Children and Young People, including reading activities and skills development. The Libraries Service will be providing a comprehensive training programme for all those looking to become involved in a community library partnership (CLP). A 'core offer' document has been prepared to identify roles and responsibilities in terms of the support that will continue to be provided by the Libraries Service and the support expected from the local community. The Libraries Service will continue to provide all the book stock and provide appropriate training for community volunteers to maintain collections using an evidence-based stock management system. Community Library Partnerships will continue to provide a range of lending material, which is refreshed and circulated on an ongoing basis. In addition to stock management support, training and guidance will be made available for specific initiatives such as the annual Summer Reading Challenge, pre-school activities, (including the national book gifting programme, BookStart) and an extensive range of events supporting a wider range of libraries outcomes. We need to be realistic in our expectations of communities' ability to develop specialist areas of expertise. Some quite simple but important training can be provided but a CLP may not replace the full range of skills and expert knowledge that a council operated library would provide. A CLP will complement the network of libraries that SCC would be funding – they are not intended to provide a like for like replacement. Somerset Libraries Service will provide an extensive programme of activities for children and young people, encouraging families to take advantage of the wide range of services that will continue to be available.

The Committee Chair invited another member of the public who was present but had not registered to speak to address the Committee regarding agenda item 6.

Mr David Redegwell of Bus Users UK – Talked about the bus service review and noted the importance of good consultation and ensuring that information

was provided in a variety of locations to enable bus users to offer their views. He also noted that providing good transport links was important not only to the local economy but also to Somerset residents of all ages from young people going to schools and colleges to older citizens accessing health care appointments or leisure pursuits. He referred to the need to ensure a joined-up approach for buses users so they can access rail services and vice versa and maintaining the links between the major urban conurbations in Somerset.

The Director Economic and Community Infrastructure Commissioning in response said that a written reply would be sent to Mr Redgewell.

127 **Libraries Service Redesign - Recommendations** - Agenda Item 6

The Committee reviewed the report and proposals for changes to the way library services are provided. The report and appendices contained 831 pages and the Committee's consideration of the large amount of information was aided by hearing comments, questions & statements from 6 members of the public. The Strategic Manager for Community and Traded Services responded to the points made, as noted above, and it was agreed that a written response to all submissions received would be prepared and published on the Council's website.

Officers then provided a thorough presentation, to supplement the information provided in the report and its appendices. The presentation provided an overview and general background of the Somerset Libraries journey over the last few years. The report and presentation also provided an explanation and overview of the various aspects of the public consultation in an effort to inform the public and obtain their views and responses.

The Committee considered the list of Libraries (19) that would continue to be operated by the County Council and the 15 libraries where it was proposed to establish a Community Library Partnership with the local community. An explanation was provided of the various types of delivery models for the library service in Somerset.

It was noted that libraries were valued by communities and individuals and recognised for their role in helping to reduce loneliness and social isolation, whilst also attracting younger people to start reading and allowing public internet access and other IT facilities. Officers had made the proposals reflecting changes to population, social need and usage whilst taking care to try to ensure maximum reasonable access.

The Committee noted that a major public and staff consultation exercise was carried out between 29 January and 13 June 2018. A wide range of stakeholder groups were consulted and provided feedback; focus groups were held with children and disabled people; and members of the public and staff provided feedback through separate survey questionnaires. It was reported that over 7000 people and organisations had provided feedback, which had been carefully analysed and thoroughly considered. Further detail had been provided in Appendix 3 to report, which explained how the consultation exercise was conducted, how results were analysed, and set out the high-level summary of results.

There was a discussion and the Committee reflected that the overriding message from the consultation was that the vast majority of consultation respondents were strongly opposed to changes to library service provision, especially where there was a potential risk of library closure. Where respondents were asked to express their preference for Community Library Partnerships or mobile / outreach options, there was an almost universal preference for the community partnership option as a means of retaining the library and this had informed the subsequent proposals.

There was a question about the measures used to attempt to provide 'reasonable access' for those communities where a Community Library Partnership had been proposed. In response it was explained that officers had drawn up the proposals after: maximising walking distance access; ensuring reasonable driving times to library buildings; look at libraries at the centre of public transport networks; consider affordability of access; consider travel patterns and shopping habits; and look at alternative services provided locally.

Members also noted that in respect of library buildings at Langport, Ilminster, Martock, and Cheddar, following the consultation it had been recommended that opportunities to reduce the net cost of these libraries were pursued as detailed in section 5 of the Cabinet report. Members also noted that regarding the current library building in Shepton Mallet, following feedback from the public consultation exercise it was recommended that the Council should spend 6 months working with community partners to develop an alternative town centre location for the library building, before taking a decision on the location of the library (expected around May 2019, after the District Council pre-election period).

There was a question about the process for community groups in the 15 affected communities when invited to express an interest in forming a Community Library Partnership (CLP). In response an overview was provided of the process and it was acknowledged that the timescales were challenging but this was necessary because of the Council's challenging financial situation. Communities interested in exploring CLP options had been supported by the Council for several months and support would continue through the process. Exceptions to the timetable and process may be agreed on a case by case basis, but only by the written approval of the Director for Economic and Community Infrastructure Commissioning. Where exceptions were agreed, different stages of the process may overlap or be progressed in tandem.

The Committee wished to recognise the huge amount of work undertaken by Officers in preparing the proposed changes for the Library Service. Every elected member that spoke during the meeting expressed appreciation to the Officers for either attending meetings in their areas; answering questions; providing explanations and clarification of the proposals; and amending some of the proposed changes after considering evidence and feedback gathered during the consultation exercise.

The Committee noted that the consultation exercise had been very thorough and even though much of the feedback had not supported all the proposed changes, Officers having considered the information provided had attempted to

minimise the negative effects as much as possible. The Committee agreed to accept the recommendations in the report to Cabinet.

In addition to accepting the proposals the Committee agreed 3 additional recommendations:

- a) To ask Officers to revisit the Risk No 4 (page 36) so it might better reflect the various concerns identified regarding possible impacts to the timescale of the Libraries Service Redesign arising from challenges;
- b) To ask Officers to identify where Community Library Partnerships are proposed that a list of partners, including a lead partner, is compiled and presented to the Committee's meeting on 11 December;
- c) To ask Officers to compile a list of the communities where a Community Library Partnership is not possible and to present that list to the Committee's meeting on 11 December.

128 Revenue Budget 2018/19 Monitoring Update - Agenda Item 7

The Committee considered this report that presented the projected revenue outturn for 2018/19 based upon actual spending to the end of August 2018. The figures reflected the proposals for change agreed by the Cabinet in September 2018 to be delivered within this financial year.

The Interim Head of Finance noted that the resultant projected outturn was £3.320m over the available budget, while the contingency of £3.400m remained uncommitted at this time. In summary this meant that, should the contingency not be drawn upon, the budget would be balanced overall.

There was a brief discussion and it was confirmed that the figures had applied £8.563m of proposals for change that were agreed last September. The Committee noted that this sum had been reduced for any proposals currently reasonably assessed as "at risk of non-delivery", but all other proposals were assumed to be deliverable at the maximum possible amount.

The Committee agreed to accept the report.

129 MTFP 2019/20+ Initial Assessment and Proposed Approach - Agenda Item 8

The Committee considered this report that provided details of the initial assessment of the likely gap between budget requirement and funding sources for the years 2019/20 to 2021/22. It was also explained that all identified savings targets had been re-examined for achievability.

It was reported that the initial assessment of the funding gap for 2019/20 was estimated at £19m, which implied that proposals for change of at least that amount will need to be prepared over the autumn period and for consideration and subsequent approvals in early 2019. It was noted that the Children's Services budget would be 'reset' to better ensure the base budget reflected the increasing demands being made on services.

Looking further ahead to subsequent years the initial assessments indicated further gaps of £7m and £2m, although it was noted that additional work would be required to validate those figures and they were likely to vary due to national funding arrangements being unknown.

There was a brief discussion of the report and it was confirmed that the in compiling the figures it had been assumed that business rate element would remain the same and council tax would again increase by the maximum amount before a referendum was required. It was explained in response to a question that some of the savings identified in earlier years, for delivery either before or in 2019/20, would not be successfully delivered. This had led to nearly £7.4m of savings being reversed: £5.8m generally and £1.6m in regard of procurement savings.

In addition, the report also highlighted a Cabinet recommendation to Council to expand the capital investment programme to allow for the purchase of waste vehicles for the Somerset Waste Partnership (SWP) as a better value for money option than requiring the private sector to provide the vehicles. It was reported that the SWP was currently tendering for 'Recycle More' – a new method of waste collection that would result in additional materials being collected at kerbside. It was envisaged that this would commence roll-out across the County from April 2020.

As part of the new service would be a requirement for new replacement vehicles, equipment and potentially depots (the recycling fleet is nearing the end of its life in any event). The potential outlay could be £25m. It was explained that most tenderers were interested in an arrangement whereby all the Councils within the Waste Partnership fund the vehicles through Public Works Loan Board borrowing, in return for a discount to the contract price, as a similar arrangement was already in place with the existing collection contractor.

In response to a question it was stated that provided that the contract discount offered was sufficient to cover the costs of borrowing and other details the arrangement would offer a relatively safe and almost immediate financial benefit to all Councils willing to borrow.

It was noted that update reports on the development of the MTFP would be presented to each meeting of the Cabinet through the period until the Full Council meeting in February 2019 and in addition that the various Scrutiny Committees would also be kept updated. The report was accepted.

130 **Single Use Plastics: A Strategy for Somerset County Council** - Agenda Item 9

131 **SCC Annual Feedback Report 2017/18** - Agenda Item 10

132 **Scrutiny for Policies and Place Committee Work Programme** - Agenda Item 11

The Committee considered and noted the Council's Forward Plan of proposed key decisions.

Following a discussion, the Committee requested the following additions to the work programme:

- To receive an update report on the **Library Service Redesign** at the 11 December meeting;
- To receive a report on the **Medium Term Financial Plan** at the 23 January 2019 meeting.

133 **Any other urgent items of business** - Agenda Item 12

After ascertaining there were no other items of business, the Chair thanked all those present for attending and closed the meeting at 12.58.

(The meeting ended at 12.58 pm)

CHAIRMAN