

NORTH YORKSHIRE COUNTY COUNCIL

MEETING OF THE EXECUTIVE

22 November 2011

REPORT ON THE FUTURE DELIVERY OF LIBRARY SERVICES IN NORTH YORKSHIRE

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of the progress to date on the agreed actions set out in the recommendations of the report of 14 June on the future delivery of library services in North Yorkshire.
- 1.2 To seek Members' approval for further decisions to be taken on
- opening hours for libraries in Categories 1 and 2,
 - progress on community ownership models for libraries in Category 3
 - a response to the petition from Great Ayton which was considered by Hambleton Area Committee on 5 September 2011.

1.0 BACKGROUND

- 1.1 At its meeting of 14 June 2011, the Executive considered an overview of the results of the three-month consultation on the future delivery of its library service. Members were informed as to the implications of the savings plan for the library service over a three-year period, starting on 1 April 2011 and ending on 31 March 2014. Recommendations were made as to how Library and Community Services would make the required savings of £2,024k.
- 1.2 The Executive agreed these key recommendations on 14 June 2011 as follows:-
- “in-year” savings in 2011/12
- removal of standard mobiles at the end of September 2011, including staff, vehicles and associated stock. The part year effect in 2011/12 will deliver a minimum of £174k; this would yield £529k in a full financial year.
 - use of £350k from central funding plus “one off” subsidy of £300k from Bookfund;
 - further savings in all areas of support/back office functions, currently estimated to exceed £100k in a full year
 - ensure other services within Library and Community services, eg Registration and Archive services, take an equally innovative approach to deliver further savings of £50k
 - ensure further defraying of costs by removing subsidy to other service areas receiving support from the Library service to achieve £50k savings.
 - continue to explore opportunities for creative income streams.

savings of a further £1m in years 2012/13 and 2013/14 by “sharing the pain”. The principles being applied across all 3 categories of libraries as follows:-

- continue work with communities and partnership groups to identify “community ownership” solutions
- as part of the above work utilise the one-off “invest to save” monies

allocated to the library service to develop the community outlet model to facilitate the transition to community ownership.

- continue to exploit the opportunities of new technologies to increase library usage

1.3 The approval outlined above was to be achieved as follows:

- **Category 1** - libraries in key centres of population, offering the full range of services, with fewer library staff, with opening hours reduced from their current level and open a maximum of six days per week, ie no Sunday opening. Any retention of existing opening hours would require building on the successes already achieved at eg Harrogate by increasing the use of volunteers in all libraries in this category as well as increasing the number of other groups/partners using library premises as their own base/outlet. Libraries in this category include Catterick, Crosshills, Filey, Harrogate, Knaresborough, Malton/Norton (one site), Northallerton, Pickering, Richmond, Ripon, Scarborough, Selby, Settle, Sherburn, Skipton, Stokesley, Thirsk and Whitby.
- **Category 2** - libraries located in the smaller towns as well as areas of significant population, or in areas of social or rural deprivation. The library service budget will continue to ensure that these libraries are maintained through ongoing support towards accommodation, book stock, IT facilities and broadband connectivity. In addition to this, an element of “professional” or “paid” staffing will be based in the library, albeit at a reduced rate to that which is currently provided. Work with communities in these areas has been developed to meet their needs in partnership with volunteers/groups and organisations. Libraries in this category include Bedale, Bentham, Boroughbridge, Colburn, Easingwold, Eastfield, Hawes, Helmsley, Ingleton, Kirkbymoorside, Leyburn, Pateley Bridge, Scalby, Starbeck and Tadcaster.
- **Category 3** - libraries in relatively close proximity, ie those within approximately five miles of a Category 1 library or in unsuitable premises. Support from the service will include the provision of regularly updated book stock as well as training and monitoring for volunteers/partner providers from members of the professional library team. The service has continued to work with these communities in order to develop local solutions. However, given the financial constraints and the time needed to consult with the staff affected, it was proposed that, if no partners came forward to work with the service in these locations by 31 October 2011, then these libraries would close by 31 March 2012. Libraries within this category include Barlby, Bilton, East Ayton, Embsay, Gargrave, Great Ayton, Hunmanby and Masham.

1.4 The Executive agreed that a further report be brought back outlining progress in relation to partnership discussions with communities including financial analysis to demonstrate how this would secure the savings of £1m required over 2012/13 and 2013/14.

2.5 At the same time, it was also agreed that the existing Supermobile/Home Library and Information Service (HLIS) would be retained and reconfigured to ensure coverage in areas of greatest rurality/sparsity furthest away from static libraries.

3.0 PROGRESS TO DATE

- 3.1 Withdrawal of the mobile library fleet and establishment of the new Supermobile schedule.** As Members will be aware, the main area of savings for Year 1 (2011/12) comes from the proposal to remove the existing mobile fleet and to replace it with a revised timetable for the “Supermobile”. The last day of service for the 10 mobiles was 16 September 2011. The fleet has now been de-commissioned.
- 3.2 As agreed by the Executive on 14 June 2011, the Supermobile now stops in one location for each community served for two hours, once a fortnight. The vehicle, which is DDA compliant, provides around 3,000 items of stock, including books, DVDs and audio books. Public access to the internet is also available via a satellite link.
- 2.3 The revised Supermobile schedule was implemented on Monday, 24 October 2011 (**see Appendix 1**). The schedule locates super mobile stops in those communities which are the furthest away from branch libraries. Professional library staff are working and will continue to work with communities to encourage the use of the Supermobile and Members have been invited to promote the Supermobile as a focal point for local communities. Each site will ensure the continuance of the Home Library Service (HLIS) within the locality through use of an expanded volunteer network. Parish Councils and a range of potential partners have also been invited to work with the service to broaden the range of services available to the local community during the morning or afternoon at the Supermobile visit. Whilst the use made of the Supermobile has been encouraging so far, this will continue to be closely monitored to ensure an acceptable level of use is maintained both for individual stops and for the service overall. If usage is insufficient/declines and the service ceases to be viable, its deployment will be re-considered.
- 3.4 Expansion of Home Library Service (HLIS), Local collections and Outlets** Following the withdrawal of the former mobile library fleet, work has continued with smaller villages and settlements in order to set up library outlets/book corners and “reading rooms” where communities have expressed an interest in running their own collections. These facilities will also help to mitigate adverse impact on a range of library users including children, older and disabled people. In addition, further opportunities for volunteering activities within these communities are being pursued, including the extension of the already successful Home Library Service. Although 39% of those using the mobile service already visited static libraries, it was recognised that some people, through illness or disability, could be left without access to a library service once the mobile fleet was withdrawn.
- 3.5 Letters and information leaflets were sent to every Councillor and Parish Council affected, asking for names of those who may require the Home Library and Information Service as well as ideas of potential community space for an outlet or collection point. The mobile drivers handed out similar leaflets to people using the mobile during the last six weeks of the service, to identify those that might need HLIS once the mobiles stopped. As a result all the Home Library and Information Service customers previously receiving the service via a mobile library were transferred to HLIS volunteers and received a volunteer visit by the end of October 2011.
- 3.6 In addition, a further 98 former mobile users have now started to receive the service and local volunteers will also deliver books from the evening stops to older people who find access difficult during the winter months. It is expected that these library users will return to using the Supermobile themselves in the

lighter evenings. Library staff are now exploring further expansion of the HLIS around the new Supermobile stops.

3.7 Discussions with Community Groups representing libraries in Categories 2 and 3

Following the Executive's decision on 14 June 2011, most communities have formed "library steering groups" either as working groups facilitated by Town/Parish Councils or as stand alone groups for the specific purpose of delivering library services. A considerable amount of work has been carried out by these groups, in partnership with officers of the County Council and voluntary and community sector organisations.

3.8 Officers from the Library service have been working extensively with community groups and their representatives across the county to assist in putting together proposals to maintain and/or enhance library services. This has required working flexibly in order to meet with representatives of the different groups and respond to the numerous requests for information from them. The work has been ongoing and intensive, in recognition of the fact that communities have required different levels of support and information, often at short notice. Staff from voluntary and community sector organisations have also provided independent advice and support through the "Active Communities" project. Local Members have also been advised on progress and been involved in elements of the community groups.

3.9 Active Communities – Work with Category 2 and Category 3 libraries.

Separately and prior to library developments the North Yorkshire Strategic Partnership (NYSP) agreed to allocate some of the Performance Reward Grant earned from the Local Area Agreement to support community development. This led to the "Active Communities" Project, which aims to support communities, particularly in response to reduced public sector funding.

3.10 As part of this work the Active Communities project has completed initial assessments of 22 Category 2 and Category 3 libraries (excluding Hawes as they, along with Grassington, pioneered the community ownership model). This work was undertaken by Rural Action Yorkshire, Seachange, Harrogate CVS and Craven CVS with the North Yorkshire and York Forum acting as lead body. It was felt that this approach would be helpful as these organisations are well placed to support communities as well as acting in the role of "honest brokers". Whilst NYCC officers have been working closely with communities it is recognised that they will value some independent and skilled support.

3.11 Discussions were held with local library groups to identify local needs and potential community solutions to library closures, taking into account existing community capacity, key contacts, and the level of local interest; with the aim of ensuring that communities are fully engaged with the process of making the most of the library asset within their local community. The service will need to continue to develop expertise among local people who wish to become actively involved in this process.

3.12 Individual library groups have been supported in producing detailed self-assessments of their current position in relation to Business Planning; Governance; Community Support; Finances; Knowledge and Skills; and Policies (e.g. safeguarding, equalities, data protection etc).

- 3.13 A number of key issues have been identified across many groups. These include: legal advice about group constitution, lease/licence/service agreements etc; developing business plans and fund-raising; recruiting and managing volunteers (including issues around insurance and CRB checks); and establishing policies and procedures (e.g. Health and Safety). It is recognised that officers will need to work with communities across the County to address these general issues.
- 3.14 Further work will now be done to provide packages of development support from appropriate providers (e.g. VCS support and development organisations, specialist organisations, professional services) according to the identified needs. It is anticipated that the Active Communities project will be able to continue to offer this support, and further expertise will be drawn in where required.
- 3.15 Progress with communities with Category 3 Libraries**
The Executive is asked to consider the summary below, which forms the basis for the report's recommendations on Category 3 libraries. **Detailed summaries and specific recommendations on individual libraries are contained in Appendix 2.**
- 3.16 The work with the eight Category 3 libraries has been particularly critical as these are the libraries which will close on 31 March 2012 unless the local communities develop sustainable proposals to take on a community led library/community hub. Each community has established a group to work on a local solution, and it should be recognised that all the groups involved are enthusiastic and have put in a great deal of work in order to achieve this. As a result the service has received proposals, to varying degrees of development, from each of the groups.

Brief details on each of the Category 3 libraries are provided below:-

Ayton Library

- 3.17 The Derwent Valley Library Group aims to provide a library and information service and access to IT in the existing building as part of a multi-service facility, available to the Derwent Valley community. The group have consulted widely and have the support of the local Parish Councils and 50 identified volunteers. They have raised concerns about the condition of the fabric of the building which appears, at this stage, to be the most significant issue to resolve.

Barlby Library

- 3.18 Barlby and Osgodby Parish Council is proposing to take over the Barlby library building to provide a community hub. They plan to retain a community library, providing book lending and IT, run by a volunteer group, initially opening for one morning, one afternoon and one evening session per week. They plan to site the parish council office within the building and provide space for councillor surgeries, police drop ins, local history group meetings and other local groups who require meeting space. In addition they intend to run coffee mornings and 'silver surfer' sessions etc. This is intended to be financed through the parish council precept and income generation through hire charges etc.

Bilton Library

- 3.19 The Bilton Library Friends Group has tried to find a viable way to keep the library open in its present location and has also explored alternative locations. Their proposal is that they will run a community-led library service in the existing Bilton Library building after 31st March 2012, as a temporary location for approximately 18 months until such time as a new location becomes available as part of the extension of the children's centre at a local primary school. This proposal is contingent on agreement by North Yorkshire County Council to a community run library remaining temporarily in the existing building, and on an agreement that library services form one of the services at the newly developed children's centre.

Embsay Library

- 3.20 Embsay Community Library Committee is proposing to take over the library service for Embsay, which is currently part of the village hall. They are investigating the possibility of a stand alone library management system and purchasing their own ICT equipment for public use. The group has been very active in the village and has written to all households asking if they would be willing to make an annual donation to cover the cost of the rent and ICT etc. They have recruited a number of volunteers who will assist library users and also intend to make the library available when the village hall is used by local groups, such as the indoor bowls group.

Gargrave Library

- 3.21 The Gargrave and Malhamdale Community Library group is proposing to continue to run the library in its current premises in the village hall. Initially they intend to maintain the current library opening hours of 12 hours per week with a view to extending the hours in future. A range of library services, including book lending, ICT etc, will be offered. They have secured agreement from the parish council and the village hall management committee to cover the cost of the premises, which are in the village hall, for the next three years. They are also hoping to secure sponsorship from local business and grants from local charitable trusts etc. They have recruited a number of volunteers.

Great Ayton Library

- 3.22 There are two groups in Great Ayton – Save Great Ayton Library Group (SGALG) who have been working to come up with a way to take on the library service, and the Keep It Public Group. The latter group addressed the Hambleton Area Committee on 5 September 2011 about the petition from residents of Great Ayton objecting to the “withdrawal of Great Ayton library as a public, professionally run, Council Tax funded service”. See **Appendix 3**. As a result of this it was agreed that a response would be determined by the Executive when they considered this report on the future of Library Service. See Minute **Appendix 3**. This report makes recommendations relating to Great Ayton Library which would effectively address the petition.
- 3.23 The Save Great Ayton Library Group has produced an ambitious proposal for a multi-resource community centre and library in the current library building. They hope to extend the existing library opening hours to 32.5 hours per week. They also hope to gradually expand the range of services available in the building. A wide range of library services, including book lending, ICT etc, will be offered. In addition to library related activity they propose to house the village craft shop and hire out the building for a range of other community activities. As they wish to employ paid staff, they are hoping for considerable financial help from either the Parish Council via the parish precept, or from the County Council.

Hunmanby Library

- 3.24 Hunmanby Hub steering group submitted an early proposal to provide a community resource centre, providing a range of community services including an expanded library service. Hunmanby already has a fairly large community centre which is situated directly opposite the library and this has complicated matters for the local community. As a result, no further proposal was received for the Hunmanby Hub that included any financial details and the group indicated that they would need significantly more time to develop the level of business plan being requested by Council officers. Further discussions have taken place with the group and officers have advised that the current proposals “on the table” fall short of expectations, and the group are now exploring re-location of the library to the community centre with the intention of developing firm proposals by the end of December 2011.

Masham Library

- 3.25 Mashamshire Community office submitted a proposal at a very early stage to house a community library in their premises. The library service will therefore move out of its current, unsuitable, rented premises at the end of December 2011. The Community Office will provide volunteers to assist library users. A book lending service will be provided and the Community Office will continue to make their computers available for public use. The library will be open when the Community Office is open thus providing greater access to the public. A service agreement has been signed by both Mashamshire Community Office and the County Council and the library will be provided in its new location from the end of January 2012.

3.26 Discussions in communities with Category 2 libraries

Category 2 libraries face a proposed reduction in staffing and a consequent reduction in opening hours. This potentially affects the sustainability of smaller libraries which already have fewer opening hours. As the amount of “paid” staff hours reduce further, this could lead to fewer people using the service with a consequent rise in the cost per user. These libraries would therefore be less cost effective in the longer term and more vulnerable to future cuts. It is therefore recognised that paid staff roles in the future will need to be developed to spend more time facilitating and training groups and volunteers.

- 3.27 Each community with a Category 2 library has identified a group (or individual) to work on plans to supplement core opening hours. Some of these are already established groups, others have been set up specifically and officers have had discussions with representatives of all 15 of the groups in Category 2. Whilst the service has not received written proposals from all groups, the majority have expressed the intention to recruit volunteers to at least maintain the current opening hours in their local library. Some communities are also looking at other ways in which they could provide support to make their local library more sustainable. These include organisations moving in with the library; sharing staffing; using the library for other activities and encouraging local groups to hire the library out of hours. Discussions with groups have also highlighted a number of common issues including CRB checks, training, insurance etc.
- 3.28 Groups from Bedale, Bentham, Boroughbridge, Colburn, Easingwold, Helmsley, Kirkbymoorside, Leyburn, Pateley Bridge, Scalby, Starbeck and Tadcaster are all either looking to, or have already recruited volunteers to extend the proposed staffed opening hours.

- 3.29 At Leyburn plans are underway for Richmondshire's Community Office to move into the library, and at Easingwold, the Town Council and Community Care Association are currently developing plans to operate out of the library. At Bentham, Boroughbridge, Colburn, and Kirkbymoorside groups are looking at ways to increase the usage of the building, for example at Boroughbridge the group intends to exploit use of the room above the library in order to increase community use/income generation.
- 3.30 At Eastfield, Ingleton and Pateley Bridge the service is in discussion about proposals from partners who wish to become involved in the front line delivery of the service. **More detail and specific recommendations for Category 2 libraries can be found in the summaries in Appendix 4.**
- 3.31 Category 1 libraries**
To date, officer time has been concentrated on discussions with Categories 2 and 3. There has been some discussion with county-wide organisations such as the Rotary Club and the Women's Institute about how they might help support local libraries. However, more detailed discussions with Category 1 Communities will commence in the forthcoming months leading up to and beyond 31 March 2012.
- 3.32 It is intended that the use of volunteers be increased across Category 1 libraries, building on the experience gained from the Big Lottery project in Harrogate and that of the Home Library and Information Service. The volunteer recruitment procedure and role descriptions have been expanded to include IT buddies, Local History and children's activities. These are now in use across all Category 1 libraries and pro-active promotion will be undertaken in the ensuing period. See **Appendix 5** for examples of volunteer role descriptions that have been developed.

4.0 PROPOSALS

- 4.1 Paragraphs 3.16 - 3.31 above demonstrate that good progress is being made in terms of encouraging wider community ownership in delivering library services, hence the recommendations in **Appendices 2 and 4**. However, in order to find the savings of £1m required over years 2012/13 and 2013/14, the main proportion will need to be found from the libraries staffing budget with the associated impact on library opening hours. This reflects the decision of the Executive on 14 June 2011 that all libraries should 'share the pain'.
- 4.2 In setting out these proposals, it was necessary to consider the requirement for the County Council to provide "comprehensive and efficient" library services under the 1964 Public Libraries Act. The opportunity was also taken to recognise and address historical anomalies in terms of current staffing deployment/opening hours/allocation of Sunday opening etc.
- 4.3 Achieving an effective distribution of opening hours across Category 1 and Category 2 libraries requires recognition of the performance of each library as well as a fair geographic spread across all districts. The opening hours listed are those to be delivered by NYCC staff and may not reflect existing or proposed partnerships such as those at Kirkbymoorside and Leyburn. Equally whilst seeking parity across the authority it must be restated from the initial consultation that 80% of library users and 70% of the overall business is delivered through the Category 1 libraries.

- 4.4 The proposed allocation of hours has been based on performance, and a range of performance measures have been considered. These include
- Number of active borrowers
 - Number of active users
 - Number of visits
 - Number of HLIS users
 - Number of PC sessions booked
 - Income
 - Summer reading challenge numbers
 - Bookstart numbers
- 4.5 This has allowed for recognition of changes in use across the various libraries, particularly those where use has been steadily increasing with no associated increase in hours or staffing, or where use has declined. This approach seeks to maximise value for money in terms of the County Council's return on its investment in the revenue budget for the library service.
- 4.6 **Appendix 6** sets out recommendations for the allocation of staffed opening hours for libraries in Categories 1 and 2. The proposals consider the need to ensure that libraries in main centres of population, such as Harrogate and Scarborough, maintain sufficient opening hours in order to deliver a "comprehensive and efficient" service under the 1964 Public Libraries Act. Also, as Members will be aware, completion of the refurbishment of Harrogate Library last year was achieved with support from the Big Lottery. The Council's business plan for lottery funding stated that the new facility would be staffed for 55 hours of opening per week and the service has been advised by Big Lottery that changes to this could put the Council in breach of the terms and conditions of the grant. Harrogate Library does, in any case, make a major contribution to the overall performance of the library service, accounting for 13% of the issues and 10.5% of all physical visits to libraries.
- 4.7 In line with our normal practice the service will consult with library users and local groups about the changes to the hours, taking into account the impacts upon a range of users. The service will also seek to be flexible, recognising that paid staff hours will be needed at peak times and/or when local groups cannot provide some level of service.

5.0 POLICY AND PERFORMANCE IMPLICATIONS

5.1 As stated in the report of 14 June 2011, the main policy document for the Service is the Library and Information Service Strategy, 2008-2023 - New Look, No Shush. This strategy recognises the need for the service to work with a whole range of internal and external partners and to look at alternative ways and opportunities in order to continue to provide the service in a sustainable way. The current financial climate has required the service to accelerate the work that had already been embarked on, providing a flexible library "offer" to alternative service points. The County Council recognises that "one size does not fit all", and that what is developed with local communities needs to reflect the particular circumstances of that community. Officers are encouraged by the response from community groups and other partners so far, which represent a major step forward in joint working and officers are hopeful that the service will be able to build on this to achieve the aim of libraries taking on the role of hubs at the centre of local communities. These

proposals seek to ensure that a comprehensive and efficient library service can be provided, but in a sustainable way by encouraging greater community ownership and greater involvement of other partners.

5.2 It is difficult to accurately forecast the impact on performance that the changes to opening hours and the proposed transfer to community ownership will have. However, communities in the main are proposing to at least maintain opening hours and many hope to increase them. This could well have a positive effect on the numbers of people using libraries across the county.

5.3 In respect of mobile libraries, prior to the service ceasing on 16 September, issues and visitor figures on the mobile libraries continued the downward trend of previous years. In the 2 months prior to the decision to cease the service, issues had declined by 11% and by September the decline was 26%. Visits followed the same pattern falling by more than 20%.

5.4 The service is continuing to monitor the effect of the withdrawal of the mobile service on former mobile users. However, we do know, from data collected to date:

- approximately 45% are using other libraries
- 20% are in the catchment area of the Supermobile's new route
- 251 disabled /older people are receiving a service from the home library service with the expectation that a further 100 – 120 will shortly be receiving that service.
- local outlets and collections will enable more people to access the service locally.

5.5 In the first 2 weeks of the new route the Supermobile attracted 56 new members, 40% of whom were young people, and issued 1301 items to 371 individual users. The public to date have been extremely pleased with the new service and the challenge for the future will be to maintain this impact.

5.6 As a result of the reduction in the Bookfund it now takes longer for people to receive the books they have requested. At the same time the reduction in the number of newspapers, periodicals and electronic subscriptions purchased is having some impact upon public satisfaction rates.

5.7 It is interesting to note that “virtual” visits to the library service have more than doubled over the last four years and now contribute just over 20% of all “visits.” This emphasises the need for libraries to continue to maintain and expand their customer base in the challenging environment of digital delivery. This in turn provides an opportunity for the service to modernise the way in which communities gain access to information, books and reading materials through new technologies.

6.0 FINANCIAL IMPLICATIONS / RISKS

6.1 As a summary the overall budget savings that are required over the 3 year period are set out in the table below:

	2011-12 £000's	2012-13 £000's	2013-14 £000's	Total £000's
Required Savings	1,024	500	500	2,024
Additional Central Funding support	(350)			(350)

- 6.2 Background details and an update on the areas in which savings of £674k are being found in 2011/12 have been provided at 2.2 of this report. Plans are progressing in order to conclude work on the savings from support/back office functions and on removing subsidy to other areas.
- 6.3 The following sets out how the balance of savings will be found in 2012/13 and 2013/14:
- Reduction in frontline staffing of 22% (circa 36 whole time equivalent posts). This will deliver full year savings of £825k (further breakdown in Section 9 - Human Resources Implications).
 - Removal of the running costs for Category 3 libraries including buildings, utilities, ICT etc. This will deliver savings of £120k. (Please note that staffing savings from the Category 3 libraries are included in the figure above).
- 6.4 The remaining full year required savings will be delivered through a combination of further savings in:-
- Support/back office functions
 - Registration and Archives
 - Exploitation of opportunities from new technologies including self issue/ebooks
 - Exploitation of further opportunities for co-location/creative income streams.
- 6.5 The timing of staff consultation means that it will not be possible to deliver the full year staff savings in 2012/13. However, the saving will at least meet the £500k requirement in 2012/13 with the full year effect being realised in 2013/14.
- 6.6 Discussions with Category 3 libraries have indicated a number of areas where local communities may require some additional assistance from the Council in order to ensure a smooth transition. The nature and level of this assistance will vary with the local situation as each community has a range of different issues to consider. Any approach for additional support will need to be found from within the existing budget framework, noting that some existing investment monies are already being used for this purpose.

7.0 LEGAL IMPLICATIONS

- 7.1 Under the Public Libraries and Museums Act 1964 local authorities have a statutory duty to provide, under the superintendence of the Secretary of State, a free, comprehensive and efficient Library Service for all who wish to use it. It requires them to provide facilities for borrowing books, and other materials, for persons whose residence or place of work is in the area or who are undergoing full-time education therein.
- 7.2 The Local Government Act 1972 makes the County Council the responsible Library Authority. While the core Library Service is free under the Act, the

Local Government and Housing Act 1989 and the Library Charges (England and Wales) Regulations 1991 define what may not be charged for and also give library authorities the power to make charges for the provision of specified library facilities.

- 7.3 In considering the future of its library services, the County Council must be mindful of its statutory duty under the Act taking account the needs of local communities, within the budget available.
- 7.4 Across the country where authorities have proposed changes to their library services, there are instances where there have been legal challenges by the public to proposals by way of judicial review. This has occurred in relation to decisions by Gloucestershire, Somerset and Brent Councils on the basis of their alleged breach of their duties under the 1964 Act and the Equality Act 2010. To date the only decision reached by the High Court is in the Brent case where the Court found in favour of the Council's decision to close six of its twelve libraries. In examining each of the above cases, there was close scrutiny by the Court of the Councils' consideration of the effect of their decisions on particular sectors of their communities.
- 7.5 In the case of Brent, the Court was satisfied that Brent Council had conducted an extensive consultation process lasting 3 months, taken account of the views of consultees and provided detailed reports which addressed the relevant issues. The Ruling also concluded that the Council had adequately demonstrated that they had paid due regard to the Public Sector Equality Duty, as required by S149 of the Equality Act 2010, in their consideration of the potential impacts on groups as defined by protected characteristic.
- 7.6 In terms of North Yorkshire County Council, an extensive and meaningful consultation has been carried out over a 3 month period and as a result proposals have been amended. The Council has also recognised the need to empower its communities to take a bigger part in the delivery of services for the wider benefit of citizens. The recommendations in this report are that we continue to work with communities to bring this to fruition for the 8 libraries that would otherwise close.
- 7.7 The Equalities Impact Assessment carried out identified the impact the proposals would have on the different sections of communities. More detail is included in an update on the equalities action plan as included at **Appendix 7**.
- 7.8 The update confirms that the key equalities impacts of the proposals are on age and disability and details progress on the actions to mitigate any adverse impact. Paragraphs 3.2 – 3.6 of this report describe how the Supermobile, HLIS and local book collections are helping to mitigate the adverse impact on children, disabled and older people of the withdrawal of the mobile service. Paragraphs 3.17 – 3.25 describe plans local community groups have to maintain their library service, thus counteracting the potential for adverse impact. Likewise, paragraphs 3.27 – 3.30 outline the intentions of Category 2 libraries to maintain library opening hours. Paragraph 4.7 signals our intention to ensure that the changed opening hours do not discriminate against any group. As noted in paragraph 5.4 we will continue to monitor the impact of the changes.

8.0 CONSULTATION UNDERTAKEN

8.1 Members will be aware of the consultation process from December 2010 to the end of February 2011 and the work following on from this which stimulated a great deal of interest and debate and encouraged communities to engage with the County Council. This has accelerated and intensified the partnership approach to working with communities in order to develop partnership arrangements that will maintain, and in some cases enhance, the delivery of library services, whilst delivering the required savings. Throughout this period, NYCC has stressed the need for communities and partners to recognise that the “stand alone” model for library services is no longer sustainable. Increasingly, services will have to work with a range of other partners, sharing premises, staff, overhead costs as well as volunteers in order to develop services into “community hubs”, as already demonstrated in localities such as Hawes, Grassington, Bainbridge and Hudswell.

8.2 As noted earlier, discussions with communities have continued in terms of future provision of the library service.

9.0 HUMAN RESOURCES IMPLICATIONS

9.1 It is proposed that the number of paid staff to provide opening hours will reduce and that in light of the changing approach to service delivery the opportunity has been taken to re-examine the levels and skills required. In line with the review of opening hours, there has been a rationalisation of posts between Band 4 - 7 across the county with roles and geographic areas being re-aligned. Consequently the number of staff hours reflects this change. At the same time the service has also taken the opportunity to increase capacity to the housebound service across the authority.

9.2 Currently the library service employs 177 full time equivalent front line operational staff (up to and including Band 11). Overall, as a result of these proposals, the library service will lose circa 36 full time equivalent posts between bands 4 and 9 (20%), of which 6 are professionally qualified librarian posts.

9.3 The Council is mindful of its responsibilities to staff currently employed to deliver library services. To this end, assuming the Executive agree to the recommendations in this report, a further 90-day consultation period will be carried out with staff. This will commence the week beginning 28 November. As previously, Unison will be fully involved in the consultation process with staff, which will include the rationale for the proposed changes; the proposed new structure; job descriptions and person specifications; and details of the preferencing and ring-fencing arrangements. At the end of the 90 days, staff will be invited to preference for the available posts and selection interviews will take place during April and May. All operational library staff will be included in this process, including those currently working in Category 3 libraries. The service will aim to implement the new structure and make the changes to opening hours for libraries in Categories 1 and 2 with effect from 1 June 2012.

9.4 Staff will be supported with opportunities to attend interview skills sessions and assisted to pursue redeployment within the authority.

9.5 Employment law provisions, including redundancy and the requirements of TUPE have been and will continue to be considered in the context of potential closures and proposals where there is community and/or volunteer involvement. The approach the service has identified is to have a core “paid”/professional library staff with volunteers providing either “added value” roles or services separate to the paid staff service.

10.0 RISK MANAGEMENT IMPLICATIONS

10.1 A number of key risks have been identified, including the possibility of legal challenge, TUPE, capacity, performance etc. An understanding of these issues has helped to shape the strategy. The risk register has been updated and a summary is included at **Appendix 8**. Maintaining the risk register is an ongoing process which will involve the development and delivery of mitigating actions in order to reduce some of the adverse impacts of the budget reductions on local communities..

11.0 **REASONS FOR RECOMMENDATIONS**

11.1 The Library Service needs to ensure that it meets the requirements of the 1964 Act to provide a comprehensive and efficient service, whilst making the required budget savings. The recommendations in this report work within the financial parameters and provide a real opportunity to maintain or even enhance aspects of the service.

10.0 RECOMMENDATION

- The Executive are asked to:-
- 10.1 authorise the Assistant Chief Executive (Policy, Performance and Partnerships) to progress proposals in relation to Category 3 libraries in consultation with the Executive Member for Library and Community Services, as outlined in paragraphs 3.15 - 3.25 and as per the recommendations in Appendix 2, and to take all necessary decisions to determine library provision in those communities.
 - 10.2 approve the proposed opening hours for Category 1 and 2 libraries as detailed in Appendix 6 and approve the actions for Category 2 libraries as detailed in Appendix 4
 - 10.3 note and approve the further actions being taken to deliver budget savings as detailed in paragraph 6.4.
 - 10.4 note the petition and the comments made during the debate of the petition at Hambleton Area Committee on 5 September 2011 and note the recommendations in this report in Appendix 2 which effectively address the petition.

Gary Fielding
Assistant Chief Executive (Policy, Performance and Partnerships)

County Hall
NORTHALLERTON
DATE

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Presenter of report:

Appendices: Appendix 1 – SUMO timetable
Appendix 2 – Category 3 library sheets and recommendations

Appendix 3 – Great Ayton Library (latest) petition and minute of Hambleton Area Committee, 5 September 2011

Appendix 4 – Category 2 library info sheets and recommendations

Appendix 5 – Volunteer role descriptions

Appendix 6 – Category 1 opening hours

Appendix 7 – Equalities update

Appendix 8 – Risk Register

Background Documents: Report to the Executive of 14 June 2011