

**For General Release**

<b>REPORT TO:</b>	<b>CABINET 16 AUGUST 2021</b>
<b>SUBJECT:</b>	<b>Libraries Consultation Phase 2 Results</b>
<b>LEAD OFFICER:</b>	<b>Sarah Hayward, Interim Executive Director, Place Stephen Tate, Director for Growth, Employment and Regeneration</b>
<b>CABINET MEMBER:</b>	<b>Councillor Oliver Lewis, Cabinet Member for Culture and Regeneration</b>
<b>WARDS:</b>	<b>All</b>

**COUNCIL PRIORITIES 2020-2024**

Libraries services have saving targets of £504,000 in 2022/23 and as a statutory service public consultation has been conducted to consider options which might be appropriate to deliver the statutory service and how this can be managed within available resources. A first phase of public consultation on a reduction in libraries services was held 14th January to 14th March 2021. Feedback both from residents in the first phase as well as from Scrutiny & Overview Committee meetings on 30th March and 27<sup>th</sup> May 2021 have shaped a second, more detailed consultation phase, which ran from the 1<sup>st</sup> June to 26<sup>th</sup> July 2021.

The report assesses the outcome of the resident engagement across the three proposed options in the second phase, as well as considers the impact for service users. The options considered are:

- To reduce service hours by 21% across the borough
- To outsource all libraries
- Hybrid – reduction in service hours (two days per week) to eight libraries and five community run libraries

This aligns with the Council's priorities where:

- We will live within our means, balance the books and provide value for money for our residents.
- We will focus on tackling ingrained inequality and poverty in the borough. We will follow the evidence to tackle the underlying causes of inequality and hardship, like structural racism, environmental injustice and economic injustice.
- We will focus on providing the best quality core service we can afford. First and foremost, providing social care services that keep our most vulnerable residents safe and healthy. And to keep our streets clean and safe. To ensure we get full benefit from every pound we spend, other services in these areas will only be provided where they can be shown to have a direct benefit in keeping people safe and reducing demand.

**FINANCIAL IMPACT**

In the Renewing Croydon proposals Libraries were asked to make £504,000 savings from the revenue budget in financial year 2022/23, whilst ensuring delivery of a

statutory service.

This report recommends that Cabinet should recommend to Full Council that it should pursue option one – to implement changes to the statutory Library service by reducing opening hours by an average of 21% across the borough. This would achieve savings of £506,980 whilst delivering a statutory service.

**FORWARD PLAN KEY DECISION REFERENCE NO.:** This is not a key decision

**Reason for late dispatch:** The second phase of the libraries consultation concluded on the 26<sup>th</sup> June. Additional time was required to allow for consultations responses to be summarised and analysis undertaken.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below:

## **1. RECOMMENDATIONS**

The Cabinet is recommended to :

- 1.1 Consider the outcome of the consultation for second phase and the considerations arising from the consultation as detailed within the report and appendices to the report including in relation to the Public Sector Equality Duty, the Equality Assessment and the recommended option following consultation;
- 1.2 Consider the assessment regarding delivery of a statutory Library Service in accordance with the requirements of Section 7 of the Libraries and Museums Act 1964 if option one is recommended to Full Council for approval;
- 1.3 Agree to recommend to Full Council that it:
  - 1.3.1 Consider the outcome of the consultation and the consultation responses as set out in Appendix 1 and the assessment of those responses.
  - 1.3.2 Consider the equalities assessment at Appendix 2 and the Public Sector Equality Duty (PSED) requirements under Section 149 of the Equalities Act 2010 as detailed in paragraph 10;
  - 1.3.3 Consider the assessment regarding the Council's ability to deliver a statutory library service in accordance with the requirements of Section 7 of the Libraries and Museums Act 1964 if the recommended option is agreed;
  - 1.3.4 Having due regard to the contents of Appendices 1 and 2 and the assessment referenced in 1.3.3, agree that it implement changes to the statutory Library service by reducing hours by an average of 21% across the borough as detailed in paragraphs 3.13 achieving £506,980 of savings.
- 1.4 Note that a delegation will be sought from Full Council regarding the implementation of the recommended option and further engagement with service users of the boroughs' 13 Libraries regarding the implementation at individual sites.

1.5	Note the intention for officers to commence further work to assess income generating opportunities and efficiencies within the Libraries service as detailed in paragraphs 5.4.
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## 2 EXECUTIVE SUMMARY

- 2.1 The purpose of this report is to set out the activities undertaken and the conclusions from the second phase of the libraries consultation for members' consideration. The report considers the feedback received from residents and assesses, across three proposed options in the second phase with regards to the council's legal obligations and equalities duties. After careful consideration the report recommends that Cabinet should recommend to Full Council that it should pursue option one – to implement changes to the statutory Library service by reducing hours by an average of 21% across the borough, achieving £506,980 of savings.
- 2.2 The libraries consultation was undertaken in two distinct phases. The first phase ran from 14th January to 14th March 2021, feedback from which alongside the Scrutiny & Overview Committee recommendations from the 30th March and the 27<sup>th</sup> May 2021 shaped the second phase consultation. The second phase of consultation ran from 1st June to the 26th July 2021 and asked for residents preference from three 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
- 2.3 The report reviews the activities undertaken by the Council leading up to and during the second phase of consultation. It will review how the Council has actively engaged with residents during a period of national lockdown and easing of social distancing restrictions, including public consultation through digital webinars, face to face events and a survey.
- 2.4 The report and appendices provide both quantitative and qualitative analysis from the two webinars, fourteen face to face consultation events as well as from the 1,411 completed consultation survey responses.
- 2.5 This report has set out how the Council has listened to and reflected upon the needs of the communities in light of the consultation and the considerations set out above and within the body of this report, including in relation to how this addresses the statutory requirements in Section 7 of the Libraries and Museums Act 1964 ("The 1964 Act"). This report also sets out how the recommendations aim to best support the overall health and well-being of the area, and ensuring that what the Council does provide social value in light of the current circumstances.

### 3 BACKGROUND

3.1 Public library services are funded and either run or commissioned by local government. Library authorities such as the Council have a statutory duty under the Public Libraries and Museums Act 1964 (“the 1964 Act”) ‘to provide a comprehensive and efficient library service for all persons’ for all those who live, work or study in the area (section 7). The Act allows for joint working between library authorities and councils may also offer wider library services (for example, loaning devices, running activities or providing access to Wi-Fi and computers).

In providing this service, councils must, among other things:

- encourage both adults and children to make full use of the library service (section 7(2)(b))
- lend books and other printed material free of charge for those who live, work or study in the area (in accordance with section 8(3))

3.2 Section 10 of the 1964 Act also allows the Secretary of State to investigate a complaint that a library authority has failed to carry out its duties under the 1963 Act and to issue an order requiring it to carry out those duties.

3.3 It is noted that there are no children centres within Croydon libraries, therefore there are no considerations arising or potential impacts on any Children’s centres in the borough as a result of the proposals in this report.

3.4 Croydon Council solely owns thirteen libraries across the borough, and jointly owns Upper Norwood Library with Lambeth Council. These libraries are relatively evenly distributed throughout the borough. The borough is divided into north, central and south; with each area containing a large hub library, medium sized branch libraries, and smaller local libraries.

3.5 Upper Norwood Library Hub is outside of the scope of this consultation because the building is leased to Upper Norwood Library Trust and the library service is run by Lambeth Council.

3.6 The Library Plan 2019-28 which was agreed at July 2019 Full Council, sets out the vision and outcomes for Croydon’s library service over the forthcoming years. The recommendations contained in this report do not intend to change the vision of the plan, which is to:-

- **Inform** – connecting residents to information, activities and services that will benefit them.
- **Involve** – a service that is shaped by residents and easily adapts to meet the changing needs of the communities we serve.
- **Inspire** – creative library spaces that offer residents opportunities to have fun, learn and connect with others.

This vision is delivered through four outcomes:-

- A library service designed around the needs of our residents and communities
- Croydon libraries as the ‘front door’ of the Council enabling services to be delivered locally

- Libraries at the heart of Croydon's cultural offer celebrating the written and spoken work in particular
- Modern, welcoming, inclusive and accessible library facilities and buildings.

Full details of the Libraries Plan can be found here:

<https://www.croydon.gov.uk/sites/default/files/Library%20Plan%202019%20-%202028.pdf>

- 3.7 In November 2020, the Council outlined the Renewing Croydon vision to ensure that the Council lives within its means. The libraries service was asked to make savings of £504,000 in the financial year 2022/23, whilst retaining its commitment for capital investment in libraries to improve the fabric and infrastructure to enhance services for residents.
- 3.8 In December 2020, a meeting with colleagues from the Department of Communities, Media and Sport (DCMS) was held to discuss the process for reducing libraries service provision in the borough. This outlined the requirement of a two-stage process of public consultation. The first stage should include a formative proposal, and be subject to meaningful feedback from residents, businesses, community groups, and both members and non-members of the library. The second phase should be more specific, focusing upon a few options, and provide full details of the impact that the changes will have on the service. The Council adopted this recommended approach.
- 3.9 The first phase of public consultation started in 14th January 2021 and concluded on 14th March 2021. At this formative stage the proposal identified five of the smallest libraries that could be closed with the least impact on the overall service. The consultation asked residents for their feedback on closure or suggestions for alternative options for those five libraries that could change the libraries offer, to achieve the required savings whilst still delivering the statutory service.
- 3.10 Following resident feedback in the first phase and recommendation from a scrutiny meeting on 30th March 2021, six options were presented to Cabinet on 17th May 2021, alongside resident feedback, option appraisals and equality impact assessments. The six options examined were:
- Close five libraries
  - Reduce service hours by 21% across the borough
  - Five community run libraries
  - Outsource all libraries
  - Hybrid – reduction in service hours (one day per week) to eight libraries and five community run libraries
  - Hybrid – reduction in service hours (two days per week) to eight libraries and five community run libraries
- 3.11 Following consideration of the options and supporting information Cabinet recommended to proceed to a second phase to consult on three options. Details of the consideration and supporting documents, including the Cabinet paper can be found here:-
- <https://democracy.croydon.gov.uk/mgAi.aspx?ID=11362#mgDocuments>
- 3.12 On the 27th May the Scrutiny & Overview Committee considered a call-in request of the Cabinet decisions made as a result of the 17th May Cabinet report.

Following discussion, the members of the committee concluded that no further action was necessary, and the decision could proceed as intended. Details of the Scrutiny & Overview Committee meeting can be found here:-

<https://democracy.croydon.gov.uk/mgAi.aspx?ID=11636>

3.13 Following conclusion of the call-in request second phase of the consultation commenced on the 1st June and concluded on the 26th July. The three options consulted on were:

- **Reduce service hours by 21% across the borough**

Under this option all libraries would remain Council-run and would be open two fewer days per week, except the central library which would open five days per week.

Savings would be achieved by a 25% reduction in staff and a 21% reduction in opening hours across all thirteen libraries.

Library opening days would be adjusted to ensure that at least one library in each area (north, central, and south) was open and staff available each day (Monday to Saturday). The reduction would be minimised in busier libraries, where possible.

- **Outsource all libraries**

This would involve an open procurement process for a £2,898,500 contract. It is likely that the service would be delivered in much the same way as it is under the Council. The operator could achieve savings through efficiencies and income generation. Likely areas of efficiency savings could be made in the book fund by utilising different contracts, through more customer self-service, reductions in maintenance, utilities costs and business rate relief (80% discount for charitable organisations). There might be adjustments to the operating hours in line with the savings, i.e. closed over lunchtimes. It is also feasible that there would be more paid events and activities to generate income back into the service.

A full tendering exercise would be required to engage with any interested organisation and to satisfy procurement legislation. It is anticipated that this would take between six and twelve months to complete the procurement and mobilise, therefore, savings would not be achieved in this financial year.

- **Hybrid – reduction in service hours (two days per week) to eight libraries and five community run libraries**

This option would involve eight libraries staying in council control and open two fewer days a week meaning a reduction of opening hours by 22% across all Croydon libraries.

The other five - Bradmore Green, Broad Green, Sanderstead, Shirley, and South Norwood libraries - would be leased to community groups, with the Council providing some staff two days a week, as well as books and IT support.

Savings would be achieved by a reduction in staffing levels by 25%. In addition, further savings would be generated from a reduction in business rates and utilities through the lease, reducing the impact on staff numbers. The staffing savings would be expected to be delivered in-year and would be managed by the Council providing more control over the delivery. However, it is likely to take

longer to achieve the buildings savings due to the need to effectively procure these community run services.

## 4 CONSULTATION

4.1 The first phase of the libraries public consultation ran from 14th January to 14th March 2021. This was a formative process that allowed residents to provide feedback on options to close up to five libraries, consider community run opportunities, or to look at other models that would achieve the savings target. Details of this consultation are set out in paragraphs 3.9 – 3.11 above.

4.2 The second phase commenced on 1st June, running for eight weeks, to 26th July 2021 and consulted on the three options set out in paragraph 3.13 above. The consultation was designed to enable residents to ask questions to understand the options, ahead of completion of a survey. Supporting information, as well as answers to frequently asked questions and details of ways to respond to the consultation were provided on the Council website and can be found here: - <https://getinvolved.croydon.gov.uk/project/695>

4.3 Due to the Covid social distancing restrictions that were in place at the start of June the first consultation events were online webinars, taking place on 12th and 15th June 2021. The webinars provided an opportunity for residents to ask questions directly to Council staff across all three options and set out any particular concerns that they might have had. A total of seventy residents attended the webinars across two sessions. A set of 'frequently asked questions' with answers were produced from the webinars which were published on the council website alongside the publication of the transcript from the 12th June 2021 webinar (see link in 4.2 above).

4.4 From 2nd to 16th July 2021, library staff held fourteen face to face consultation events, scheduled during library opening hours and set up outside library buildings in compliance with COVID restrictions. The purpose of the events were to meet library customers, especially those who were not online, to make them aware of the consultation options and take questions and feedback. Ward Councillors were invited to join officers. Staff spoke to 343 residents at:

- Sanderstead Library – 02/07/2021 – 11:00-12:30
- Purley Library – 02/07/2021 – 14:00-15:30
- South Norwood Market – 03/07/2021 – 10:00-16:00
- Norbury Library – 05/07/2021 – 09:30-11:00
- Broad Green Library – 05/07/2021 – 12:30-14:00
- Thornton Heath Library – 07/07/2021 – 11:00-12:30
- South Norwood Library – 07/07/2021 – 13:30-15:30
- Coulsdon Library – 09/07/2021 – 11:00-12:30
- Bradmore Green Library – 09/07/2021 – 14:30-16:00
- Ashburton Library – 12/07/2021 – 09:30-11:00
- Shirley Library – 12/07/2021 – 12:30-14:00
- Selsdon Library – 13/07/2021 – 10:30-12:00
- New Addington Library – 13/07/2021 – 13:30-15:00
- Central Library – 16/07/2021 – 12:00-14:00

4.5 A number of reoccurring themes emerged both from the face to face events, the webinars and completed surveys.

4.6 Some themes can and will be incorporated into our new operating model to improve services, for example:-

- *Better publicity about opening hours and activities;*
- *Call on Resident's Associations and other community networks for support*
- *Pleased with digital services but request support sessions for use of online resources*
- *Interested in volunteering to support the libraries*

We will follow up these suggestions to improve library services and continue to discuss service improvements with local residents and community groups

4.7 Some of the responses indicated the importance of ensuring that residents understood the supporting information, for example:-

- *Concern that library closures during COVID lockdown were permanent closures*
- *Concern that local libraries would close - -it's important for wellbeing, a lifeline, respite, brings community together*

We addressed these issues at the time when meeting in person, when addressing questions from webinars and correspondence to the libraries consultation email inbox. We also responded by updating our online frequently asked questions to ensure residents were appropriately briefed prior to responding to the survey. This Cabinet paper also provides clarification about proposed actions, including the intentions to continue the discussions with local residents to ensure they are clear about future plans

4.8 Some themes related specifically to the option one reduction by 21% which will provide a focus for continued dialogue with residents during implementation.

- *When you reduce hours, you must be open on Saturdays and evenings or you discriminate against working people and students*
- *Could the community provide support by providing relevant activities and making the building available out of out of hours?*
- *We do not feel safe with the concept of Open+ and feel this will discriminate against women and young people*

4.9 In addition to the webinar and face to face events, residents could complete a survey which asked for their preferred option. The survey also provided an opportunity for residents to leave comments not in response to specific questions – these responses examined as part of this consultation. The survey could be completed online, during the face to face meetings, or in hard copy and either returned by post, by handing in to a library or council building.

4.10 In total there were 1,411 returned survey forms and the table below presents the analysis of feedback on the three presented options.

4.11 In analysing the results from the survey, taking the choices of 'strongly agree' and 'agree' together, 55.9% of respondents chose option one, making this the most preferred option. Option three, was the second choice, at 24.6%, with option two in third place registering 17.0% of respondent choices.

4.12 Conversely, when considering the options with which survey respondents 'disagreed' or 'strongly disagreed', option one remained the most favourable option, with option two remaining the least favourable.

	OPTION 1: To what extent do you agree or disagree with Option 1: Reduce library service hours by 21% across the borough? 987 respondents		OPTION 2: To what extent do you agree or disagree with Option 2: Outsource the management of all 13 libraries? 957 respondents		OPTION 3: To what extent do you agree or disagree with Option 3: Five community-run libraries and reduce opening hours for 8 libraries? 939 Respondents	
Responses	Number of Respondents	Percentage of Respondents	Number of Respondents	Percentage of Respondents	Number of Respondents	Percentage of Respondents
Strongly agree	183	18.54%	32	3.34%	42	4.47%
Agree	369	37.39%	131	13.69%	189	20.13%
Disagree	159	16.11%	191	19.96%	231	24.60%
Strongly disagree	211	21.38%	481	50.26%	312	33.23%
Not sure	65	6.59%	122	12.75%	165	17.57%

4.13 Respondents also had the opportunity to leave a comment across any subject area. In total 4,243 comments were made, providing views on the impact of each of the options as well as comments and ideas for future service delivery. Themes were similar to those received during the face to face consultation events set out in paragraphs 4.5.1 to 4.5.3.

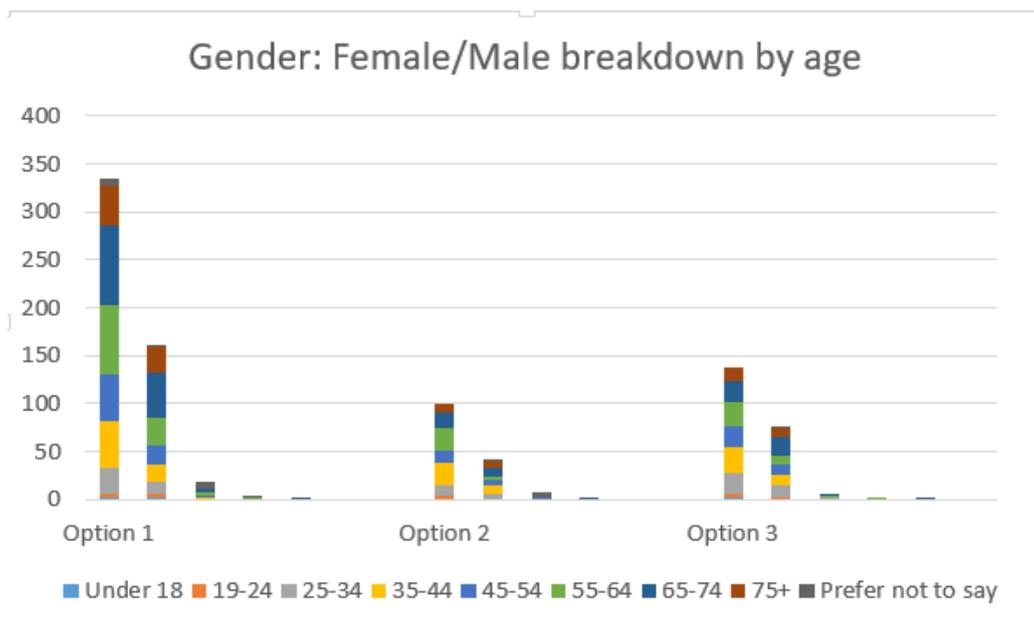
4.14 The detailed feedback can be found attached in appendix one – Croydon Libraries Consultation Phase 2 Summary July 2021. The full Equalities Assessment is attached at appendix two, with summary information provided below. Additionally, full Equalities Impact Assessments were undertaken and published alongside the 17th May Cabinet report (details in paragraph 3.11 above).

4.15 The survey respondents came from all areas of Croydon, as illustrated below: When asked 'which area/ward of Croydon do you live in?', 913 respondents said:

<b>Response</b>	<b>Number of Respondents</b>	<b>Percentage of Respondents</b>
Addiscombe East	44	4.82%
Addiscombe West	28	3.07%
Bensham Manor	4	0.44%
Broad Green	21	2.30%
Coulsdon Town	39	4.27%
Crystal Palace and Upper Norwood	15	1.64%
Fairfield	16	1.75%
Kenley	19	2.08%
New Addington North	14	1.53%
New Addington South	11	1.20%
Norbury and Pollards Hill	44	4.82%
Norbury Park	8	0.88%
Old Coulsdon	75	8.21%
Park Hill and Whitgift	18	1.97%
Purley and Woodcote	60	6.57%
Purley Oaks and Riddlesdown	20	2.19%
Sanderstead	75	8.21%
Selhurst	16	1.75%
Selsdon and Addington Village	28	3.07%
Selsdon Vale and Forestdale	29	3.18%
Shirley North	27	2.96%
Shirley South	43	4.71%
South Croydon	48	5.26%
South Norwood	54	5.91%
Thornton Heath	41	4.49%
Waddon	23	2.52%
West Thornton	8	0.88%
Woodside	25	2.74%
Prefer not to say	33	3.61%
Other	27	2.96%

4.16 The EIA noted that proposals were considered likely to have an impact on certain age groups, including the youngest and oldest adults, mothers, school children, adults seeking jobs. Of all respondents, 907 provided information on age groups and 911 provided information on gender (Female, Male, Prefer to Self-describe, Transgender, Prefer not to say) in the table below:

4.17 The breakdown for each option broken down by gender and age presented in the chart below:



4.18 The illustration shows the greatest number of individuals, and the largest percentage of all age groups expressed a preference for option one. Of the 552 respondents who said they ‘agreed’ or ‘strongly agreed’ with the option one Reduce Service hours by 21% across the borough, 497 provided information on gender, 335 (67%) were women and 162 (33%) were men, which is in proportion to all respondents. These respondents, both male and female, acknowledge an impact on reduction in hours, but most expressed a preference for reduced hours over the other options, as illustrated above, and preferred to keep all library buildings open for services and activities under Council control.

4.19 Regarding Maternity and Pregnancy, there was feedback from the survey and from face to face meetings highlighting the potential for a significant negative impact to reducing service hours if the opening hours were not accessible. Accessible hours would include Saturdays and evenings for working mothers, and local mothers wanted to be involved in decisions about opening hours and the scheduling of activities, because this group could not easily travel to a nearby open library when their local library was closed. To mitigate this impact, the Council will continue to engage with communities in implementing the reduction of hours at specific libraries.

4.20 When asked ‘Your ethnic origin?’, 911 respondents said:

Response from respondents who “Agree” and “Strongly Agree” with options 1-3 Respondents can Agree with all options	Option 1: Reduction by 21% (521 responses)	Option 2: Outsource to partner (150 responses)	Option 3: 5 Community run libraries; 8 reduced hours (223 responses)
White	379	97	157
Asian	42	21	30
Black	39	9	10
Mixed	24	6	12
Other	6	5	3
Prefer not to say	31	12	11

- 4.21 Reviewing the data available, there is a significant preference across all ethnic groups for option one: Reduce opening hours by 21% across all libraries, with some agreeing that either outsourcing or community managed options are viable alternatives. In the free text responses to options one and two, respondents urged the Council to seek support from the community, and to ensure there was more community involvement and resident engagement with libraries in future, and a co-production approach to libraries service development. The Council will continue to work with community groups with the aim of addressing this aspiration.
- 4.22 The overall feedback regarding the impact of the options for disabled library users was that option one would be the only acceptable option of the three, but a reduction in services and opening hours would have a significant impact on the wellbeing of residents with a disability. It was noted that residents with mobility issues could not easily travel to other libraries, especially not to those without parking nearby. Opening hours needed to allow for quiet times which were more disabled friendly, activities and volunteering opportunities. To mitigate the impact, the Council will continue to engage with residents with a disability during our planning to implementing reduce hours across the specific library sites.
- 4.23 Although the offer of the Home Library Service and digital services were a mitigation for some residents, they did not replace an open local library, accessible to those with disability, providing library staff, books and activities. There will be future engagement with this group during implementation.
- 4.24 The overall feedback was that option one - reduce service hours by 21% across the borough - would be the only acceptable option of the three, but a reduction in services and opening hours would have a potential significant impact on residents with certain protected characteristics, including age (older adults, babies, children and mothers), maternity/pregnancy, disability and ethnicity. There will be future engagement with this groups about opening hours and activities during implementation to ensure equalities concerns are monitored and mitigated. For full details see appendix two.
- 4.25 The Council remains statutorily responsible for overseeing and ensuring the delivery of a 'comprehensive and efficient' library service under Section 7 of the Libraries and Museums Act 1964. What comprises a comprehensive and efficient library service will differ from authority to authority depending on the needs of the community and in light of the Council's transformational needs and the outcome of the consultation with and involvement from the community.
- 4.26 The 1964 Act requires that in fulfilling this duty under S7(1) the Council shall in particular have regard to the desirability—
- (a) of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are available for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials, sufficient in number, range and quality to meet the general requirements and any special requirements both of adults and children; and
- (b) of encouraging both adults and children to make full use of the library service,

and of providing advice as to its use and of making available such bibliographical and other information as may be required by persons using it; and

(c) of securing, in relation to any matter concerning the functions both of the library authority as such and any other authority whose functions are exercisable within the library area, that there is full co-operation between the persons engaged in carrying out those functions.

- 4.27 Having due regard to the outcome of the consultation – both the first and second phase; the Libraries Plan 2019-2028 and the data it was based on (7<sup>th</sup> May 2019 Cabinet report - <https://democracy.croydon.gov.uk/ieDecisionDetails.aspx?AllId=5058> and 15<sup>th</sup> July 2019 Council report - <https://democracy.croydon.gov.uk/mgAi.aspx?ID=5796> ; the assessment in the 17<sup>th</sup> May 2021 Cabinet report <https://democracy.croydon.gov.uk/mgAi.aspx?ID=11362> ) including in relation to the usage of libraries; the Public Sector Equalities Duty, the equalities impact assessment and equalities considerations detailed in this report and Appendix 2 and the details set out elsewhere in this report it is considered that the recommendations within this report would best ensure the delivery of a comprehensive and efficient library service in accordance with Section 7 of the 1964 Act. This report and its recommendations has set out how the Council has discussed its approach with DCMS, listened to and reflected upon the needs of the community in light of the consultation and the considerations set out above and within the body of this report. This report also sets out how the recommendations aim to support the overall health and well-being of the area, and ensuring that what the Council does provides social value in the current circumstances.

## **5 IMPLEMENTATION**

- 5.1 If the recommendations are agreed by Cabinet and then Full Council to progress with option one, there are a number of activities that need to be undertaken to deliver the service change.
- 5.2 The first activity will be to start a staff restructure process that will redesign the service hierarchy to reflect the reduction in hours by an average of 21%. At this stage it is anticipated that the staffing complement will need to be reduced by an estimated 15.99 FTE posts. There are currently 5.01 FTE vacancies within the existing establishment that will minimise the impact of the changes on staff. It is expected that the restructure will need to be undertaken towards the end of the financial year 2021/22. The restructure will follow a full consultation process with staff and unions.
- 5.3 It is proposed that the new timetable would be introduced from 1st January 2022. This would reduce the statutory libraries service hours from 566.5 hours per week to 446 hours per week. The Council will continue to engage with residents, targeting certain specific groups in order to respond to particular concerns around accessibility to the libraries service, building upon the findings of the Equalities Impact Assessment that accompanied the 17th May 2021 cabinet paper and the updated equalities impact assessment at Appendix 2. Staffed hours would be

reduced to 356 hours per week, and would be anticipated to be supplemented with 90 hours per week of Open+ hours. This technology is currently installed in Selsdon and Norbury libraries, with plans for installation in Coulsdon, Purley and Thornton Heath libraries in the coming months. Customers would be registered for Open+ and briefed on accessing services outside staffed hours.

- 5.4 Engagement work in each library community, which started during the consultation periods with residents, community organisations and other Council services, will continue, with the aim that the use of the library buildings continues during the closed days. This will help to provide services to local communities, while also providing unstaffed access to self-service book issues and returns, computer access and printing.
- 5.5 Following feedback from residents, the service will look to generate additional income from renting the spaces either on a long term arrangement or for ad hoc events and activities. More work will take place over the next few months with other services, charity and voluntary sector organisations, and community groups to maximise and diversify the use of the library buildings. In particular, working with community groups and residents, we want to maximise opportunities for greater use. Our priority remains delivering our core civic and community offer as a library service embedded within localities.

## **6 PRE-DECISION SCRUTINY**

- 6.1 The libraries consultation was discussed at Scrutiny and Overview Committee on the 30th March 2021, the feedback from which helped shape the proposals in the cabinet paper of 17th May 2021.
- 6.2 Scrutiny and Overview Committee agreed to make the following recommendations to the Cabinet Member for Culture and Regeneration for further consideration:-
  1. The Committee recommends that any future consultation documents on the libraries service clearly outlines the Council's vision for libraries and how it had informed the process.
  2. The Committee recommends that further work is undertaken to prepare a detailed appraisal of any options put forward for the next stage of the consultation, to ensure that those responding could make an informed decision. This should include consideration of:-
    - hybrid options
    - a co-design approach for the redevelopment of the future library service
  3. The assessment criteria for the options appraisal also needed to be clearly defined at the start of the process and published with the second phase consultation
- 6.3 Full details of the meeting and recommendations can be found here:-  
<https://democracy.croydon.gov.uk/mgAi.aspx?ID=11192>
- 6.4 On the 27th May the Scrutiny & Overview Committee considered a call-in request of the Cabinet decisions made as a result of the 17th May Cabinet report.

Following discussion, the members of the committee concluded that no further action was necessary, and the decision could proceed as intended to phase two consultation. Details of the meeting can be found here:  
<https://democracy.croydon.gov.uk/mgAi.aspx?ID=11636>

## 7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

### 7.1 Revenue and Capital consequences of report recommendations

	Current Year	Medium Term Financial Strategy – 3 year forecast		
	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
<b>Revenue Budget Available</b>	£3,320,000	£3,320,000	£2,813,020	£2,813,020
Expenditure Income	£0 £0	£0	£0	£0
<b>Effect of decision from report</b>	£0	<b>-£506,980</b>	£0	£0
Expenditure Income	£0 £0	£0	£0	£0
<b>Remaining Budget</b>		£2,813,020		
<b>Capital Budget available</b>				
Expenditure Income				
<b>Effect of decision from report</b>				
Expenditure Income				
<b>Remaining Budget</b>				

### 7.2 The effect of the decision

Implementing the recommended changes will achieve £506,980 of savings from the libraries revenue budget. These savings are generated through the reduction of 15.99 FTE, which will be in place from 1<sup>st</sup> April 2022.

Additional income is likely through the rental of space in the library buildings. Details of this additional income will be calculated over the coming months

through work with other services, charity and voluntary sector organisations, and community groups.

### 7.3 Risks

In the event of a judicial review being brought against the Council then savings would likely be deferred until the conclusion of the investigation. If the challenge was successful then any changes to the service and, therefore, the savings would not be able to be implemented.

### 7.4 Options

The options considered are set out in section 13, below.

### 7.5 Future savings/efficiencies

Any future savings would be subject to further meaningful consultation with residents.

Income generating opportunities are being explored by the libraries service. These will include rental and hire of space in the library building. Other opportunities being explored are ticketed skills based summer camps for children in library buildings.

Approved by: Matthew Davies, Deputy S.151 Officer

## 8 LEGAL CONSIDERATIONS

8.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that the legal requirements for a proper consultation exercise are known as the Sedley requirements that were adopted in R v Brent London Borough Council, ex parte Gunning (1985) 84 LGR 168.

8.2 The Sedley requirements are that:

- a. Consultation must be made at a time when proposals are at a formative stage.
- b. Sufficient reasons for the proposal must be given to allow intelligent consideration and response.
- c. Adequate time must be given for a response.
- d. The product of the consultation must be conscientiously taken into account in finalising proposals.

8.3 Section 7 of the Public Libraries and Museums Act 1964 (PLMA 1964) places library authorities, such as the Council, under a duty to provide a "comprehensive and efficient library service for all persons desiring to make use thereof".

8.4 In fulfilling its duty under Section 7(1) , a library authority shall in particular have regard to the desirability—

(a) of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are available for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials, sufficient in

number, range and quality to meet the general requirements and any special requirements both of adults and children; and

(b) of encouraging both adults and children to make full use of the library service, and of providing advice as to its use and of making available such bibliographical and other information as may be required by persons using it; and

(c) of securing, in relation to any matter concerning the functions both of the library authority as such and any other authority whose functions are exercisable within the library area, that there is full co-operation between the persons engaged in carrying out those functions.

8.5 Section 10 also allows the Secretary of State to investigate a complaint that a library authority has failed to carry out its duties under the PLMA 1964 and to issue an order requiring it to carry out those duties.

8.6 Public Sector Equality Duty (PSED) (section 149 of the Equality Act 2010) Section 149 of the Equality Act 2010 sets out a general duty requiring those subject to the duty to have "due regard" to the need to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity between different groups and foster good relations between different groups.

8.7 Children Act 2004 (section 11): Section 11 of the Children Act 2004 (CA 2004) requires councils to make arrangements to ensure that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

Approved by Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer

## **9 HUMAN RESOURCES IMPACT**

9.1 A restructure of the libraries service is required to achieve savings of £508,980. This will be delivered by reducing the number of posts by 15.99 FTE.

9.2 A full restructure will be undertaken after the agreement of the changes to the libraries service, with the aim of the new structure being in place for 1st April 2022. The process will be undertaken in accordance with the councils HR policies and recognised trade unions will be fully consulted.

9.3 The risk of redundancy will be mitigated through the holding of existing vacancies. The service currently has 5.01 FTE vacancies. In addition, employees will also be able to apply for voluntary severance, if a scheme is available at this time.

Approved by: Sue Moorman, Director of Human Resources

## **10 EQUALITY IMPACT**

- 10.1 The Equality Act (2010) introduced the public sector duty which extends the protected characteristics covered by the public sector equality duty to include age, sexual orientation, pregnancy and maternity, and religion or belief. Under the public sector equality duty the Council has a duty to consider or think about how their policies or decisions affect people who are protected under the Equality Act.
- 10.2 Section 149 of the Equality Act requires public bodies to have due regard to the need to:
- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
  - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
  - foster good relations between people who share a protected characteristic and people who do not share it.
- 10.3 Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that decision makers must be able to evidence that they have taken into account any impact of the proposals under consideration on people who share the protected characteristics before decisions are taken.
- 10.4 As set out in the report to cabinet in May, and Equalities Impact Assessment was undertaken on all options being considered prior to public consultation. This considered the potential positive and negative impacts on protected characteristics. This assessment has been updated following the public consultation and can be found in the appendices. The views of different protected characteristic groups are set out and have informed amendments to the proposal to mitigate any impact.
- 10.5 The libraries service will continue to engage with groups to understand the impact of the final recommended option and implementation, and consider any further mitigating actions that may be required.

Approved by: Gavin Handford, Director of Policy & Partnership

## **11 ENVIRONMENTAL IMPACT**

- 11.1 There are no environmental impact as a result of this report.

## **12 CRIME AND DISORDER REDUCTION IMPACT**

- 12.1 There are no implications on existing crime from this report.
- 12.2 Libraries are seen as safe spaces for residents, particularly children and young people, to attend. Reduced staffed hours will limit access to these safe spaces. By working with other services, charity and voluntary sector organisations, and community groups it is hoped that access to library buildings can be maximised.

### **13 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 13.1 The libraries service was asked to make savings of £504,000 in the financial year 2022/23, whilst retaining its commitment for capital investment in libraries to improve the fabric and infrastructure to enhance services for residents.
- 13.2 As a statutory service public consultation must be undertaken and after advice from DCMS colleagues this was undertaken in a two phased approach.
- 13.3 As detailed above the libraries consultation was undertaken in two distinct phases. The first phase ran from 14th January to 14th March 2021, which alongside the Scrutiny & Overview Committee recommendation from the 30th March and the 27th May 2021 shaped the second phase consultation. The second phase of consultation ran from 1st June to the 26th July 2021 and asked for residents preference from three options:
- a) Reduce service hours by 21% across the borough
  - b) Outsource all libraries
  - c) Hybrid – reduction in service hours (two days per week) to eight libraries and five community run libraries
- 13.4 Results from the second phase of consultation as detailed in section four above and supported by appendix one and two identifies option one as the preferred option by residents. Therefore this paper recommends that Cabinet should recommend to Full Council that it should pursue option one – to implement changes to the statutory Library service by reducing hours by an average of 21% across the borough, achieving £506,980 of savings.

### **14 OPTIONS CONSIDERED AND REJECTED**

- 14.1 Two further options were considered as part of the second phase consultation. This paper recommends that these options are discounted. This is because the consultation identified that option one was the preferred option by consultation respondents and could deliver a statutory service.
- 14.2 During both consultation phases respondents did however express interest in aspects of option three, particularly around volunteering, community involvement and opportunities around better use of library buildings as identified in appendix one. The Council will continue to engage with residents to identify the potential of developing these options further.

### **15 DATA PROTECTION IMPLICATIONS**

#### **15.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'**

NO

**15.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

NO

No Data Protection Impact Assessment has been completed for this report as the recommendations do not result in the processing of personal data.

Approved by: Stephen Tate, Director of Growth, Employment and Regeneration

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**CONTACT OFFICER:**

Robert Hunt, Interim Head of Assets & Involvement, tel: 0208 726 6000 ext. 63309

**APPENDICES TO THIS REPORT**

Appendix one – Croydon Libraries Consultation Phase 2 Summary July 2021

Appendix two – Equality Impact Assessment

**BACKGROUND PAPERS:**

None