

Scrutiny for Policies and Place Committee

Tuesday 11 December 2018
10.00 am Taunton Library Meeting Room



To: The Members of the Scrutiny for Policies and Place Committee

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

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

Issued By Julian Gale, Strategic Manager - Governance and Risk - 3 December 2018

For further information about the meeting, please contact Lindsey Tawse on 01823 355059, ltawse@somerset.gov.uk or Jamie Jackson on 01823 359040, jajackson@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 Section 100A (4) of the Local Government Act 1972.

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AGENDA

Item Scrutiny for Policies and Place Committee - 10.00 am Tuesday 11 December 2018

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

The Chairman will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chairman's discretion.**

Public Questions
Scrutiny for Policies and Place – 11 December 2018

Item 7 Library Service Redesign Update

Cllr John Irvén, Chairman, Watchet Town Council

I was asked to request to speak to you today to express WTC views following a report given to full council on 3rd December and which is attached as an appendix to this statement.

WTC has been at the forefront in working constructively with SCC to establish a CLP and is pleased with the collaboration and that our expression of interest has in principle been accepted. Cost contributions from WTC are being incorporated into our 2019-20 precept cycle due to be approved at our January 15th meeting.

The report before you today highlights that our CLP is conditional on a freehold transfer of the building from WSC to WTC. However, WSC have refused this request and appear only to be allowing SCC to offer a full repairing sub-lease, details of which have not been proposed.

WTC have reiterated that we require a freehold transfer, and that if this is not forthcoming WSC will be causing the closure of Watchet Library.

The building was gifted to Watchet Urban District Council to be held for the people of Watchet and leased to SCC for £1 pa for provision of library services. In 1974's reorganisation, the asset moved to WSC. As long as it continues as a library under the current lease, the building has only nominal capital value and we do not accept WSC explanations as to why they will not respect the clear intention of the original benefaction by transferring this back to WTC.

In answer to my question to cabinet on 5th November, the leader confirmed that SCC will honour repairs agreed as currently required under your full repairing lease before any transfer.

We have requested 3-way meetings between WTC/SCC/WSC to resolve collaboratively the asset transfer and repair issues. Although officers have been very helpful this requires support from SCC Scrutiny/Cabinet/Leader level to influence WSC to help ensure we can find a suitable resolution. WTC therefore requests that SCC at appropriate levels continue to facilitate the request for the asset transfer in order that the library CLP can be established and avoid WSC causing closure of our library.

Thank you.

*Appendix Report by WTC Working Group on Library to Full Council 3/12/18
Further to last month's report that an 'Expression of Interest' would be
submitted, SCC have agreed in principle that our EOI has been accepted as*

suitable and they are planning for a Community Library Partnership from 1 April 2019, with costs for the CLP being factored into the WTC 2019-20 precept approval cycle. SCC have reported this position to their scrutiny committee and in a press release which identifies that a CLP is conditional on a freehold transfer of Watchet Library from West Somerset Council to WTC, which they support.

However, WSC have refused our request for freehold transfer for reasons we do not accept as valid and have not been properly justified. Essentially, they are claiming it is to protect WSC and WTC from undefined and potentially unlimited liabilities for building repair costs which are the responsibility of SCC to undertake under their current full repairing lease.

We have confirmed on behalf of WTC to WSC and SCC officers that without the transfer, the CLP will not be set up and that WSC will be causing the closure of the library from 1 April 2019. WSC have been asked at various officer levels to reconsider by both WTC and SCC and we await an answer from the portfolio holder Cll Dewdney via the relevant officers.

In the meantime, WSC are proposing as an alternative a full repairing sub-lease from SCC, terms of which have not yet been defined. SCC need an answer by year end whether we have an agreed position on the building or they will have to plan closure from 1 April 2019. We have also asked SCC and WSC to agree how repairs to the building currently required under the full repairing lease are going to be made and paid for prior to WTC taking on any responsibility.

We are continuing to hold to this position. The building was originally gifted to the people of Watchet as a library, held by WUDC until the 1974 LA reorganisation, and if a library is being continued by WTC, there is no justifiable reason why the asset cannot be transferred back at nominal cost to WTC. If any long-term asset protection requirements for WSC were shown to be relevant, these could be quite easily achieved via standard overage clauses.

*Council are asked to comment on this situation.
Clls De Renzy-Martin, Irvén, Murphy, Whetlor.*

Peter Murphy, Chair, Friends of Somerset Libraries

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, hopefully, 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 has consistently advocated funding to establish Community Library Partnerships on a sustainable footing. We showed officers workings to demonstrate that each CLP could be funded to an average of £10,000pa each. The initial funding proposals that went to Cabinet last month fell well short of this but we were pleased to see that Cabinet agreed to award a minimum of £2,000pa to each CLP bringing the total funding to £83,000pa but note that this still falls well short of the FOSL proposal which would cost £150,000pa. Indeed, the proposals range from £2,000pa up to £16,000pa and the rationale for the distribution seems singularly opaque. In order to promote the sustainability of CLPs we believe that the offer needs to be enhanced further. We acknowledge the Cabinet decision to fund for a seven year period rather than five years is to be welcomed in terms of promoting sustainability.

At a recent meeting with officers we were pleased to hear their assessment of the likelihood of CLPs forming was very upbeat. We remain concerned that two CLPs are conditional upon third parties cooperation and we would urge that this Committee does everything in their power to encourage those third parties to cooperate to ensure those libraries do not close.

Priorswood library CLP is in an area without a parish council to precept to support it which puts it in an unequal position in comparison with all the potential CLPs. I would ask you to urge Taunton Deane Borough Council to use Taunton Unparished Area funds or any other funds within its control to ensure this CLP can succeed.

Similarly, as my colleague Cllr Irven of Watchet Town Council will explain, there is a need for West Somerset District Council to agree the asset transfer of the library building in Watchet to the Town Council so that its precept funding can be secured. I ask you to urge West Somerset District Council to agree to that necessary asset transfer.

FOSL would ask that this committee support our request to district councils to use their powers under the Local Government Finance Act 1988 to grant Discretionary Rate Relief to all of the proposed CLPs.

FOSL were pleased to see that the majority of CLP proposals were for a staff led model with only three or four going down the volunteer led route. We continue to have concerns that the volunteer route contains huge risks for the sustainability of the service and will lead to the loss of professional staff jobs. We urge SCC to continue to monitor the performance of volunteer led CLPs rigorously.

Since it is uncertain which CLPs will eventually be formed, we also consider that it will be necessary to revisit the needs assessments already undertaken in order to determine the level of outreach and mobile provision that will ultimately be necessary.