

REPORT TO:	SCRUTINY AND OVERVIEW COMMITTEE 27 May 2021
SUBJECT:	CALL-IN: Libraries Public Consultation Phase Two - Options for cost savings in libraries provision in the borough
LEAD OFFICER:	Sarah Hayward, Interim Executive Director of Place Robert Hunt, Interim Head of Assets & Involvement, Place
CABINET MEMBERS:	Councillor Oliver Lewis, Member for Culture & Regeneration

ORIGIN OF ITEM:	This item has been triggered by the call-in of the decision (2221CAB) by the Cabinet on 17 May 2021 on the Libraries Public Consultation Phase Two.
BRIEF FOR THE COMMITTEE:	To consider and respond to the Call-In in accordance with the procedure set out in the Council's constitution (set out in paragraph 2.3 below).

1. EXECUTIVE SUMMARY

1.1 The decision taken on the Libraries Public Consultation Phase Two by the Cabinet on 17 May 2021 has been called-in by 19 members of the Council.

1.2 Attached to this report are:

- **Appendix A1 to A10** is the Libraries Public Consultation Phase Two - Cabinet Report and its associated appendices
- **Appendix B** is the Key Decision Notice
- **Appendix C** is the completed call in form that was received by the Monitoring Officer

2. CALL-IN – LIBRARIES PUBLIC CONSULTATION PHASE TWO

2.1 The decision taken by the Cabinet that is the subject of this call-in, was as follows:

Having carefully read and considered the Part A report and the requirements of the Council's public sector duty in relation to the issues detailed in the body of the reports, the Cabinet

RESOLVED: *To commence the second phase of public consultation on proposed changes to the Libraries service from the following options:*

- *Reduce service hours by 21% across the borough*
- *Outsource all libraries*
- *Hybrid – reduction in service hours (two days per week) to eight libraries and five community run libraries.*

2.2 The call-in pro-forma is attached at Appendix C. The decision form was received on

18 May 201 from Councillor Gareth Streeter, with the call-in supported by the following councillors – Jason Perry, Jason Cummings, Lynne Hale, Yvette Hopley, Mario Creatura, Robert Ward, Scott Roche, Sue Bennett, Richard Chatterjee, Simon Brew, Ian Parker, Simon Hoar, Helen Redfern, Stuart Millson, Andy Stranack, Jeet Bains, Michael Neal, Badsha Quadir and Oni Oviri.

2.3 The reasons stated for the Call-In are that:

The decision is outside of the policy framework

“Our children and young people thrive and reach their full potential” is a stated priority of the council. During the consultation, residents will have to give their view on which – if any – of the three options presented ensure this is achieved. At the moment, the current proposal does not give residents sufficient information to do so:

- They cannot be sure what library opening hours will be and whether that suits the needs of children, young people and parents.
- They can give no measure of confidence that two of the three options are meaningful. The council is vague on what efficiencies would have to be found by a contractor under 6.5.
- Residents and community groups want to understand the human cost of each options. The current options are vague around job losses.

The decision is inconsistent with the budget

Option 6.7 factors in a saving to the council because they will no longer have to pay business rates on the buildings. However, it is not clear:

- 1) Whether the community group would have to pay the business rate; or
- 2) The business rate is not paid. If so, the council will make a loss elsewhere and the option will not achieve the saving outlined.”

2.4 The outcomes desired from the Call-In are stated as:

1. To give scrutiny confidence that residents can meaningfully assess what the impact of these options will be to the community
2. To give scrutiny confidence that the community groups will be able to meaningfully scope whether or not they could partner with the council to deliver library services
3. To give scrutiny confidence that residents have enough information to judge whether option 6.5 will deliver the necessary savings.
4. To give scrutiny confidence that delivering option 6.7 does not create shortfall elsewhere in the council’s finances.

3. CALL-IN PROCEDURE

3.1 The Council’s Constitution, Part 4E Scrutiny & Overview Procedure Rule, states:

“11.08 The referral shall be considered at the next scheduled meeting of the Scrutiny and Overview Committee unless, in the view of the Borough Solicitor, this would cause undue delay. In such cases the Borough Solicitor, will consult with the decision-taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny and Overview Committee may only consider a maximum of three referrals at any one meeting.

- 11.09 *At the meeting, the referral will be considered by the Committee which shall determine how much time it will give to the call-in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.*
- 11.10 *The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision taken by the Leader or Cabinet is outside the Budget and Policy Framework of the Council. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.*
- 11.11 *If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.*
- 11.12 *If the Council determines that the decision was within the Policy Framework and consistent with the Budget, it will refer any decision to which it objects, together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either, amend, withdraw or implement the original decision within 10 working days or at the next meeting of the Cabinet after the referral from the Council.*
- 11.13 *The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.*
- 11.14 *If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 11.08 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place."*

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Appendix B is the Key Decision Notice

Appendix C is the completed call in form that was received by the Monitoring Officer