

## **Cabinet**

### **Cooperative Libraries**

All Wards

#### **Cabinet Portfolio:**

Cabinet Member Culture and Olympics:  
Councillor Sally Prentice

Cabinet Member for Finance & Resources  
Councillor: Paul McGlone

#### **Report authorised by:**

Executive Director Adults and Community  
Services: Jo Cleary

Executive Director Corporate Resources:  
Mike Suarez

#### **Executive Summary**

This report follows the end of public consultation on the recommendations from the Cabinet meeting, 21<sup>st</sup> November 2011. The report sets out the strategic vision for library services in Lambeth and its transformation into a cooperative, modern, sustainable and professionally led service.

Our shared strategic vision for the remodelling of the library service is of 'a service for everyone. Where communities come together in safe, flexible spaces with friendly, professional staff to learn, enjoy, discover and be the best that they can be.' This will be delivered through the following framework, where:

- Lambeth will continue to be home to ten libraries, with some libraries offering a greater range of services through the community hubs programme.
- The new Clapham Library is the first new library to open in Lambeth for 40 years and will showcase the future of our modern library service.
- Subject to market conditions, a £6m capital investment programme over the next 4 years will tackle 40 years of underinvestment in library buildings.
- A 7-day library service offer will continue in Brixton and Streatham with an extension from 6 day a week offer in Clapham to a 7-day a week service. These libraries receive 50% of all visits from library users across the borough.
- A transparent approach will be used for allocating £4.3m library service revenue budget, with funding decisions based on need.
- The introduction of new technologies across the whole service will improve the customer offer, whilst securing efficiencies and savings.
- A revenue commitment will be maintained to both Upper Norwood Joint Library and Durning library, whilst exploring increased community-led approaches in these areas.
- Continued investment and further development of Tate South Lambeth, Carnegie, Minet and West Norwood (Nettlefold) libraries to develop the range of services on offer as part of the community hubs network with library services located in them.

- An options appraisal of the Waterloo library site is undertaken prior to determining the best site for library service in Waterloo, with a view to disposing of the current site, as set out in a previous report to Cabinet. The local community will be consulted on the different options.
- An options appraisal on the possibility of Streatham library being relocated to the Gracefield Gardens Customer Centre will be reported to Cabinet in September 2012 following consultation with the local community.

The report will also develop options for the design of a new service model across the service, including an opportunity for staff to consider a mutual model with increased entrepreneurial skills.

### **Summary of financial implication**

The library services revenue savings plan is £750,000 over the next two years. The operational budget of the libraries service being allocated is £4.037m in 2012-13 and £3.637m in 2013-14, which is in line with Service and Financial Planning. If successfully delivered over the next four years the plan will generate £11.5m of capital receipts for reinvestment, whilst at the same time secure, or invest up to £18m of assets into the community hub programme. The success of the programme will be determined by market conditions for the sale of assets.

### **Recommendations**

Cabinet is asked to consider the following recommendations:

- (1) Note that the new Clapham Library is the first new library to open in Lambeth for over 40 years and to thank everyone who has been involved in the Future Clapham programme.
- (2) Agree the resource allocation for the operational budget and the settlement for individual library services.
- (3) Agree to carry out an options appraisal on the possibility of Streatham library being relocated to the Gracefield Gardens Customer Centre with a further report to Cabinet in September 2012. The local community will be consulted before any decisions are taken.
- (4) Agree to reopen the West Norwood Library in the Nettlefold Centre and to develop the building as a multi-purpose cultural and creative centre.
- (5) Agree to undertake an options appraisal of the Waterloo library site prior to identifying the best option of disposal. This will also include the identification of a suitable and alternative building for library services in the Waterloo area and further consultation with the local community.
- (6) Agree to continue to revenue support the Upper Norwood Joint Library at £170,000 per annum.
- (7) Agree to develop the range of services on offer at the Minet, Carnegie and Tate South Lambeth Libraries in partnership with the local community, and to explore increased community led approaches to the management of UNJL and the Durning Library.

## Consultation

Name of consultee	Department or Organisation	Date sent	Date response received	Comments appear in report para:
Internal				
Jo Cleary	Executive Director Adults' and Community Services	13/6/12	15/6/12	Throughout the report
Adrian Smith	Divisional Director Culture and Communities	13/6/12	16/6/12	Throughout the report
Maria Millwood	Divisional Director Resources ACS	13/6/12	18/6/12	Throughout the report
Peter Hesketh	Assistant Director Resources ACS	13/6/12	15/6/12	Para 6
Guy Ware	Divisional Director Corporate Resources	13/6/12	16/6/12	Para 8
Sophia Looney	Divisional Director Policy, Equalities and Performance	13/6/12		
Uzo Nwanze	Head of Asset Strategy	13/6/12	25/6/12	Throughout the report
Alison Young	Divisional Director Planning, Regeneration and Enterprise	13/6/12		
Paul Cooper	Assistant Director Housing Regeneration.	18/6/12	21/6/12	Para 5.8
Julian Ellerby	Divisional Director of Campaigns and Communications	13/6/12	18/6/12	Throughout the report
Sandra Morrison	Divisional Director Children and Young Peoples Service	13/6/12	22/6/12	Throughout the report
Ann Corbett	Head of Community Safety	13/6/12	15/6/12	Para 11
Praveen Manghani	Head of Library Services	13/6/12	15/6/12	Throughout the report
Valerie Dinsmore	Head of Policy, Research and Customer Relations	13/6/12	22/6/12	Throughout the report
Chris Sipidias	Head of Community Hubs- Culture and Communities	13/6/12	15/6/12	Throughout the report
Charlotte Evans	Head of Active Communities – Culture and Communities	13/6/12	15/6/12	Throughout the report
Gareth Edmundson	Cooperative Services Manager, Culture and Communities	13/6/12	15/6/12	Throughout the report
Mike Dickens	Legal and Democratic Services	13/6/12	18/6/12	Para 9
Mark Nicolson	Head of Improvement, Risk & Insurance	13/6/12	18/6/12	7.5 to 7.10
Councillor Campbell	Cabinet Member Equalities and Communities	15/6/12	22/6/12	Throughout the report
Councillor McGlone	Cabinet Member Finance	15/6/12	22/6/12	Throughout the report
Councillor Prentice	Cabinet Member Culture and Olympics	15/6/12	22/6/12	Throughout the report

## Report history

<b>Decision type:</b> EITHER: Key decision [state the date it was first entered into the Forward Plan e.g. January 2009] OR Non-key decision (delete as applicable)		<b>Key decision: reason</b> <b>EITHER a) expenditure or savings of £500,000 or more</b> <input checked="" type="checkbox"/>	
		<b>OR/AND: b) proposal affects significantly two or more wards</b> <input checked="" type="checkbox"/>	
<b>Authorised by Cabinet member:</b>	<b>Date report drafted:</b>	<b>Date report sent:</b>	<b>Report deadline</b>
See above	16.6.12	27.06.12	18.06.12
<b>Report no.:</b>	<b>Report author and contact for queries:</b>		
65/12-13	John Kerridge, Assistant Director Culture and Communities 020 7926 2744 <a href="mailto:jkerridge@lambeth.gov.uk">jkerridge@lambeth.gov.uk</a>		

## Background documents

Cooperative Libraries Report Cabinet Meeting: 21<sup>st</sup> November 2011

## Appendices

1. Resource allocation
2. Transformation Route Map
3. Consultation and Equalities Impact Assessment Report
4. Proposed programme of codesign meetings with local communities

# Cooperative Library Services

## 1. Context

- 1.1 In November and December 2011 Cabinet received reports on cooperative libraries and community hubs and agreed a set of proposals for public consultation. This report follows the end of public consultation on cooperative libraries and community hubs which ran between 27<sup>th</sup> January and 27<sup>th</sup> April 2012.

## 2. Proposals and Reasons

- 2.1 It has been recognised that the Lambeth Library Service has been underinvested in for over 40 years. This has impacted on the ability to provide a modern library service and has led to low morale within the service. The latest residents' survey data shows that usage of Lambeth's libraries is low compared to other boroughs with only 37% of Lambeth's citizens using the service compared to an inner London average of 61%. Only 48% of the borough's residents rate the service as good, which is 18% below the inner London average.
- 2.2 This situation is not sustainable and this report sets out the vision, policy framework and investment plan for the modernisation of the service to ensure it is fit for purpose for future generations. This report sets a new direction to create a new legacy of which we can be proud.

## 3. Consultation and Community Engagement

- 3.1 A full consultation report is attached at appendix 1 of this report. The public consultation on cooperative libraries and community hubs was instigated on the 27<sup>th</sup> January 2012 and was concluded on 27<sup>th</sup> April 2012. A variety of methods were utilised to reach out to Lambeth's diverse communities, which included:
- 26 public meetings to discuss proposals for cooperative libraries and community hubs;
  - 5 public meetings specifically on community hubs, 2 of which were borough wide meetings organised by Lambeth Voluntary Action Council.
  - 600 one to one interviews with users
  - 200 one to one interviews with non users of the service
  - Over 700 paper questionnaires completed, including art/drawing based contributions from children.
- 3.2 An analysis of the equalities profile of those engaged is provided within the consultation report. Regular staff meetings have taken place and the consultation findings have been shared with the Trade Unions representing the staff group. There has also been ongoing dialogue with the network of volunteer-led Friends of Lambeth Libraries. The key messages obtained through the public consultation period, which have been considered and influenced this report and its recommendations, are as follows:

- The provision of safe space, i.e. study space and places to enjoy.
- There is locality based interest in neighbourhoods regarding increased influence over service design but not at the expense of professionally-led services.
- Support for core library service offer, books and information, etc.
- Support for the modernisation of the library service i.e. wifi, computers, e-books, etc.
- Interest in the mixed service use of buildings.
- Mixed response regards borough wide 'community-led' library services.
- "Need" identified as a fair principle for resource allocation.
- Need to develop additional capacity for new community groups to have access to economical rental space.

### A Cooperative Model and Sustainable Service

- 3.3 Lambeth's library services will be remodelled around the vision of *'a service for everyone. Where communities come together in safe, flexible spaces with friendly, professional staff to learn, enjoy, discover and be the best that they can be.'*
- 3.4 Buildings will remain an integral part of the service offer, but a new service model will increasingly work beyond its traditional buildings to connect and engage with communities on their terms. The service will also operate within a transparent and sustainable budget, which provides opportunities for the community to ask questions, influence service design, get more involved and be at the heart of the cooperative agenda.

### Revenue Budget

- 3.5 During the 2011 budget planning process savings of £750,000 over the following two years were approved. The operational budget for the service is £4.037m in 2012-13 reducing to £3.637m in 2013-14. The first step in remodelling the service is to create transparent information concerning the service budgets and how they are allocated. Following feedback from the public consultation exercise and taking into account the concerns of local residents about the potential impact on community libraries, a 'needs based' methodology of resource allocation is recommended. This methodology is set out in more detail at appendix 1, which also includes a proposed settlement for each library. Following feedback from communities during the consultation, this will increase the levels of resource flowing to the localised library services and place increased savings pressures on borough-wide library costs.
- 3.6 As a result of listening to community views, the required efficiency drive will also be applied across the whole service, including the Brixton, Clapham and Streatham libraries. This approach, whilst challenging, will protect as best as possible the customer facing services and whilst there will be funding reductions, no current library will face closure. It will also provide a seven-day a week library

offer in the Brixton, Clapham and Streatham libraries. As a consequence of the proposed funding methodology the majority of the savings will be obtained through:

- A wide-ranging efficiency drive across 'borough-wide' library services.
- Service modernisation, including the introduction of new technologies across the whole service.
- A new service delivery model.

### Service Model

- 3.7 The combination of service cost, user satisfaction, financial envelope, and the direction of travel set out within this report means the existing model of service delivery is unsustainable and will cease. The future model of service will need to be financially sustainable, fit for purpose and deliver a service around the needs of the communities it serves. It is proposed to explore a number of options with the findings being reported back to Cabinet in September 2012.
- 3.8 The new service model with communities at its core will need to be driven by staff with professional entrepreneurial skills. These entrepreneurial skills will secure new sources of income, including complimentary services that can sit alongside the library offer. The service will also require increased leadership capacity to deliver the prerequisites of a successful codesigned service, which is set out in paragraph 7.1 of this report. Those managing the service will need to be excellent influencers, able to motivate, inspire others, whilst managing and seeking to balance the demands of communities. All public servants employed in the service will be passionate ambassadors for the service and provide exceptional customer service. This approach will build on the work undertaken to date with the staff team over the past year, where project task groups have been established to address specific themes relating to service improvement.

### Outreach, Reader and Literacy Development

- 3.9 Outreach, reader and literacy development will remain a core service within a future, modern, efficient and professionally led library service. This service is central to future plans for tackling inequalities within local neighbourhoods. The service activity will be remodelled to ensure a broader range of outlets and platforms are utilised to ensure the service increasingly reaches out to residents facing inequalities in meeting their personal aspirations. This remodelling will include greater synergy with the arts and event activities across cultural services, as well as exploring increased opportunities around events like the Readers and Writers Festival and Black History Month. A route map setting out the timeline for the transformation of the service is attached at appendix (2)

## **4. Library Buildings**

- 4.1 The network of Lambeth buildings has been underinvested in for 40 years and requires significant capital investment to enable a modern and professional library service to be delivered from them.

### New Clapham Library

- 4.2 The new Clapham Library development will be the first public library to be opened in Lambeth for over 40 years. It will provide a state of the art service in an inspirational modern environment. This will include access to new technologies, such as self service and provide the benchmark for the service.
- 4.3 The report recommends an extension from a 6 day a week offer to a 7-day a week service offer. The revenue allocation to this service reflects its initial year of operations, which will be reviewed and modified through the department's service and financial planning process.

### Brixton Library

- 4.4 The report recommends the maintenance of a 7 day a week service offer in Brixton. There is a need to modernise the service through the introduction of new technologies to improve the offer and generate efficiency savings. The building requires capital investment to update its general condition and remodel its internal layout to create additional and accessible space for broader community activities.

### Streatham Library

- 4.5 The report recommends the maintenance of a 7 day a week service offer in Streatham. The Streatham library building has deteriorated to a point where a financial appraisal needs to be undertaken around its future use. The existing site is in disrepair and does not offer an adequate customer experience. The Council has two options. Relocate the service to the Gracefield Gardens Customer Centre, or refurbish the existing building at a cost of approximately £2m, which will bring the building up to an acceptable minimum level of operational standard with no significant improvements. The key drivers for the future of the service in Streatham must be the customer experience and value for money to the tax payer. It is proposed that an options appraisal is undertaken, as well as consultation with the local community, Streatham Ward Councillors and Tate Trustees prior to a report be brought back to Cabinet in September 2012.

### Waterloo Library

- 4.6 The existing service is located in a temporary building that is not fit for purpose and does not offer a positive or inspiring customer experience. This report recommends an options appraisal should be undertaken to explore the best method of redeveloping or disposing of the site with a report back to the Cabinet in September 2012. The site has generated interest and proposals from private developers, the public sector and non-profit organisations. The local community will be consulted on the different options, with each one setting out how we will improve the provision of library services in the local area.
- 4.7 Each proposal contains both strengths and weaknesses. An options appraisal will explore these and provide the Council with an objective assessment of the available options based on the following framework:
- Maximise capital receipt for reinvestment.

- Suitable and sustainable alternative localities for the library service in Waterloo being identified and recommended, including Waterloo Action Centre.
- Where possible there is further development of the overall cultural and community offer within Waterloo.

### Durning Library

- 4.8 The building will require investment prior in increased community-led involvement in the design and delivery of the service. There are concerns about the roots of a nearby tree and the potential effect on the foundations. This report sets aside funding to undertake a building survey and options appraisal report, which will be undertaken in partnership with the local friends group to determine the best options available for moving forwards. The current site also has a flat attached to it, which is occupied by a tenant. This matter will need to be considered as part of the future use of the building.

### Upper Norwood Joint Library (UNJL)

- 4.9 The recommendation of this report is to maintain a revenue commitment to the UNJL at a reduced rate (previously £211,000) of £170,000. Negotiations continue to be held with the London Borough of Croydon, who jointly fund the service, but have indicated that they are considering a range of options, including withdrawing financial support for the service. The direction of travel recommended in this report, which has been developed following the public consultation period and within the framework of the Cooperative Council, is to explore options for the UNJL to become a cooperative independent entity with the building transferred to the cooperative body. The rationale behind this approach is also to protect its 112 year history of independence and service to its local community.
- 4.10 This approach will continue to be proposed in the ongoing negotiations with the London Borough of Croydon. This report also sets aside funding to support local residents to develop their cooperative entity governance and status. The learning opportunities from localised management of library services will be shared with other communities wishing to develop this approach in the future.

## **5. Hubs**

- 5.1 The remaining buildings offer themselves for broader and mixed usage as community hubs. During the public consultation period several opportunities were also identified which, if they came to fruition, could attract external investment, diversify the service offer, bring new sources of revenue and improve the physical building, whilst still continuing to offer a library service.
- 5.2 The Community Hubs agenda is expanded upon and developed within a separate report to Cabinet, which sits alongside proposals for addressing the legacy of 40 years underinvestment in the buildings.

## The Nettlefold

- 5.3 The Nettlefold has received initial enquires from two different commercial interests, a retail development opportunity and a national cinema company. This report recommends the second option be explored and reported back to Cabinet in September 2012 for the following reasons:
- The proposal of a cinema, library, community space, visitor centre for Norwood Cemetery is in keeping with the original design concept providing a community facility that would enrich the cultural life of the local area.
  - Following the end of public consultation the option of a 'creative hub' was positively supported.
  - Design and refit options could include the phased reopening of the building with the library being a priority.
  - The proposed development of a creative hub aligns with regeneration plans for the area.
- 5.4 This option will not generate a capital receipt for reinvestment and capital investment will be required for the non-commercial aspects of the site, such as the library, community space and visitor centre. The priority for the reopening of the building remains public safety and the development of a sustainable plan for the future, including its ongoing maintenance that has sadly been neglected for 40 years. This provides an exciting opportunity which could only enhance the cultural offer in West Norwood, but also revitalise the town centre in the evenings.
- 5.6 The future of the Nettlefold also needs to be seen within the context of local investment, which the Council is facilitating and securing, including Norwood Hall. In seeking to balance the concerns of local residents about the building being closed, officers have held discussions with the organisers of the Norwood Feast, who would like to use the reception area of the building for their future activity. Subject to the public safety concerns being addressed by the organisers of the Norwood Feast, this suggestion will be supported. It is also proposed that this building should be designated as a community hub.
- 5.7 The matrix below provides an overview of the direction of travel for the remaining libraries service buildings following feedback from the public consultation period and officer assessment:

<b>Library</b>	<b>Current position</b>	<b>Outlined proposal</b>
Minet Library	Currently a library services building.	<ul style="list-style-type: none"><li>• Lambeth Council continue to revenue fund library and archive services.</li><li>• Contribute towards feasibility study.</li><li>• To become a community hub that will continue to offer a library service to the local community.</li><li>• Community-led consortia wishing to explore an integrated cooperative management and maintenance approach across:</li></ul>

		<ul style="list-style-type: none"> <li>- Minet Library</li> <li>- Longfield Hall</li> <li>- Myatts Field Park</li> <li>- The Remakery</li> </ul> <ul style="list-style-type: none"> <li>• Potential community asset transfer of buildings to cooperative entity.</li> </ul>
Carnegie Library	Currently a library services building.	<ul style="list-style-type: none"> <li>• Lambeth Council continue to revenue fund library services.</li> <li>• Develop into a community hub that will continue to offer a library service to the local community in partnership with local community, school and library service offer.</li> <li>• Contribute towards design costs.</li> <li>• Modernise and remodel internal building to provide space for community activities and small enterprises.</li> <li>• Potential asset transfer to cooperative entity.</li> </ul>
Tate South Lambeth Library	Currently a library services building.	<ul style="list-style-type: none"> <li>• Lambeth Council continue to revenue fund library services.</li> <li>• Potential to become a community hub that will continue to offer a library service in partnership the local community.</li> <li>• Contribute towards design costs.</li> <li>• Modernise and remodel internal building to create additional space for community activities or small enterprise.</li> <li>• Explore partnership arrangement with the London Community Foundation or Lost Theatre.</li> </ul>

5.8 There is a Section 106 commitment for a library building as part of a package of social infrastructure investment to support the regeneration of the Clapham Park estate. Discussions are currently progressing between partners regarding the business plan for the estate and the delivery of the programme against the original masterplan and Section 106 outcomes. The remodeling of the Lambeth library service will take this into account through the proposed investment in new technology across the service.

## 6. Investment

6.1 As reported to Cabinet in December 2011 the Council had made a transitional fund of £450,000 available to kick-start the community hubs programme. Set out below is the estimated expenditure for the cooperative libraries element of the work with the balance presented within the community hubs report:

<b>Library</b>	<b>Investment</b>	<b>Est. cost £</b>
Nettlefold	Contribution towards design costs.	2,500
Minet	Contribution towards feasibility and business costs.	35,000
Carnegie	Design and governance development.	5,000
Upper Norwood Joint Library	Governance development	2,500
Durning	Survey, condition and options appraisal.	5,000
Streatham	Business case and options appraisal.	5,000
Waterloo	Options appraisal.	5,000
Tate South Lambeth	Survey, condition and options appraisal.	5,000
<b>Total</b>		<b>65,000</b>

6.2 The Minet Community Hub proposal has been proposed by a community-led consortium and includes a proposal to integrate the management of three Council owned assets (The Minet Library, Myatts Field Park and Longfield Hall) under a social enterprise model.

6.3 Each of these sites has individual complexities in terms of their legal and funding arrangements. The rationale for the funding is to put in place expertise to develop the business model, which take these complexities into account and assess the sustainability of a social enterprise model. As this agenda develops further into its delivery stages it is anticipated that officers will be exploring funding opportunities through the Cooperative Council Innovation Fund.

### Capital

6.4 An estimated £6m capital programme is required to deliver the recommendations of this report. Once secured the programme of investment and renewal will be implemented as follows:

<b>Investment Plan</b>	<b>Investment activity</b>	<b>Est</b>
Fit for purpose libraries	<ul style="list-style-type: none"> <li>• Health and safety improvements</li> <li>• Disability access</li> <li>• Reopening of the Nettlefold</li> </ul>	£3m
Transforming, modernising and updating existing libraries so that they offer a range of services as community hubs.	<ul style="list-style-type: none"> <li>• Installation of new technologies, including self service facilities</li> <li>• Building alterations in existing libraries to create additional rental space and transform into community hub.</li> <li>• 15% contingency for unexpected costs.</li> </ul>	£3m

6.5 These funds will also contribute towards the Programme Management within the Culture and Communities Division over the next 2 years. Programme management will also be locked into strategic asset management and community

investment governance of the Council with a capital delivery plan being produced and submitted through these governance procedures.

- 6.6 The council reviews the capitalisation of costs to ensure they meet strict criteria. Accordingly, proposals will be reviewed by the Capital & Taxes team within Corporate Finance to ensure the criteria are met before costs are charged to the Capital Investment Programme.

### Community Asset Plan

- 6.7 A Community Asset Plan will be presented as part of the community hubs report to Cabinet in July 2012 that will seek to secure £6m of investment, subject to market conditions.

### Revenue Settlement

- 6.8 It is proposed that Brixton, Streatham and the new, state of the art Library in Clapham provide a 7 day a week library offer. The current reference library provision will continue to operate from Brixton Library as part of this offer.

	2012/13 £000	2013/14 £000
Brixton	580	525
Streatham	420	400
Clapham	500	475
<b>Total</b>	<b>1,500</b>	<b>1,400</b>

- 6.9 The settlement for each library location is as follows:

	<b>TOTAL BUDGET 2011/12 £000</b>	Consultation proposed 2012/13 £000	Consultation proposed 2013/14 £000	Library Needs score	Allocation 2012/13 £000	Allocation 2013/14 £000
Waterloo	150	112	90	42	141	123
South Lambeth	230	166	134	44	227	198
Durning	240	211	170	41.25	221	194
Minet (lending)	188	95	76	46	188	170
Carnegie	213	93	75	26.5	128	110
West Norwood	450	255	205	31.25	320	275
	<b>1,471</b>	<b>932</b>	<b>750</b>		1,225	1,070

## **7. Codesign and Coproduction with Communities**

- 7.1 The report starts to create the conditions and opportunities for communities, users, non-users and staff to modernise the service together and through a process of codesign and coproduction.

- 7.2 This approach will require flexibility that enables communities to grow and take on responsibilities based on their capacity, ambitions and desires. It is likely that a patchwork of community-led arrangements will evolve across the borough, which will require the Council to mould itself around by providing tailor made support. The public consultation period has also identified a number of prerequisites required for successful codesign and coproduction:
- People having the skills and behaviours to create and facilitate engagement, mutual interest, cooperation and wiliness to embrace opportunities.
  - The provision of transparent information on budgets, assets and associated running costs.
  - Recognising professional employees at the point of delivery are best placed to shape services alongside residents and communities.
  - Knowledgeable and confident staff with the skills and behaviours to grasp and nurture opportunities, share resources and power within a community hub environment.
  - An exceptional customer focus, valuing and appreciating the views, ideas and talents of people in our community.
  - Localised autonomy of budgets, decision-making and asset management.
  - Council staff being responsible and accountable within their core duties for creating the conditions that enable residents and communities to be more than passive recipients of services.
- 7.3 The next stage is to enter into a process of service codesign with communities, where information and options will be shared openly and joint solutions developed. This will involve bringing stakeholders together to explore and tighten up on the proposal presented to the Council during the public consultation period.
- 7.4 A series of codesign meetings will take place between July and August 2012 (appendix 4). The codesign period will also involve the use of social media via the implementation of a tailor made application that will be accessible through computers and mobile devices. This will present people with the opportunity to participate in the design of their local library.

#### Buildings & Contents Insurance

- 7.5 During the consultation period the issue of communities having access to library buildings when they are closed was raised. In relation to community groups using council premises and insurance there are two main insurance aspects.
- 7.6 The Council insures the buildings and contents for which it owns (or leases) and for which the council has an insurable interest. In the event of the building being damaged by an insured event i.e. fire, our insurance policy would respond. As part of any insurance policy conditions the insured is required to 'take reasonable precautions' to protect the property. In much the same way that if a private individual left a window open at home and were subsequently broken into insurers could decline the claim on the basis that the individual failed to take 'reasonable precautions' to protect their property, the same is true should a community group fail to secure / lock up a library after they had finished using it and a break in subsequently occurred.

- 7.7 Community groups would be able to have access to library buildings outside of core hours without this affecting the council's insurance cover providing that some form of hire agreement was in place outlining the terms of the hire including procedures for locking windows and doors and setting intruder alarms. An alternative option could be to have a designated caretaker who has responsibility for securing the building at the end of any hire.
- 7.8 The second of these options could have a financial implication but would reduce the risk of any oversight invalidating insurance cover. Any equipment, personal possessions, furniture etc which is brought onto the premises and is owned by the community group or an individual, would not be insured under the council's cover and the owner of that equipment would need to ensure that they had their own insurance cover in place to protect their possessions.

### Liability insurance

- 7.9 The main type of liability insurance is public liability which provides indemnity for claims made by a third party against the council (or an officer) for injury or damage that has been caused to them whilst using our premises, land, and equipment or as a result of a service being provided. Lambeth's existing public liability insurance would provide indemnity for any visitor on library premises (even if during an evening/weekend hire) where the injury was caused as a result of the council's negligence as property owner, i.e. a trip on a faulty floor surface.
- 7.10 There is a risk however that somebody could be injured during a hire on a piece of equipment brought in by the community group. In this scenario the council's insurance cover would not address any claim as the equipment is not owned, maintained or the responsibility of the Council. To plug this gap in liability and provide cover, the Council's liability insurance cover would need to be extended. This is currently being explored with the council's insurers. It is important to note however that a proposed 'hirers liability' would only extend cover for claims that arise during the period of the hire.
- 7.11 It is for this reason that it is recommended that community groups have their own annual liability insurance that would provide them with a much wider level of insurance protection in relation to claims that may arise outside of any particular hire. Another point to note is that if any claims arise under a 'hirer's liability' the extension would count against the Council's claims, which could have a significant impact in the event of injury claims. These issues will be further explored with communities as this agenda develops further into its delivery phase.

## **8. Finance Comments**

- 8.1 This report has a variety of recommendations that have complex financial implications. A number of the recommendations are subject to further work, to finalise the financial implications to the authority, and reporting. All proposals must have sufficient resources identified before the authority is committed to any expenditure or loss of income. Similarly, full appraisals need to have taken place before there is a loss of assets or loss of potential capital receipts.

- 8.2 The resource allocation for the library service sets the resources available for each library after taking into account Service and Financial Planning savings. The library services revenue savings plan is £750,000 over the next two years. The operational budget of the libraries service is £4.037m in 2012-13 and decreasing to £3.637m in 2013-14.

## **9. Comments from Director of Governance and Democracy**

- 9.1 Under section 7 of the Public Libraries and Museums Act 1964 there is a duty placed on library authorities to provide a comprehensive and efficient library service for all its residents and those that work within its area. In giving its judgment in a recent case involving a challenge brought against the London Borough of Brent regarding its proposals to close some of its libraries, the High Court ruled that the availability of resources is relevant to what constitutes a comprehensive and efficient service. *“The library service and section 7 duty are not exempt from resource issues and were not entitled in law to escape the budget reductions faced by the council”*.
- 9.2 Details of the consultation and community engagement undertaken are set out in paragraph 3 above and in Appendix 1. The following principles of consultation were set out in a recent High Court case. First, a consultation had to be at a time when proposals were still at a formative stage. Second, the proposer had to give sufficient reasons for any proposal to permit of intelligent consideration and response. Third, adequate time had to be given for consideration and response, and finally, the product of consultation had to be conscientiously taken into account in finalising any statutory proposals. The process of consultation had to be effective and looked at as a whole and it had to be fair. That required that consultation took while the proposals were still at a formative state. Those consulted had to be provided with information that was accurate and sufficient to enable them to make a meaningful response. They had to be given adequate time in which to do so and there had to be adequate time for their responses to be considered. The consulting party had to consider responses with a receptive mind and a conscientious manner when reaching its decision.
- 9.3 10.8 Section 149 of the Equality Act 2010 sets out the public sector equality duty, i.e. that all public bodies are under an obligation to have ‘due regard’ to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, marriage and civil partnership, race, religion or belief, sex and sexual orientation.
- 9.4 Section 149 (1) (b) of the Act states that: a public authority must, in the exercise of its functions, have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Part of the duty to have “due regard” where there is disproportionate impact will be to take steps to mitigate the impact and the Council must demonstrate that this has been done, and/or justify the decision, on the basis that it is a proportionate means of achieving a legitimate aim. Accordingly, there is an expectation that a decision maker will explore other means which have less of a disproportionate impact. Details of the Equality Impact Assessment undertaken are set out in paragraph 11 below.

- 9.5 In November 2011, the High Court upheld challenges to decisions made by Gloucestershire and Somerset Councils in relation to their library services. The Court held that the decisions of the defendant local authorities to make changes to their library services had been unlawful on account of their failure to comply with the public sector equality duties under the Equality Act 2010. In the Court's judgment, carrying out an EIA was not an invariable necessity for conforming with the public sector equality duty but nor was evidence that an EIA had been produced, evidence that 'due regard' had been given to the statutory equality needs. The substance of the analysis was key. The question was whether there had been a conscious directing of the mind by the decision makers to their obligations under the legislation and in particular to the need to exercise the duty to have due regard in substance and with vigour and based on sufficient information, appropriately analysed.
- 9.6 On the evidence, no such due regard had been had in substance. In order to discharge their respective duties, the authorities ought to have undertaken a sufficiently thorough information gathering exercise and then properly analysed that information. Both the authorities had failed to comply with that obligation. Accordingly, the decisions were unlawful for failure to comply with the public sector equality duties. Section 1 of the Localism Act 2011 introduced a new "general power of competence" for local authorities, defined as "the power to do anything those individuals generally may do" and which expressly includes the power to do something for the benefit of the authority, its area or persons resident or present in its area. Further legal advice will be provided in the development of the various options for models of service delivery particularly around the most appropriate type of legal entity to be set up as the service delivery vehicle for a staff mutual.

## **10. Results of consultation**

- 10.1 The report acknowledges the mixed response from residents to the level of their desirability to be engaged in borough wide 'community-led' library services, whilst responding positively to those neighbourhoods seeking a greater influence over the design and delivery of local library services. A full consultation report is attached at appendix 1.

## **11. Organisational implications**

### **Risk management:**

A risk register for the programme is managed and reviewed by the Transformational Programme Team and reported to the Community Investment Board

### **Equalities impact assessment:**

Full equalities impact assessment reports are attached at appendix 3 of this report. The Equalities Impact Assessment has identified the following primary concerns in regards to the library service:

- a) Disabled access in the library buildings, which will be addressed as part of the £6m capital investment programme.

- b) Community languages need to be increasingly reflected in the books available through the library service. This issue will be addressed through the remodelling of the service and increased coproduction with communities.

The findings of these assessments have been considered and mitigating actions are set out within the body of the report.

#### **Community safety implications:**

Section 17 of the Crime and Disorder Act 1998: The Act imposes a general duty on local authorities as follows: "Without prejudice to any other obligations imposed upon it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions, on and the need to do all it reasonably can to prevent crime, disorder and substance misuse in its area".

Compliance with the requirements of s17 may therefore include a two fold consideration i.e. having due regard to the likely effect of a decision on crime and disorder and doing all it "reasonably" can to prevent crime and disorder.

Successive surveys have shown that the level of crime in the Borough is the number one concern of residents. It is essential therefore that opportunity for crime and anti social behaviour is prevented and that the public realm environment promotes safety and security and deters criminal and anti-social behaviour opportunities. Libraries are a prominent means of distributing crime prevention advice and details to residents, and are a key community resource for residents to gain advice around reducing the risk of crime. The adoption of a cooperative approach to libraries will increase the accessibility and awareness of this information to the community, and as such should secure beneficial consequences for crime and disorder.

#### **Environmental implications:**

Many of the hubs are also key civic buildings within the locality. Investment in them will provide improvements to the local environment. All procurement of capital improvements will be undertaken under the corporate procurement procedures to ensure sustainable impacts.

#### **Staffing and accommodation implications:**

The report sets out a route map for the transformation of the service, which will have implications upon the current resource staff group given the financial envelope will be reducing over the next two years.

The report proposes a £6m capital investment programme across the portfolio of library buildings, including the disposal of the current Waterloo site, options appraisals into the future of Streatham library, survey, condition and options appraisal for Durning library. The report also recommends capital investment into the Nettlefold Centre to reopen it with library services within it.

#### **Any other implications:**

There are none

## **12. Timetable for implementation**

July 2012: Council to enter into codesign discussions with communities.

September 2012: Further report to Cabinet \_\_\_\_\_