

<b>DECISION-MAKER:</b>	CABINET		
<b>SUBJECT:</b>	THE FUTURE OF THE SOUTHAMPTON LIBRARY SERVICE		
<b>DATE OF DECISION:</b>	18th AUGUST 2015		
<b>REPORT OF:</b>	CABINET MEMBER FOR COMMUNITIES, LEISURE AND CULTURE		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>
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None
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### **BRIEF SUMMARY**

This report represents the next stage in the journey of the transformation of the Library Service. The aim is to develop and deliver a comprehensive and efficient service, which is modern, creative, innovative, inclusive and affordable that reflects the changing needs of the Southampton community.

On the 18<sup>th</sup> November 2014 Cabinet considered a report which set out a proposed Future Focus for the Library Service and a preferred option for the provision of libraries in the City. These two issues formed the focus of a consultation which spanned 14 weeks from 28<sup>th</sup> November 2014 to 6 March 2015. There were 7,706 responses in total across the online and paper questionnaire, children and young people's survey and written submissions.

The consultation revealed significant support for the Southampton Library Service and the role it plays in community life. The consultation showed:

- High levels of support for the proposed Future Focus with levels of agreement ranging from 97% to 52% on the five key areas of focus identified.
- 57% of respondents agreed that Southampton's Library Services need to change to meet future needs.
- 42% disagreed (40% agreed) that the Council should seek to make savings from the library budget.
- 53% agreed with the Council's preferred option to retain six City Council managed and operated libraries in the City.
- 70% of respondents agreed that the Council should provide opportunities for community led initiatives to be established if libraries are no longer managed by the Council.

The consultation also sought to identify the impact on users of the preferred option so that the draft Equality and Safety Impact Assessments (ESIAs) could be updated in the light of the consultation feedback to more accurately reflect the impact of the proposed changes and identify potential opportunities to mitigate this impact where possible.

The consultation also invited views on any alternative ideas/suggestions/proposals or expressions of interest (referred to as representations in this report). These representations have been considered by officers and this report provides feedback on this work. Updates have been made to the ESAs, and a new community package has been developed to reflect feedback within the consultation relating to the proposals for community independent libraries.

In conclusion, taking into consideration the consultation feedback, this report sets out in detail the proposal to implement the Council's preferred option to retain six City Council operated libraries in the City and seek to encourage and support community led/not for profit initiatives in those buildings that the City Council owns or uses but are not being retained as part of the preferred option. The Mobile Library would not be retained as part of the preferred option.

The preferred option will retain:

- Six libraries and online web services that processed 78% of all items borrowed by regular users across the service during 2013/14.
- The libraries that had 93% of all the People's Network computer sessions used in 2013/4.
- A good geographical coverage across the City (with City Council managed libraries in the City Centre, two on the west, one north of the City Centre and two on the east of the City,) which will enable 99% of households in the city to be within 1.5 miles of a City Council managed library.
- Libraries which are located so as to be easily accessible by foot, on public transport and by car.

The report also provides a commitment to continue to explore opportunities for innovative approaches to income generation, partnership and service enhancement as part of a longer term programme.

## **RECOMMENDATIONS:**

- (i) To approve the five key areas of Future Focus of the Library Service following consideration of the consultation feedback as outlined in Appendix 3 to include:
  - Developing a lifelong love of reading
  - Getting the City confidently online
  - Helping to meet the information needs of the City
  - Delivering in partnership
  - Developing the 24/7 virtual (web based) online library
- (ii) To approve Option D for implementation as outlined in the consultation process and in this report at paragraph 36.
- (iii) To cease to provide a Council managed Library Service from Cobbett Road Library, Burgess Road Library, Millbrook Library, Thornhill Library, Weston Library and the Mobile Library by March 31<sup>st</sup> 2016 and seek to encourage community led library initiatives in these buildings.
- (iv) To delegate authority to the Director of Place to devise and implement the necessary processes and documentation required to establish, where appropriate, community led initiatives in the

libraries that the City Council ceases to provide a service from, subject to meeting the assessment criteria set out in this report.

- (v) To delegate authority to the Director of Place, following consultation with the Cabinet Member for Communities, Culture and Leisure and the Head of Property, to lease Burgess Road Library, Cobbett Road Library and the new unit at Weston at less than Best Consideration (where appropriate) following the application process, referred to above, subject to meeting the required legal tests and duties.
- (vi) To approve the implementation of formal staff consultation on the changes that result from the decisions in this report and devise and implement a staffing structure accordingly.
- (vii) To delegate authority to the Director of Place, following consultation with the Cabinet Member for Communities, Culture and Leisure and the Head of Property to do anything necessary to give effect to the recommendations contained in this report.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To progress changes to the Library Service, to develop and deliver a comprehensive and efficient service which is modern, creative, innovative, inclusive and affordable that reflects the changing needs of the Southampton community and deliver a library service appropriate to the staffing and resourcing levels available.
2. The justification for the option outlined in this report is that:
  - Using the needs assessment priority calculations, this option includes the six libraries ranked the highest.
  - These six libraries and the online web based library processed 78% of all items borrowed by regular users across the service during 2013/14.
  - These six libraries had 93% of all the peoples network sessions used during 2013/14.
  - This option will provide a better geographical cover across the City (compared to Options A, B or C) of City Council managed libraries with one in the City Centre, two on the west, one to the north of the City centre and two on the east.
  - All six libraries are located in easily accessible locations by foot, public transport and by car.
  - All libraries are either in, or close to, district centres.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. Four options were outlined in detail in the Cabinet report considered on 18 November 2014. Three of these options (A, B and C) were considered and rejected at that time by Members. Members approved Option D as the preferred option on which to conduct the public consultation exercise. The consultation also invited views on any alternative options or expressions of interest. These are briefly considered below and in detail in Appendix 2.
4. **Community Representations**

The consultation that was carried out setting out the Council's preferred option also invited respondents to suggest alternative options for the Council to consider. A number of representations were received and these are listed

in the background papers and summarised in the Opinion Research Service (ORS) report, placed in the Members' Room. Appendix 2 also provides a response to key issues raised by each representation.

5. The representations received as part of the consultation can be broken down into two categories;
  - Representations from respondents to address the financial challenges from outside the scope of the library service.
  - Representations from respondents which are directly in relation to the library service or specific libraries.

6. **General Representations on Resourcing**

A number of respondents made representations suggesting that the budget challenges should be addressed from outside the Library Service budget. Officer responses are provided in relation to all the representations made in Appendix 2. Listed below in bold are some examples of the representations made and some of the responses given.

7. **Raise Council Tax rates**

The raising of council tax rates is not an issue that the City Council can take lightly. If the Council wanted to increase Council Tax by more than 2% (15/16 limit), a referendum would be required. Council tax bills would have to be issued with a higher than 2% rate on the 1<sup>st</sup> April prior to a referendum taking place. There are costs to the Council associated with holding a referendum and it is considered doubtful that residents would vote to increase their Council tax bills. If the residents in the City rejected the proposed increase, the Council would need to issue new bills immediately, offer refunds at the end of the year or allow credits the following year, subject to a right for Council taxpayers to request a refund on demand. It is therefore not considered economically viable to pursue this suggestion in light of alternative options available and the significant number of other high priority services such as children's and adults social care that would have a call on funding derived from this route.

8. **Ensure landlords pay appropriate taxes**

This is important to the Council and it therefore takes all action to ensure that debts are properly recovered and all those that should make contributions are doing so. This option is already being pursued to the maximum permissible at law.

9. **Mortgage the properties and sell assets**

Any money obtained from potentially mortgaging civic buildings or selling assets could only be used for capital (building or investment) purposes and could not be used to help balance the Council's ongoing revenue budget which funds the Library Service.

10. **Move to fortnightly bin collections and turn off street lights for some parts of the night**

There were a wide range of representations in relation to changes that could be made to current council services. The Council is exploring all options across all the services to address its financial challenges as part of the annual budget process. Ideas such as these will contribute, where taken forward to the overall financial gap.

11. **Plug the gap for a limited period of time until normal Council funding returns**

Sadly, it is not anticipated that “plugging the gap” is an option. The council is facing significant reductions to funding over the next few years. It is not anticipated that funding will increase to ‘normal’ levels after this time. Instead, it is anticipated that the Council will need to operate permanently within its reduced budget. All areas of the Council will need to look at making significant reductions in order to meet this challenge.
12. Representations in relation to the Library Service

A number of representations were made in relation to increasing income and alternative approaches to the library services. Some examples are listed below in bold and the responses are also shown. The full list is included in the ORS report and officer responses are provided to each representation in Appendix 2.
13. **Charging for book borrowing and use of computers**

Legislation prevents the City Council charging for basic library services such as borrowing books. It would be possible to charge for the use of computers. However it is anticipated that the majority of people that are using the people’s network computers are those that may not have access to IT at home. This is not recommended by Officers at this time as this service is heavily used by those applying for benefits and jobs and those least able to pay for the service, this avoids price becoming a barrier to use. The Council would be limited to cost recovery for such charges and could not use this option to cross fund whole library services.
14. **Charging for events, talks, activities, workshops, renting out/sharing space with other organisations, charging for meeting space**

Libraries do have the opportunity to charge for these type of events, and there are charges in place for use of some activities and spaces. Charging for spaces and activities will be encouraged and may extend, however it is not anticipated that this option would secure the saving required even as part of a package of options.
15. **Cafes/vending, retail opportunities, collection point for parcels, fundraising/sponsorship, commercial advertising**

The representations provide a list of potential income earning activities. Many of these ideas are in the process of being considered as part of enhancing the efficiency and effectiveness of the service and generally improving the user’s experience and may be developed where there is a business case for doing so. However, it is considered that even taken as a package the representations will not alone raise sufficient income to become an alternative to Option D. The level of catering provision in libraries tends to be relatively limited, and often requires substantial investment. There is an opportunity to work towards a long term return on investment for this type of initiative, but this does not meet the more immediate needs of the Council. Shorter term provision such as vending can assist in raising small scale income, but is not an alternative to option D, but a measure that will help to meet the ongoing financial challenges (where there is a business case for doing so) and improve the customer experience.

16. **Income from the Housing Revenue Account**

The Housing Revenue Account is a ring fenced account, this means the Council has no general discretion to transfer sums into or out of it. The items that can be charged to it are prescribed by statute and mainly centre on repairs and maintenance, and the management of property. One of the main purposes for the ring-fence is to ensure that rents paid by local authority tenants accurately and realistically reflect the cost of providing the housing service, and should not be used to cover the cost of other Council services. So whilst this funding has been used for particular projects in line with the above, it would not be possible to use the funding for the core ongoing revenue cost of library services.

17. **Reducing the number of paid staff and substituting these with volunteers but keeping a member of staff in all the existing library buildings.**

The libraries staff are very much valued by those that use the service, as a result of this, proposals to supplement the service with volunteers (where this leads to a reduction in staff) have been resisted. Current agreements with the Unions relating to the role of volunteers in Council services would prevent the substitution of staff with volunteers. Therefore Officers are unable to recommend this as an alternative to Option D at this time. Volunteers are an essential part of the whole library service and provide an important role, it is also hoped to increase the number of volunteers to enhance the service further, and the council is grateful for their valued input.

18. **Creating a health hub involving a partnership within the building with the health sector**

All public sector services are experiencing financial challenges at this time. There are forums where health and City Council staff come together and the opportunity for partnership working at the libraries particularly affected by the proposals in this report has been explored. However, the health organisations in the City are maximising the efficiency and effectiveness of their core estate and directing their funding at patient care. Opportunities for significant investment in the libraries affected by the proposals in this report are unlikely. However discussions will continue to ensure that all partnership opportunities are explored. It remains the aspiration of the City Council together with its public sector partners to explore all opportunities for combining and sharing public estate and this work is ongoing.

19. **Creating a charitable trust such as the Suffolk Model**

The Suffolk Trust which has charitable status, has 44 libraries that serves 730,000 people. The budget for the service has been around £7-8m. This is a much larger operation to Southampton with a significantly higher budget, more buildings and greater economies of scale. The main benefits in delivering through a Trust are in savings on business rates, which in Southampton, would deliver a financial benefit of approximately £50,000, should the whole service pursue this option. Substantial implementation and set up costs do not create a favourable business case. The large set up costs in the initial years means that any possible savings would not be available in the time required. It is therefore not recommended as an alternative to Option D.

20. **Integrating the service with Hampshire/Portsmouth Library Services**  
Discussions have been taking place with Hampshire and Portsmouth in relation to the potential for partnership working. However these are long term options which would not achieve savings in the short term. There are significant challenges to overcome in bringing the organisations together. These discussions will continue.
21. **Collaborating with local universities**  
Following communications with managers of the Universities, they do understand the financial position that the council faces. Restrictions on funding means that university funds must generally be spent on educational purposes for students. Both of the city universities have offered to encourage student volunteers in community led initiatives if these were taken forward.
22. **Reducing the opening hours across all libraries but keep them all open**  
Whilst it is considered that this could achieve the saving required it is not recommended by officers given the impact that reducing opening hours would have on the busiest libraries in the City. A detailed exercise has been completed which has identified that to achieve the same saving would mean that Millbrook, Weston and Thornhill would be open only two afternoons a week, Cobbett Road one day a week, Burgess Road a day and a half a week, Lordshill and Portswood would be two days a week and Shirley, Bitterne and Central Library three to four days a week. A sixteen hour reduction per week for the larger libraries would be required. This means that for several days of the week the busiest libraries in the City would be closed.
23. It is the considered opinion of officers, on the basis of the information that they have available at this time, that these options are not proposed as alternatives to Option D at this time for the reasons given in Appendix 2.

#### **DETAIL (Including consultation carried out)**

##### **The Aim of the Project**

24. The Library Service Transformation Project began with the identification of a project lead officer and the establishment of a Project Board in May 2014. The aim of the project was to develop and deliver a proposal for the future of the Library Service in Southampton which is **comprehensive** and **efficient**, that is **modern, creative, innovative**, and **inclusive**, which is **financially sustainable** and reflects the changing needs of the Southampton community.
25. The project sought to explore the options that would offer the City:
- A **comprehensive** service because the Council is required to provide a Library Service for residents and visitors. Services need to be accessible across the City.
  - An **efficient** service because there is a need to maximise the benefit of the service, and its effectiveness with the resources that will be available.
  - A **modern** service reflecting that people wish to access Library Services in new ways, such as the use of technology, e-books and Wi-Fi.
  - A **sustainable** service which is fit for purpose and affordable. There have already been reductions to the Library Service budget in recent

years and future budget savings require the need to re-organise and re-design the service rather than seek to continue to provide the same number of libraries but with significantly less funding.

- A **creative and innovative** service in the forefront of delivering services in new, exciting and stimulating ways.
- An **inclusive** service which aims to ensure access for all especially those that most need the service across the City.

26. The future direction for the Southampton's Library Service has been developed in consideration of the Council's statutory duty under section 7 of the Public Libraries and Museums Act 1964 to provide a 'comprehensive and efficient library service'

### **The Current Service**

27. The buildings from which the Library Service provides a tiered service from, are shown on the map in Appendix 2C of 18<sup>th</sup> November 2014 report. This includes:
- One large **Central Library** at the Civic Centre in the cultural quarter of the City.
  - Five **District Libraries** - in district centres close to shopping and public transport in Shirley, Bitterne, Lordshill, Woolston and Portswood. Woolston Library is currently being redeveloped in a new location at Centenary Quay.
  - Two **Neighbourhood Libraries** - medium sized libraries located on Burgess Road close to the University, Cobbett Road on the edge of Bitterne Park.
  - Three small **Local Community Libraries** located in Weston, Thornhill and Millbrook. The Weston Library is currently operated from a temporary building.
  - A **Mobile library** (in the 18<sup>th</sup> November 2014 Cabinet report there was a map showing the 2014 Mobile Library stops in Appendix 2e, the 2014 Mobile Library timetable was in Appendix d and Appendix i and j provided lists of the nurseries and sheltered homes visited in 2013/14)
  - **Services to the housebound and sheltered homes**, there are volunteers providing this service across the City.
  - **Schools Library Service**. (SLS): In 2013/14 around 26,052 children benefitted from these services to 72 schools.
28. Local people can register at any library and use the facilities across the whole of the city. The service is open to anyone who lives, works or studies in or around the city and to occasional visitors. There were 1.2 million visits to Southampton libraries in the year 2013/14. There were **43,381** active library users across the year 2013/14. (Active users are those who have borrowed an item or used a People's Network (PN) at least once in a year 13/14). **35,410** active library users are Southampton residents (82% of all active users) they represent 14.4% of the Southampton population (based on ONS 2014 Mid-year estimate). There were a total of **18,200** regular library users in 2013/14. (Those who have made six or more uses across the year 2013/14).



29. Whilst borrowing books and resources and using the internet on the Peoples Network computers remain the most popular activities, libraries do provide an extensive range of other opportunities including:
- Children's and family activities including: preschool rhyme time and story time, holiday and afterschool activities, homework clubs.
  - Courses and training including IT training.
  - Advice and information from partner organisations including Macmillan Cancer Trust and Citizens Advice Bureau.
  - Advice and information provided by library staff signposting sources of information available either in the library or elsewhere.
  - Activities for readers including reading groups and author visits.
  - Events – supporting national campaigns and local partnerships i.e. Dementia awareness
  - A place to study, research, work, or socialise.

### **Factors Influencing Change**

30. **The Digital Revolution and Customer Expectations**  
Library users are increasingly finding it more convenient to reserve and renew their books online. Over 60% of all reservations (representing around 93,000 items) and 33% of all renewals were carried out online in 2013/14 which was higher than any of the building based libraries in the City. These percentages have increased in recent years. The online "branch" therefore is more popular for reservations and renewals than any other branch. Collection and return of books currently still needs to be through local libraries.
31. There has also been a growing demand for access to information and resources online such that in 2013/14 there were 35,000 accesses to eBooks, audio, magazines, encyclopaedias, language and driving test resources online. Online access to library resources is likely to increase further in the future with customers desiring improved access through easily navigated systems from a variety of mobile devices and with e resources becoming increasingly available.
32. Although the single biggest activity in libraries is still book borrowing, there has been a significant decline in the need for reference and non-fiction material in recent years. Children's book borrowing and new adult fiction has only declined slightly in recent years.
33. **Service Driven Changes**  
All public sector funded services are facing challenging financial times and are exploring opportunities for maximising access for customers to their services through digital first agendas. Libraries are no exception. Whilst by far the majority of people in the community will be able to access these services through ever improving streamlined systems, this does leave some people potentially needing additional support and guidance. The library is increasingly becoming a service that people look to for access to and support with completing various online forms and transactions. This is likely to increase in the future. With its IT facilities and expertise the Library Service is well placed to lead a campaign to get people online and signpost information and advice.

34. **Financial Challenges**

While the savings in recent years have led to modernisation, they have also resulted in reductions in opening hours and resources budgets. The scale of further budget reductions now required means that it is not possible to achieve these savings without having a major impact on the quality of the service across the whole City in all the libraries. The proposals outlined in the consultation process and this report whilst reducing the number of buildings from which the City Council would operate a Library Service from, would seek to continue the journey towards a modern, creative, innovative, inclusive and financially sustainable provision with a good quality service.

35. **The National Picture of Alternative Models of Delivery**

Traditionally, Libraries have been provided and managed by local authorities but over recent years there has been a growth of alternative models including community led libraries. The Arts Council has carried out research on community libraries and has published good practice guidelines and case studies. It states: "In the last few years, particularly since 2010, there has been a rapidly growing trend to involve communities in library service delivery in more significant ways – not only to support and enhance library services but also in some places to manage them or even take on ownership and management of library buildings.

Arts Council research conducted in July 2012 across England's 151 library authorities highlighted the rapid growth of community libraries. This found:

- more than one in three library authorities had at that time at least one community library operating within their area, including some in every region of England; and
- in authorities run by all of the main political parties, as well as in urban and rural areas. In quite a number of these areas there are multiple community libraries.
- the research found over 170 community libraries in operation at that time, representing approximately five per cent of all public libraries in England. Most had developed in the year of, or preceding, the research.
- many library authorities had plans for further such libraries in the following years. The total number of community libraries which were either already operating or planned was over 425, which was approximately 12 per cent of all public libraries in England. The Arts Council's view was that, given that some authorities were still reviewing their library services, this number was likely to increase.
- the libraries that are becoming community supported or managed tend to be the smaller libraries in many areas.

One local example is North Baddesley Library. In April 2014 the Friends Group took over the running of the library from Hampshire County Council who had planned to close it as part on a cost saving exercise due to the limited usage. As a result of a large number of volunteers from the community there has been an increase in number of hours the library is open and a wider range of activities provided for customers. Hampshire County Council supplies the stock, the IT infrastructure plus some support from the Library Service. As a result of a varied range of fundraising activities and grant applications funding has been secured to carry out some improvements to the facilities.

36. **Option D – Six Libraries without Mobile Library-est. saving £286,2000**

**(Please see 18<sup>th</sup> November 2014 Cabinet report Appendix 3 and 4 for more details in relation to the Options and their potential impact.)**

Option D involves:

- City Council managed services to be operated from Bitterne Library, Central Library, Portswood Library, Woolston Library, Shirley Library and Lordshill Library.
- The Schools Library Service would continue substantially unchanged.
- The Virtual Online Library Service would continue and opportunities would be explored to improve this over time as outlined in the Future Focus in Appendix 3.
- The remaining libraries (Burgess Road, Cobbett Road, Thornhill, Millbrook and Weston) to be available for community led initiatives or (in the case of Burgess Road and Cobbett Road) for disposal if the Council is unsuccessful in securing community led library initiatives in those buildings.
- This service would not include the provision of a Mobile Library Service but the service would explore deposit collections where required around the City.
- Designated staff within the Library Service would have a role to recruit, develop and manage volunteer programmes and partnership working to enhance the Library Service reach and impact around the City in line with the Future Focus.
- The housebound service would continue.

**The Consultation**

37. On 18<sup>th</sup> November 2014 Cabinet approved public consultation for a minimum of twelve weeks to seek views on the preferred Option D, including but not limited to:

- The Future Focus for the Library Service and the priorities contained within.
- The decision to continue to provide a Library Service from six City Council managed libraries plus the online virtual library and the School's Library Service.
- The proposal to offer library buildings to community groups to develop independent community libraries prior to the consideration of disposing of the properties.
- The City Council ceasing to use the properties in which Thornhill and Millbrook Libraries are located.
- Bringing the temporary provision in Weston to an end and to seek to create the opportunity for the community to develop an independent library provision within a new unit being provided in the area.
- The removal of the Mobile Library Service.

Consultees were also encouraged to suggest any alternatives or submit expressions of interest.

38. It is important to note that the consultation was carried out to seek feedback on the specific points in the paragraph above. It was therefore not possible

to meet with organisations that requested the opportunity to discuss future options that may emerge as a result of any decisions being made in relation to the above. The Council needed to conduct the consultation with an open mind as to the future provision and without pre determination of the decision. If Members are minded to accept the concept of a community led initiative, there can be further discussions with individual groups in accordance with the recommendations of the report.

39. Appendix 1 of this report outlines the principles, process and outcome of the public consultation. It both supplements and contextualises the more detailed information about the consultation which is contained in the full ORS report which is available ( a document in the Members rooms) which provides a full analysis of the results. The consultation was launched on the 28<sup>th</sup> November 2014 and lasted for a period of 14 weeks until the 6<sup>th</sup> March 2015.
40. The consultation was open to all and people were invited to feed back through the following routes:
  - An **online questionnaire** which was available via the Council's dedicated web page.
  - The same questionnaire was also available in **printed format** in all libraries, Gateway and the Civic Centre and could be sent freepost to ORS or posted in secure ballot boxes which were located at each library.
  - An **online children's survey** designed specifically for children of primary school age which was available at the Council's dedicated web page.
  - The same survey was also available in **printed format** at all libraries and could be sent freepost to ORS or posted in secure ballot boxes in the libraries.
  - A **young person's online survey** designed specifically for young people of secondary school age which was available on the Council's dedicated web page
  - The same survey was also available in **printed format** at all libraries and could be sent freepost to ORS or posted in a secure ballot box in libraries.
  - **Open written submissions** – people had the opportunity to provide their views by writing directly to the Council or to ORS. There was also a dedicated email address that was available to receive emails as part of the consultation.
41. The consultation was promoted through a number of routes including the following :
  - Extensive local media coverage.
  - 40 e- alerts were sent to 60,000 subscribers through the Council's email marketing service (Stay Connected).
  - Emails to over 200 organisations that use the library service.
  - Posters in all the libraries.
  - Book marks given out in libraries with details of the dedicated web page.
  - Emails distributed to all head teachers in the City.

- Emails to all organisations on the anti-poverty network.
  - Visits or meetings with organisations where requested to clarify the purpose and process of consultation or to gather feedback.
  - A drop in programme where the Head of Service and the lead officer for the project visited all libraries twice for two hours during the consultation process promoting the consultation and answering any questions that people had on the process.
  - The Council's Facebook and Twitter accounts signposted users to the consultation and Facebook posts were used to encourage participation.
  - Screen savers promoting the consultation were also used on the libraries peoples network computers.
  - Changes were made to the Council's web site to promote the consultation and provide easy access to the dedicated web page.
42. There were a total of 7,706 responses to the consultation, which can be broken down as follows:
- 6,441 responses to the main questionnaire
  - 976 responses to the children and young people's surveys
  - 289 written submissions (open responses not on questionnaires.)

43. **The Future Focus for the Library Service**

In considering the future transformation of the Library Service the Council developed five key priorities, shaped by the strategic context of the City and the Council and also the drivers for change described earlier in the report and the aims of this project. The 18<sup>th</sup> November 2014 Cabinet report set out this proposed Future Focus for the Library Service in Southampton (Appendix 3) in the context of the Councils preferred option and the consultation sought to identify whether there was support for this approach.

44. The 5 key priorities identified were as follows and there was further detail available beneath these key headline priorities :

<b>Area of Focus</b>	<b>Outcome</b>
The further development of the 24/7 Virtual Online Library	A better user experience, increased convenience, availability and accessibility of online library resources.
Developing a lifelong love of reading	To enable anyone who wished to read to be able to do so and especially to introduce reading early to children, leading to improved literacy and performance at school.
Getting the City confidently online	Improved self-reliance in the community by increasing the number of people using IT to be able to access services effectively.
Helping to meet the information needs of the City	To provide support to those who most need it accessing and signposting information for local people.

Delivering Library Services in partnership	Library buildings offering activities and services from a range of organisations offering the opportunity also for individual and community participation.
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45. There was a significant level of support for the proposed approach as shown below:

Areas of Focus

- Developing a lifelong love of reading – 97% agreed
- Helping to meet the information needs of the City – 83% agreed
- Getting the City confidently online – 60% agreed
- Further development of the 24/7 virtual online library – 52% agreed
- Delivering Library Services in partnership – 60% agreed.

46. There was only one area of focus which showed a significant difference in support depending on the sub group of user. The analysis revealed that the more people used the library the less they supported the further development of the 24/7 virtual online library. The agreement levels are shown below:

- Regular users (those who used the service at least 6 times per year) 47.7%
- Active users (those who used the service once per year) 67.8%
- Non users - 79.4%

The high level of agreement from non-users underlines the potential demand for an expanded online library service. There is a clear pattern showing that those who most regularly use the existing Library Service place less importance on the development of the online service.

47. People were invited to comment in an open response box if they disagreed with the five key areas of focus and also they were asked to provide suggestions for additional areas of focus. The responses to this question are summarised in ORS Report. The suggestions that were made were generally in support of the five key areas of focus and no new areas of focus were identified.

48. The Future Library Provision

The background presentation which was available on the libraries dedicated web page explained the change in library users' behaviour and also covered the drivers which underpin the need for change to the Library Service. When asked whether the Library Service needs to change to meet future needs 57% of respondents agreed and 23% disagreed. In the children's and young people's survey 23% felt that the service needed to change .

49. The consultation explained the Council's financial position in the background presentation on the Council's dedicated web page and also on the questionnaire. This provided background to the question "To what extent do you agree or disagree that Southampton City Council should seek to make savings from the library budget to ensure that the Library Service is financially sustainable?" 40% agreed that the Council should make savings from the Library budget whilst 42% disagreed.

50. The background presentation and also the questionnaire explained the method that the Council had used to explore the evidence of need for the Library Service in the City and to establish the priority of the libraries in the

City for meeting those needs. The needs assessment was based on demographic need, library usage, the cost of the service and then location. The demographic need was weighted twice as important compared to the other criteria used. This was fully explained in Appendix 2a of the November 2014 cabinet report. The consultation sought to establish whether there was support for this approach. The consultation feedback revealed that demographic need had been rated as the most important with 59% of respondents rating it as either 9 or 10 on the importance scale (out of a total of 10). This reflected the Councils approach to double weight demographic need during this process.

51. The background presentation on the Council's dedicated web site and the questionnaire explained Option D (the Council's preferred approach) alongside the three other options that had been considered but rejected. The consultation sought to establish the public's views about Option D. The consultation revealed that 53% of the respondents agreed to the approach set out. When this was analysed by ward it was clear that those wards with libraries that were affected by the proposals had the lowest level of support with some as low as 32% agreeing, other wards less affected, including Bargate for example, had 71% agreement. The consultation revealed that the level of support for the proposed approach was also affected by the distance respondents lived from one of the affected libraries. Those within 5 minutes' walk only agreed 44 %, whereas those who live within 20 minutes' walk were 65% in agreement. If Option D is implemented this would result in 99% of households in the City within 1.5 miles of a library.
52. In the children's and young people's survey only 28% of respondents agreed with the Council's preferred option. A full analysis of the children's and young people's responses is attached in Appendix 1 which set these responses in context.
53. The questionnaire asked "If you disagree with the Council's preferred option for the Library Service please tell us why and provide details of any alternative options that the Council could consider." It should be noted that there was considerable feedback from library users from those libraries that the City Council proposed to cease to provide a service from but particularly in relation to Burgess Road and Cobbett Road Libraries. Clearly the libraries are very much valued by their local communities and users are keen to keep their libraries as a key community resource. A number of representations were made by local community groups and individuals in relation to these libraries and these are all outlined in the ORS report. Petitions were also received which were considered at Council.
54. In addition, the ESIA's (Appendix 4-10) have been updated to include data and comments from respondents to the consultation made in relation to the anticipated potential impact of the preferred option. These need to be read in conjunction with the ESIA's which were part of the November 2014 cabinet report. At Cobbett Road there is extensive use of the building for a wide range of community activities and these activities serve as a key focus for local people providing opportunities for social interaction, learning and development. At the Burgess Road Library there is a particular concern about the loss of a key local resource well located to serve an area of high deprivation within the City, and also as a base for the Toy Library. There are similar concerns at Millbrook, Thornhill and Weston. Despite the Council identifying demographic need as the most important factor influencing the

prioritisation of libraries, the limited use of some of these libraries significantly affected their position in the ranking. Respondents are still concerned that some of the communities that are in significant need will be disadvantaged.

55. Community Independent Libraries and Book Deposits

The 18<sup>th</sup> November 2014 Cabinet report included proposals for creating opportunities for community-led initiatives to be established in those libraries that the City Council ceased to provide a service from. The consultation sought to identify whether there was support for this approach. 70% of respondents agreed with this approach, 17% disagreed. The consultation also asked if any organisations completing the questionnaire were “interested in taking over a library building” with a view to developing a community independent initiative in any of the libraries and eight organisations indicated a positive response to this question. In addition groups were asked if they would like “a collection of books delivered for their group to use and changed on a regular basis”. A number of organisations requested this service. Officers will explore these opportunities in more detail.

56. Leased/Licensed Properties

When the consultation began, Millbrook Library was located in a leased property. The landlord required that the Council vacated the property by the 31<sup>st</sup> March 2015 and so there was a need to find a new venue. The Council owned a unit in a good location in Kendal Avenue which had recently become available and so a decision was taken to relocate the Library into this unit. The service was operational from the 7<sup>th</sup> April 2015 from this new location. As the property is owned by the Council there is no lease in place as such. A lease would be granted to the selected community group.

57. Thornhill Library is occupied under a licence with Plus You Limited. If Option D is approved there will be a need to bring this licence to an end. If Plus You Limited agrees to include Thornhill Library in the Expressions of Interest process, the Council would seek to broker terms with the Landlord for a new Tenancy with the selected community group.

58. Weston Library

Weston Library is currently operating from a temporary building outside the Chamberlayne Leisure Centre pending the creation of a new library and community space in the development taking place in Weston Lane. If Option D is approved, it is anticipated that the Council would still complete the new 125 year lease from the Developer, but not take possession of the space for the purposes of a library. It would explore how it will be possible for the Council to assign (transfer) the lease to a community group to use this space for a community led library initiative.

59. The research that was carried out during 2014 revealed that in 2013/14 there were :

- 4,640 visits to Thornhill Library
- 1662 visits to Millbrook Library
- 7653 visits to Weston Library

It also explained that in 2013/14, of the regular users (those who used a library six times or more in a year) that only used these libraries and no other libraries there were:



- 54 in Thornhill
- 33 in Millbrook
- 57 in Weston

The result of the consultation revealed that of those consulted :

- 3% visited Thornhill in the last year
- 3% visited Millbrook in the last year
- 3% visited Weston in the last year
- And 1% were regular users at each of these three libraries (48 regular users at each. This generally supports the numbers above from the Needs Assessment process.

60. 289 open submissions were made during the consultation. Some were general in relation to the Library Service as a whole and some were in respect of Millbrook, Thornhill and Weston libraries in particular. The submissions can be seen summarised in the ORS report. The key concern focused on the need for library services for those in areas of need around the City.

61. The Mobile Library

Option D includes the removal of the Mobile Library Service. Whilst the service was described as particularly popular with nurseries/preschools, and sheltered homes/nursing homes it is an expensive method of delivering the library service. The following statistics all relate to the 2013/14 financial year.

- There were 12,684 visits to the Mobile Library. This can be compared to 66,710 to 300,208 for each of the libraries to be retained.
- Of all the items borrowed across all the libraries and the web, 2.7% were borrowed from the Mobile Library.
- Of the 55% regular library users that only use one library 107 people only use the Mobile Library. This compares with 771 and 3144 for each of the libraries to be retained.
- 287 regular users used the Mobile Library. This compared with between 2015 and 9050 regular users at each of the libraries to be retained.
- On average 24.02 items were borrowed per hour. This can be compared with between 43 and 74 items per hour at the libraries to be retained.
- Cost per visit £8.09 (This was the second most expensive.) This can be compared with between 84 pence and £2.10 for each of the libraries to be retained.
- Cost per issue £3.15 (this was the third most expensive) this can be compared with between 83 pence and £1.32 for the libraries to be retained.

62. The consultation received feedback from users of the Mobile Library service.

- 3% of the respondents had visited the Mobile Library in the last year. This was the same as Millbrook, Thornhill and Weston.
- 2% (96) of respondents were regular users (using the library on six occasions in the last year).
- 2% (78) of respondents visited the mobile most often in the last year.

There is more information in Appendix 1 and in the ORS report.

63. Equality and Safety Impact Assessments

The 18<sup>th</sup> November 2014 Cabinet report included Equality and Safety Impact Assessments (ESIA) for all four Options outlined in that report and all the libraries affected. Following consultation, the ESIA for Option D has been updated and is attached at Appendices 4. Individual ESIA's for those libraries affected can be found at Appendices 5 – 10. These need to be read in conjunction with the ESIA's that were prepared for the November 2014 cabinet report.

64. One section of the questionnaire was dedicated to understanding the impact of the proposed changes.

- 18% of the respondents anticipated that they would be impacted by a great deal
- 26% anticipated that they would be impacted to some extent.
- 56% anticipated being impacted “not very much” or “not very much at all”.

When looking at the overall 898 individuals who felt they would be impacted a great deal by the proposals, 52% of these respondents' most regularly used a library unaffected by the proposal.

65. Of those that anticipated that the proposals were likely to have an impact on them:

- 59% stated that they were able to reach another library using their own transport.
- 55% stated that they were able to use another library by public transport.
- 55% stated that they would be able to self-serve online with renewals and reservations.
- 46% stated that a library book collection from other locations could reduce the impact for them.
- 46% stated that they would use the virtual library for ebooks and other online resources.
- 41% stated that the housebound service could reduce the impact of the proposed changes.
- 24% (783) of the respondents from a sample of 3,256 people that answered this question stated that they would have to stop using libraries.

66. 783 respondents said they would have to stop using libraries from the main questionnaire. This represents 10% of the main questionnaire respondents. Further analysis of this figure shows that, of the 783, many have indicated elsewhere in the questionnaire that they either already use, or are able to use, alternative provision:

- 251 stated that they most often used a library unaffected by the proposals, a further 21 did not use any library in the last 12 months and 238 did not supply information on their library use. It is unclear why these respondents feel they would have to stop using libraries, although we cannot assume that this would not be the case.
- The remaining 273 people say they would have to stop using libraries, and currently use an affected library the most.

- Of those 273 people, 181 have also said that they cannot reach another library using their own transport.
- Of that 181, 123 have stated that they could not reach an alternative library using public transport.

However, it should be noted that these respondents may choose not to do so, and may therefore still be affected.

The 123 individuals who appear unable to access a physical library under the proposals represent 16% of respondents who have indicated they would have to stop using libraries, or 1.9% of the main questionnaire respondents.

67. Further analysis of the above individual's responses indicates:

- 97 state that they would not be able to use the online library either for reservations or renewals.
- Of those 97, 92 state that they would also not be able to use the virtual library to access online content i.e. e-books.
- Of those 92, who say they would have to stop using libraries, use an affected library the most, could not reach an alternative library with their own or public transport, access the online library or use the virtual library, 57 state that they would not benefit from the housebound service.
- Of those 57, 55 would not benefit from collecting books from community venues.

Therefore, it would appear from the consultation that the best case scenario would be that there are 55 respondents who have indicated that they will not be able to access a physical library or any of the other library services that are on offer under the proposals. This equates to less than 1% of questionnaire respondents for the whole consultation. However, as noted above, there may be other respondents who have stated that they could, physically or otherwise, access library services under the proposals, who would choose not to, and would therefore still be affected.

68. Below these questions there was also an open box which asked if there were "any personal impacts or equality issues we have overlooked in the formation of the library proposals, please outline below". The information that was included in these boxes were included in the revised Equality Impact Assessments in Appendix 4-10. The comments are summarised in The ORS Report.

69. The ESIA's outline the mitigations that will be explored or are already available which would be used to seek to reduce the impact on residents of ceasing to provide a Council service from these libraries, these include:

- Offering the buildings where possible for community led libraries.
- Creating a package of support for community groups who may wish to take on these initiatives.
- Exploring how the housebound service could be expanded to help more people across the City.
- Exploring options for depositing collections of books at more locations around the City.
- Library staff and volunteer digital champions available in libraries helping people to benefit from all the online resources available and to be able to reserve and renew books online.

- Running courses in libraries to help people get online and become effective internet users.
- Providing assistance completing applications for a Smart Card to give concessionary bus travel for those over 65 and disabled people – libraries will also take photographs required for this card.
- Leading a campaign to get the City on line.

70. In total, the consultation process identified 909 individuals who have suggested that they would have to stop using libraries if the preferred option is implemented. This 909 is made up from 783 respondents to the main questionnaire (12.2%) and 126 from the children and young people's survey (12.9%).

To fully understand the scope of the impact the following paragraphs break this group down by the protected characteristics. Although a significant number of these (main questionnaire) respondents were also users of other non-affected libraries in the City and they also felt that they might be able to travel to another library using the bus or their own transport or use the online web based service, when assessing the potential impact of the proposal the total figure will be used. More details of these figures can be found in Appendix 1.

Figure 1 shows the respondents to the main questionnaire who have said they would have to stop using libraries on a map to show the geographical impact of the proposal. Full details of the impacts and plans to mitigate these are outlined in the Equality and Safety Impact Assessments (Appendices 4 to 10). If a decision is taken to implement Option D a letter/email will be sent to all those regular users who only use one of the libraries affected by the proposal to see how it may be possible to help them to continue to use the library service using some of the mitigations identified.

71.

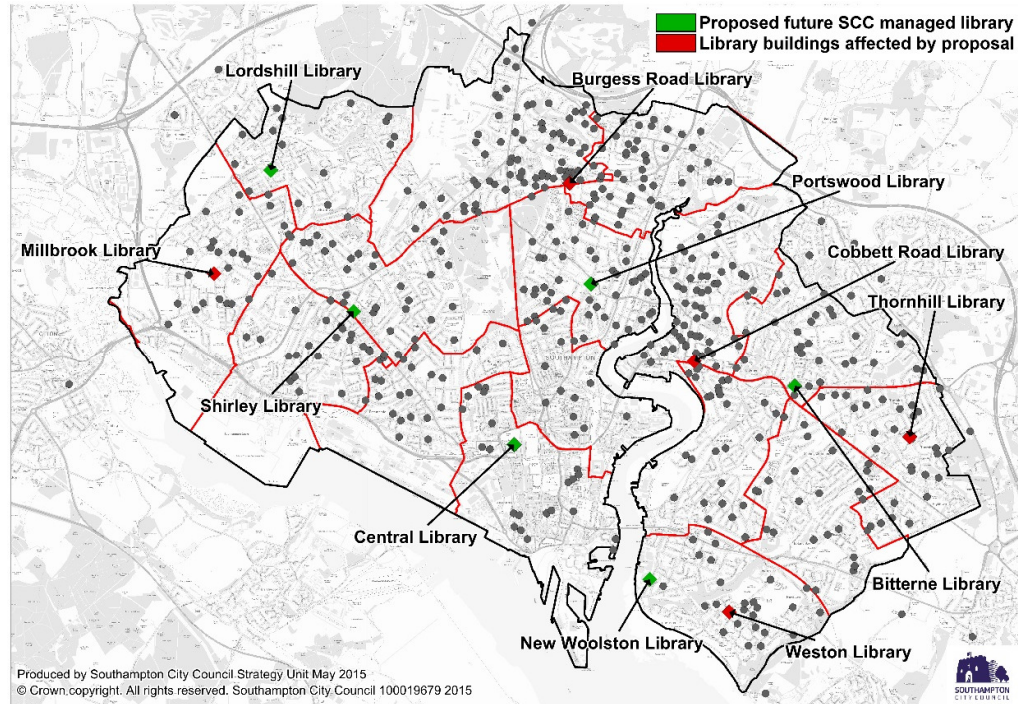


Figure 1

72.

Of the 909 respondents who say they will have to stop using libraries 185 are at least 65 years old (with 17 of these being 85 and over) and 134 are under the age of 16. For the 65 year olds and above those who would have to stop using libraries represents 14% of the total respondents in this age category. Continuing to provide a service from six libraries, seeking to encourage community groups to run a service from available buildings, developing the community collection service and the housebound service should assist in mitigating the impact for this age group. Introduction to the online resources for the above age group may also assist but it is anticipated that it will be particularly helpful to those under the age of 16 (13.6% suggested they would have to stop using libraries). The school's library service will continue to provide a service to all the subscribing schools across the City. Across all age categories, the percentage of those saying they would stop using libraries was 16.2%. The ESIA's have focused on under 18's and over 65+ as these groups may experience additional barriers which mitigating actions need to consider.

73.

Of the 783 main questionnaire respondents who suggested they would have to stop using libraries; 448 were female and 245 were male. In total 14.9% of female respondents and 14.0% of male respondents say they would have to stop using libraries if the preferred option were to be implemented. Continuing to provide a service from six libraries, seeking to encourage community groups to run a service from available buildings, developing the community collection service, the housebound service, continued improvement of the online library should assist in mitigating the impact on either gender.

74.

Of the 783 main questionnaire respondents who suggested they would have to stop using libraries, 118 considered themselves to have a disability. In total 28% of respondents who considered themselves to have a disability suggested they would have to stop using libraries. By continuing to provide a

service from six libraries, seeking to encourage community groups to run an accessible service from available buildings, developing the community collection service and the housebound service the impact on this group should be mitigated. Inclusion training and the provision of resources and technologies for supporting disabled people's specific needs would need to be considered in any service description with the Council and community/not for profit, run libraries. Improving the online library service is also a potential resource.

75. Of the 783 main questionnaire respondents who suggested they would have to stop using libraries, 93 were Black or Minority Ethnicity (BME). In total 27% of BME respondents suggest they would have to stop using libraries. Continuing to provide a service from six libraries, seeking to encourage community groups to run an inclusive service from any transferred libraries, the housebound service, developing the community collection service, and the online service should assist in reducing the impact on this group. Library stock will still be under the ownership of the Council and updated accordingly therefore the stock will continue to reflect the needs of the local community.
76. The numbers of respondents who suggest they would have to stop using libraries from the remaining protected characteristics (gender reassignment, marriage / civic partnership, pregnancy and maternity, religion/ belief and sexual orientation) were not formally gathered as a part of the consultation. However as a part of the consultation there was an opportunity for respondents to explain how the preferred option would impact on them and there did not appear to be any specific impacts raised which would relate to these groups. Therefore the mitigating approach outlined for each of the above should assist in reducing the impact of any of these groups.

### **The Option for Implementation**

77. The consultation feedback shows support for the Future Focus as set out in Appendix 3. It is therefore proposed that Cabinet formally approves this approach and give officers delegated powers to refine, improve and implement as the way forward. An action plan will be developed to take forward these areas of focus and progress will depend on the development of partnership opportunities and funding.
78. Whilst 40% agreed that the Council should make savings from the library budget during consultation and 42% disagreed, this does demonstrate a level of understanding from the respondents that there are financial issues that the Council has to address. If finance was the only driver for these proposals then the preferred options could feasibly be A, B or C but when taken into account with the need to balance service delivery and efficiency, D is a more appropriate approach. As stated earlier, it is a fact that the council is facing significant reductions to funding over the next few years. It is not anticipated that funding will increase to 'normal' levels after this time. Instead the Council will need to operate permanently within its reduced budget. In addition, all areas of the Council will need to look at making significant reductions in order to meet this challenge.
79. The consultation shows that there is support for the need for libraries to change to reflect the changing needs of the community, Option D and the proposal for community and not for profit organisations to take over library buildings if the City Council ceases to provide a service.

80. As a result of the consultation it is proposed to introduce a community package which would make the provision of a library service by not for profit organisations more feasible. This is outlined below:

<u>Some of the Issues Identified</u>	<u>As a Result it is Proposed</u>
That Community Libraries could have an aging book stock that would cease to meet the needs of the community.	To keep the Councils library books within the community libraries and keep the books refreshed.
That people would not be able to reserve and collect books from the affected library or even join new members.	To provide access to the Councils software system by the provision of computer hardware and software which would enable users of community libraries to make reservations from other branches and collect from their local library plus join new members.
That people would not be able to have access to the people's network computers for completion of job and benefit applications.	To keep the peoples network computers in the community libraries managed and updated by the City Council.
There would be limited options for income generation for community libraries.	To give community libraries the opportunity to keep any fines, but also to be able to sublet space within libraries for use by partners or for retail.
Community libraries would not be able to pay a rent for the space.	That consideration is given to offering the library buildings for less than the market rate if appropriate.
Community groups do not have experience of running libraries and would need support to do so.	<p>The library staffing restructure includes the provision of a post that will focus on developing partnerships and providing guidance and support to community independent libraries.</p> <p>As part of the process that would take place to seek to identify groups to operate each library which is identified later in this report, it is proposed to have a workshop so that</p>

	<p>questions can be answered but also to explore if there are any potential partnerships available between interested parties.</p>
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81. This report seeks delegated powers to develop the process and documentation associated with offering the library buildings for community led initiatives. The following organisations will be able to apply:  
Community, voluntary, not for profit or faith organisations or entities who can demonstrate that they are or will be:

- Properly constituted with strong and open governance arrangements.
- In a position to hold property.
- Able to demonstrate strong financial and performance management and accountable processes.
- Non-profit making and exist for community/social/environmental/economic benefit, whilst recognising that they may have business element to how they operate, such as a community café. However, this type of business and financial gain will not be the main driver and it will not distribute any financial surplus to owners or members but apply it to serving its core community aims and objectives.
- Open to and demonstrate an inclusive approach to members of the wider community.

The process will commence with advertising for expressions of interest. It is anticipated that this process will commence in September 2015 and conclude in February 2016.

82. It is proposed that the process would include an opportunity for those interested in the buildings to meet to explore potential partnership opportunities. It is proposed that applications will be assessed through a two stage process, starting with an expression of interest. As a result of this, organisations may be invited to submit a detailed application. Applicants must demonstrate that they meet the following criteria:

- Clear benefits to the community groups and to the Council, its aims and priorities, and the wider community to justify the subsidised transfer.
- Demonstrate that it will continue to be used to support locate community based library services and activities in line with a defined service description.
- Demonstrate strong and robust governance arrangements (including how local people will be involved in decision making in relation to the building/land and its use).
- Evidence of a track record in delivering services and/or managing property (if a new group evidence of this track record linked to the management committee members and/or staff and volunteers).
- Have in place a robust and sustainable business plan, for a 5 year period (3 years in detail, 2 in outline) or show the willingness to create an acceptable plan within a specified time frame before the building is transferred. Guidance will be available.



83. The following timescales are proposed for the process to identify community or not for profit organisations to run community led libraries. This is an indicative timescale which may change.
- Week beginning 7<sup>th</sup> September 2015 – Advertising for Expressions of Interest and information pack available to include: The draft lease, a partnership agreement with a description of the service needed, the community package, information about the use and finances of the libraries, demographic information and property information.
  - September 2015 – workshop to answer queries and explore partnerships.
  - 5<sup>th</sup> October 2015 – Deadline for Expressions of Interest.
  - 19<sup>th</sup> October 2015 – Invitation to Groups to Develop a Business Plan.
  - 14 December 2015 – Completion of the Business Plan.
  - January 2016 – Completion of Evaluation and Organisation Agreed.
  - February 2016 – Finalise and sign agreements.
  - March 2016 – Shadow period operation available.
  - 31<sup>st</sup> March – City Council managed service to cease from affected libraries.
  - 1<sup>st</sup> April 2016 – Community Independent Library Service to commence.

## RESOURCE IMPLICATIONS

### Capital/Revenue

84. Around 27 financial scenarios were originally developed in parallel with the needs assessment. These were refined down to four once the results of the needs assessment and the Library Priority Ranking Exercise had been completed. The four options were then included in the November 2014 Cabinet Report.
85. It is now recommended to proceed with Option D, which will deliver annual savings of £286,200. This figure relates to a full financial year and was based on the 2014/15 budget.
86. The following table (Table A) outlines a breakdown of the savings anticipated from the implementation of option D in a full financial year.

**Table A**

Description of Saving Item	<u>Saving anticipated</u> £
Employees	205,000
Premises	47,900
Transportation Costs	5,800
Supplies and Services	12,200
Internal Charges	27,100
(Loss of Income)	-11,800
<b>Total Savings</b>	<b>286,200</b>

87. It is anticipated that there will be a full year staff saving and no income generated in 2016/17. However, there are one off implementation costs associated with Option D. The following table (Table B) outlines a breakdown of these estimated costs and the financial year in which they are likely to be incurred. The implementation costs of £171,100, phased £34,000 in 2015/16 and £137,100 in 2016/17, will reduce the total level of savings that can be achieved from the proposal.

**Table B**

<u>Description of Cost</u>	<u>Cost estimate</u> £	<u>Year</u>
Valuers fees associated with the process to transfer the libraries to community/not for profit organisations.	11,000	2015/16
IT costs associated with enabling community libraries to use the Council's libraries spydus software systems.	23,000	2015/16
Costs associated with terminating the financing arrangements of the Mobile library.	89,200	2016/17
Potential additional costs for security, National Non Domestic Rates (where applicable) and utility bills. The current premises budget will be retained for one year to cover these.	47,900	2016/17
<b>Total Implementation Costs</b>	<b>171,100</b>	

88. It has been assumed that by 1<sup>st</sup> April 2017 the Council will be incurring no cost on these libraries other than those agreed as part of any community package, which are outside the costs listed in these tables. This infers that either the buildings have been passed to other organisations for the provision of a community library service or the properties have been disposed of. The full year saving of £286,200 will, therefore, be achievable for 2017/18 onwards.
89. There are human resource implications associated with Option D. Staff were encouraged to participate in the public consultation. An informal staff consultation exercise was carried out whilst the public consultation was underway. The results of this exercise was reviewed and considered when developing the draft structure, job descriptions and person specifications. As a result of this, a draft revised staffing structure has been developed along with detailed job descriptions and person specifications for Option D. This draft structure reflects the Future Focus of the library service. Formal consultation on the draft staffing proposals will follow on from a formal decision at Cabinet. Option D results in a reduction of the current staffing provision by 6.6 full time equivalents. It is currently estimated that there are 3.0 full time equivalent vacant posts that can be deleted as part of the restructure. The remaining saving would, therefore, affect 3.6 full time equivalent staff in post and normal City Council employment policies will apply.

## **Property/Other**

90. Option D would result in the City Council continuing to own and operate a library service from the six libraries listed below:
- Central Library
  - Shirley Library
  - Bitterne Library
  - Woolston Library (the new library will open early in 2016)
  - Portswood Library
  - Lordshill Library
91. The City Council would continue to operate the School's Library Service from the Warren Centre Annexe, Shirley.
92. The City Council managed Library Service would therefore cease on the 31<sup>st</sup> March 2016 in these libraries.
- Burgess Road Library
  - Cobbett Road Library
  - Weston Library
  - Thornhill Library
  - Millbrook Library
  - The Mobile Library

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

93. **Section 7 Duty**  
The City Council has a statutory duty to provide a 'comprehensive and efficient' Library Service under section 7 of the Public Libraries and Museums Act 1964. The 2009 Wirral Enquiry and subsequent case law has determined that the comprehensive and efficient service that local authorities are required to provide is a balance between meeting local needs within available resources in a way which is appropriate to the needs of the local community. Section 7 encompasses a duty of enquiry
94. The Council has, in its initial Needs Assessment (see Background Papers) and other supporting documents, sought to gather as much information as it can on the library service, its users and their needs. Further information gathered in the course of the consultation exercise has led to some revision of the analysis which had been already carried out and these documents have been updated.
95. There is no express obligation to consult in order to discharge the Council's duty under section 7 or indeed section 149 of the Equality Act 2010 (referred to and addressed below) but it is generally regarded as being, in many cases, a condition precedent to the lawful exercise of the duty.  
In conducting its extensive and comprehensive consultation exercise, it is therefore considered that the Council has proceeded in a way which is compliant with its duty under section 7.
96. **Offer of Library Buildings for Community Led Initiatives and Disposals of Land**  
Sections 81-86 of the Localism Act 2011 require the Council to consider 'expressions of interest' from 'relevant bodies'. Such expressions of interest

are those in providing, or assisting in providing, a relevant service on behalf of the Council, subject to certain exceptions. The proposal to transfer to community groups is in line with the Council's legal obligations under these community right to challenge provisions, and, in so far as they are applicable, the requirements of fair procurement.

97. If approved, the implementation of Option D involves the disposal of land as outlined in the report. Under section 1 of the Localism Act 2011, the Council has a general power of competence to do anything that individuals generally may do; however that general power is subject to other statutory restrictions. Section 123 of the Local Government Act 1972 provides that the Council must dispose of land for best consideration, save for cases where the consent of the Secretary of State has been obtained for any disposal at less than best consideration. Under the General Disposal Consent (England) 2003, such specific consent is not required for any disposal where the difference between the unrestricted value of the interest and the consideration accepted, is £2m, or less, provided that the purpose for which the land is to be transferred is likely to contribute to the 'promotion or improvement' of the economic, social or environmental well-being of the area. In order to use the General Disposal Consent (England) 2003, the properties must be held under the Local Government Acts. Where land is held in the Housing Revenue Account, they will be appropriated from the Housing Acts and Local Government Acts, prior to disposal. This is an internal administrative process.
98. If approved, the proposals will entail the disposal of Burgess Road library, Cobbett Road library and the lease at Weston at less than best consideration, where appropriate. In determining whether or not to dispose of land for less than best consideration, the Council must have regard to a number of factors, including its accountability and fiduciary duty to local people, future potential liabilities, its Community Strategy, all normal and prudent commercial practices, clear and realistic valuation advice on the asset in question and EU state aid rules.

#### **Other Legal Implications:**

99. **Public Sector Equality Duty**

In taking this decision to implement Option D, Members must be aware of their obligations under section 149 Equality Act 2010. This section contains the Public Sector Equality Duty (PSED). It obliges public authorities, when exercising their functions to have 'due regard' to the need to :

- Eliminate discrimination, harassment and victimisation and other conduct which the Acts prohibits;
- Advance equality of opportunity; and
- Foster good relations between people who share relevant protected characteristics and those who do not.

The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Members are advised to read the updated ESAs (at appendices 4 – 10) in full and familiarise themselves with their legal obligations under s149.

100. Case law has established the following requirements for PSED to be exercised lawfully.
- The equality duties are an integral and important part of the mechanism for ensuring the fulfilment of the aims of anti-discrimination legislation.
  - The relevant duty is on the decision maker personally. What matters is what he or she took into account and what he or she knew. The decision maker cannot be taken to know what his or her officials know or what may have been in the minds of the officials in proffering their advice;
  - It is important to record the steps taken by the decision maker in seeking to meet the statutory requirements in order to demonstrate that the duty has been discharged;
  - The decision-maker must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy. It is not sufficient for due regard to be a “rearguard action” following a concluded decision;
  - In order to be able to discharge the duty the decision-maker must have information about the potential or actual equality impact of a decision. This information will often be gained in part through consultation;
  - The duty must be exercised in substance, with rigour, and with an open mind. It is not a question of ticking boxes; while there is no duty to make express reference to the regard paid to the relevant duty, reference to it and to the relevant criteria reduces the scope for argument;
  - General regard to the issues of equality is not the same as having specific regard, by way of conscious approach to the statutory criteria;
  - Officers reporting to decision makers, on matters material to the discharge of the duty, must not merely tell the decision maker what he or she wants to hear but they have to be “rigorous in both enquiring and reporting” to them;
  - Although it is for the court to review whether a decision-maker has complied with the PSED, it is for the decision-maker to decide how much weight should be given to the various factors informing the decision, including how much weight should be given to the PSED itself;
  - The duty is a continuing one.

Members should in particular note that the duty is for them personally. It is not sufficient to rely on officers to discharge the duty by the preparation of EIAs and this report. Members must themselves read and actively take into consideration the EIAs and the consultation materials.

101. **State Aid**

State Aid rules are designed to ensure that the single market is not subject to national distortion through State support to particular companies or sectors. Since the tests for State Aid relate to an Organisation’s activities (and whether or not they are the subject of trade between member States), it cannot categorically be stated that State Aid will not apply to all community disposals. However, where an organisation can show that it is carrying out purely local activities, on a ‘not for profit’ basis, then this should be a good

basis for showing there is no State Aid. Where the recipient of a community disposal is engaged in carrying out 'not for profit' activities to meet a local community need (i.e. with no cross border trade), then the transfer is unlikely to count as State Aid in itself.

## **POLICY FRAMEWORK IMPLICATIONS**

### **102. The City Perspective**

The Southampton City Strategy 2014 – 2025 identifies the three priorities of the City as :

- Economic growth with equality
- Skills and employment
- Healthier and Safer Communities

The Future Focus shows how the Library Service will continue to deliver to against these priorities, providing support to businesses across the City, working in partnership with a wide range of organisations to deliver an extensive range of training opportunities and providing support and access to IT for those seeking to apply for work. With strong links to health organisations, libraries not only are a source of health information such as "books on prescription" but also a base for services such as Macmillan and others to provide advice, guidance and support in a non-medical environment. The future design of the service will continue to be shaped by these priorities.

### **103. In addition there are four cross cutting themes identified for the City:**

- Tackling the negative impact of alcohol
- Building community capacity
- Fostering City pride, passion and identity
- Delivering whole place thinking

As shown in the Future Focus, Libraries will continue to assist with the development of community capacity building by providing opportunities for:

- Volunteering
- A base for groups, organisations and services
- A range of learning and skill development opportunities
- Community led library initiatives

### **104. The Council Strategy 2014-2017 sets out the Council's vision and priorities for the next three years. The priorities are to create:**

- A sustainable Council
- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable residents
- Affordable housing
- Services for all
- City pride

The Library Service is, and will continue to be, available to all, it will provide facilities and support which assist local people in finding work and it is often used by the most vulnerable in society. However it needs to be able to provide these services within a sustainable Council with reducing budgets.

The Libraries will continue to get involved in campaigns and initiatives that link in with the other priorities listed above.

**KEY DECISION?** Yes

**WARDS/COMMUNITIES AFFECTED:** All

### **SUPPORTING DOCUMENTATION**

#### **Appendices**

1. A City Council report summarising the approach to the Consultation
2. List of Representations made during the consultation with Officer Response
3. The Future Focus for the Southampton Library Service
4. Equality and Safety Impact Assessment for the recommended option (Option D)
5. ESIA Burgess Road Library (July 2015)
6. ESIA Cobbett Road Library (July 2015)
7. ESIA Millbrook Library (July 2015)
8. ESIA Thornhill Library (July 2015)
9. ESIA Weston Library (July 2015)
10. ESIA Mobile Library (July 2015)

#### **Documents In Members' Rooms**

1. Opinion Research Services Report of the Library Services Consultation July 2015
2. Relevant Equality Impact and Safety Assessments ( November 2014)

#### **Equality Impact Assessment**

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. Yes

#### **Other Background Documents**

#### **Equality Impact Assessment and Other Background documents available for inspection at:**

- | Title of Background Paper(s)                                                               | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 1. The November 2014 Cabinet Report and all the Appendices.                                |                                                                                                                                            |
| 2. All the individual submissions and open responses received as part of the consultation. |                                                                                                                                            |