

Communities, Transport and Environment Policy Development and Scrutiny Panel

Date: Monday, 13th November, 2017

Time: 4.30 pm

Venue: Council Chamber - Guildhall, Bath

Councillors: John Bull (Chair), Brian Simmons (Vice-Chair), Neil Butters, Alan Hale, Richard Samuel, Peter Turner, Patrick Anketell-Jones, Ian Gilchrist and Michael Evans

Councillor Mark Shelford (Cabinet Member for Transport and Highways)
Chief Executive and other appropriate officers
Press and Public

NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator.

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings
<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

**Communities, Transport and Environment Policy Development and Scrutiny Panel -
Monday, 13th November, 2017**

at 4.30 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6.

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of her staff before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

6. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Public speaking will take place during agenda items 7 and 8.

7. MODERN LIBRARIES BATH - CONSULTATION OUTCOMES AND PROPOSALS
(Pages 5 - 40)

This report sets out the call-in by 12 Councillors of the decision relating to the agreed decision to move the One Stop Shop to the Podium. The role of the Panel is to consider the issues raised by the call-in and to determine its response.

8. MODERN LIBRARIES - COMMUNITY LIBRARY APPROACH (Pages 41 - 78)

This report sets out the call-in received by 11 Councillors of the decision relating to the agreed approach to run Community libraries in Bath & North East Somerset. This also covers the points raised by a second call-in notice, also received within the 5 day call-in period, by a further 13 Councillors. The role of the Panel is to consider the issues raised by both call-in notices and to determine its response.

The Committee Administrator for this meeting is Michaela Gay who can be contacted on 01225 394411.

Bath & North East Somerset Council	
MEETING:	Communities, Transport & Environment Policy Development and Scrutiny Panel
MEETING DATE:	13 th November 2017
TITLE:	Call-in of decision E2999 Modern libraries Bath – Consultation, Outcomes and Proposals
WARD:	ALL
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 Cabinet Decision</p> <p>Appendix 2 Accompanying Report for the Decision (with Appendices)</p> <p>Appendix 3 Call-in Request</p> <p>Appendix 4 Call-in Guidance Note</p> <p>Appendix 5 Terms of Reference for the Call-in</p>	

1 THE ISSUE

1.1 Any 10 Councillors not in the Council's Cabinet may request that a Cabinet or Single Member Decision made but not yet implemented be reconsidered by the person or body who made it. This is called a "call-in" and has the effect of preventing the implementation of the decision pending a review of the Decision by a Policy Development and Scrutiny Panel.

1.2 This report sets out the call-in by 12 Councillors of the decision relating to the agreed decision to move the One Stop Shop to the Podium. The role of the Panel is to consider the issues raised by the call-in and to determine its response.

2 RECOMMENDATION

THE PANEL IS ASKED TO:

- a. Consider the call-in request received (refer to Appendix 3).
- b. Approve the Terms of Reference of the Call-in which will be prepared after consultation with the Chair of the Panel (Appendix 5) subject to any further comments received from Panel members (as in paragraph 5.2.2 below).
- c. Decide if it requires any further information to enable it to make a determination of the call-in request and, if so, request this information and any contributions that

will assist the Panel in determining the call-in either at this meeting or at a further meeting (e.g. from the Cabinet Members; Councillor(s) representing the call-in signatories; and any other internal or external contributors required by the Panel).

d. Decide whether it will reach a conclusion about whether to uphold or dismiss the call-in; or refer the matter to the Council itself to undertake the role of the Panel, at this meeting or if a further meeting is required.

e. If a further meeting is required to hear and determine the call-in, the Panel is asked to agree the date for this. The constitutional requirement is for that meeting to take place before the end of the 15th November (this timescale would not apply if the Panel decided to refer their role to the full Council).

f. Undertake an examination of the call-in request in accordance with the proposed procedure set out in Appendix 5.

g. Note that, following the examination, the Panel may either dismiss the call-in, uphold the call-in or refer the matter to Council to itself undertake the role of the Panel

3 FINANCIAL IMPLICATIONS

3.1 The Panel should be aware that the Council's Constitution (Part 4E, Rule 13) requires that

3.2 *"Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources or the extent to which that should be seen as a priority for future years' budget considerations".*

3.3 It is important, therefore, in its consideration of the call-in that the Panel gives consideration to the alternative options available to the decision-maker and the financial consequences of these.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSALS

4.1 A Call-in is a statutory process pursuant to the Council's Constitution Part 4E.

4.2 The topic of this Call-in is a decision regarding the agreed approach to delivering a modern library service in B&NES.

5 THE REPORT

5.1 BACKGROUND

5.1.1 The decision which is now subject to a call-in request was a Cabinet Decision made on the 11TH October (Appendix 1) following consideration of the officer report (Appendix 2). The Council Solicitor, on behalf of the Chief Executive, has validated the call in and confirms that it conforms to constitutional requirements in terms of time of receipt and number of Members validly subscribing to it. Appendix 3 sets out the reasons for the call-in request.

5.2 ASSESSING THE CALL-IN REQUEST

5.2.1 The Terms of Reference (Appendix 5) will indicate the suggested scope of the Call-in. This will outline the information and contributions the Panel is advised to consider in order to determine the call-in. It will have been prepared in consultation with the Chair. Panel members are invited to comment on the terms of reference and any changes they request will be taken into account in an updated version which will be circulated at the meeting.

5.2.2 The Policy Development and Scrutiny Panel Chairs have approved guidance on the handling of call-in requests which make clear that there is a presumption that every validated call-in will proceed to a public meeting stage. The process for that meeting is set out in paragraph 5.3 below. If a second meeting of the Panel is required to complete the review it needs to take place no later than 24th November to comply with the constitutional requirement that the total period of overview and scrutiny involvement in a call-in must not exceed 21 working days.

5.3 SUGGESTED FORMAT FOR THE MEETING TO DETERMINE THE CALL-IN

5.3.1 When the Panel determines the call-in, it is suggested that the following format be adopted:

- i. Remind itself of the issues to be considered and consider any additional written information supplied.
- ii. Hear from and ask questions of the Cabinet Member(s) and Lead (or other agreed) Officers.
- iii. Hear from and ask questions of Councillor(s) representing the call-in signatories.
- iv. Hear from and ask questions of any appropriate external contributors (a "panel" style contributors` session is suggested).
- v. Call-in Councillor and Cabinet member(s) have the opportunity to make comments on any new considerations that may have arisen during the debate.
- vi. Discuss and draw conclusions from the written and oral information presented.
- vii. Consider and formulate the Panel's determination of the call-in.

6 RATIONALE

6.1 The recommendations were suggested pursuant to the Council's constitution

7 OTHER OPTIONS CONSIDERED

7.1 Not applicable

8 CONSULTATION

8.1 This report has been prepared following consultation with the Chair and Vice Chair of the Policy Development and Scrutiny Panel.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Donna Vercoe, Senior Scrutiny Officer, 01225 396053</i>
Background papers	<p>1. <i>Modern Libraries options for Bath 19th July Cabinet decision:</i> https://democracy.bathnes.gov.uk/mgAi.aspx?ID=19604#mgDocuments <i>(Note: There are 10 supporting documents to this report):</i></p> <p><i>Supporting documents:</i></p> <ul style="list-style-type: none"> • E2970 Modern Libraries Cabinet Report Bath, item 109.  PDF 101 KB • ML Programme Business Case options for Bath, item 109.  PDF 235 KB • BC APPENDIX A Access Report, item 109.  PDF 2 MB • BC APPENDIX B Financial Summary, item 109.  PDF 252 KB • BC APPENDIX C Design principles, item 109.  PDF 71 KB • BC APPENDIX D Site Issues Summary, item 109.  PDF 57 KB • BC APPENDIX E Bath Consultation EIA, item 109.  PDF 308 KB • BC APPENDIX F1 consultation approach, item 109.  PDF 59 KB • BC APPENDIX F2 consultation leaflet, item 109.  PDF 4 MB • BC APPENDIX F3 consultation poster, item 109.  PDF 102 KB <p>2. <i>Equalities Impact Assessment:</i> http://www.bathnes.gov.uk/services/your-council-and-democracy/equality-and-diversity/equality-impact-assessments/service-deliv</p> <p>3. <i>Bath & North East Somerset Libraries needs Assessment:</i> http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/bnes_libraries_needs_assessment_final_05.07.17.pdf</p> <p>4. Intro page including link to downloadable data tables - http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/libraries-needs-assessment</p>
Please contact the report author if you need to access this report in an alternative format	

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E2999

Modern Libraries Bath - Consultation outcomes and proposals

Date of Meeting	11-Oct-17
The Issue	<i>Report will cover the outcomes from the consultation on the location of Bath Library/One Stop Shop and propose that Cabinet make a decision on that location.</i>
The decision	<p>RESOLVED (unanimously) that the Cabinet agreed to:</p> <ol style="list-style-type: none"> 1) Note the outcome of the consultation. 2) Approve The Podium as the chosen site for the central Bath integrated Library & One Stop Shop. 3) Fully approve capital spending of £330K for the next phase of the project. 4) Agree that the next phase will involve appointment of architects and a positive programme of user and partner engagement to enable detailed designs and costings, as set out in appendix B of the report. 5) Note that once detailed costings have been produced, and final designs established, the total requirement for capital funding will be confirmed and relevant approvals obtained.
Rationale for decision	As described in the July report, integrating the Library and OSS in Bath allows us to deliver our strategic objectives at the same time as meeting the financial challenges we face.
Other options considered	<p>In Section 7 of the July report and in detail in the accompanying business case we described the alternative options for achieving the objectives set out. Having completed the consultation on the two viable options we are ready to recommend a site for the new service and to progress into design and delivery.</p> <p>The other viable option was to locate both services in Lewis House. The Council has no preference for either site and the consultation material reflected this. This option was preferred by the partner organisations that currently operate from Lewis House but these parties considered the benefits of co-locating services outweighed the location. This, together with the balance of public opinion, is the basis for the selection of The Podium and the recommendation in this report.</p>

The Decision is subject to Call-In within 5 working days of publication of the decision

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	11 October 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2999
TITLE:	Modern Libraries Bath – Consultation outcomes and proposals	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <ul style="list-style-type: none"> Appendix A – Consultation findings Appendix B – Approach to design engagement 		

1 THE ISSUE

- 1.1 On the 19th July Cabinet approved a report which recommended consultation should take place on the two viable location options for a new integrated Library and One Stop Shop in Bath.
- 1.2 Extensive consultation was conducted via a questionnaire presented online and in paper format. The response to this consultation has now concluded and the results, including feedback from the Full Council debate and Scrutiny Panel, are summarised within this paper and at appendix A.
- 1.3 A final decision on the location is now required in order that the project can move into the next phase of scheme design, the estimated capital requirements for bringing this development forward need to be released from the provision identified.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 Note the outcome of the consultation.
- 2.2 Approve The Podium as the chosen site for the central Bath integrated Library & One Stop Shop.
- 2.3 Fully approve capital spending of £330K for the next phase of the project.

- 2.4 Agree that the next phase will involve appointment of architects and a positive programme of user and partner engagement to enable detailed designs and costings, as set out in appendix B.
- 2.5 Note that once detailed costings have been produced, and final designs established, the total requirement for capital funding will be confirmed and relevant approvals obtained.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The Council has made provision for a capital budget of £5.953m plus £0.971m identified balances (a total of £6.924m overall) in order to deliver the modern libraries programme, this report focuses on the delivery of integrated Library and OSS services in Bath and the chosen option for development.
- 3.2 The proposed scope of works for the chosen option is described within the business case which was submitted to the Cabinet on the 19th July. Layouts for the space have not been developed at this stage, the design work will commence once the budget for the next phase is approved. The budget to implement the works will be drawn down once a detailed cost plan is prepared and the required permissions are in place.
- 3.3 The chosen option (4) at The Podium has an indicative capital cost of £2.8m for Bath (the overall Modern Libraries programme including option 4 is estimated to cost £3.6m). The net savings are estimated to be £393k per annum for Bath (the overall Modern Libraries programme is expected to save a net £798k per annum).
- 3.4 Option 4 allowed for some works to be undertaken at Lewis House comprising of the refurbishment of the vacated ground floor.
- 3.5 The cost of professional and other fees, site investigations and minor enabling works to deliver the next phase of the project is estimated to cost £330k and this sum is requested from the capital budget provision.
- 3.6 Total capital spend to date on this part of the wider programme amounts to £322k, this approval will take total capital spend to £652k. Although it is deemed unlikely, should the wider project not ultimately progress there would be a risk of revenue reversion on these costs.
- 3.7 The implications for both Library and OSS staff are that the services will operate together with integrated procedures and processes, professional skills and subject specialisms will be maintained. There are no plans to make any redundancies as savings will be achieved by staff turnover and this organisational change will contribute to the overall programme savings target of £800k by 2020.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Cabinet paper in July and the associated business case set out the Council's position with regards to the requirements under the Public Libraries

and Museums Act 1964. In summary, we are not planning on closing or diminishing the Library Service in any way, by bringing the two services together we believe that residents and library users in Bath will continue to receive a modern comprehensive and efficient library service with potential to add more flexible space to increase the service offering.

4.2 The Department for Culture Media and Sport continue to be informed and updated on the proposals.

5 THE REPORT

5.1 The report in July and the accompanying business case set out the proposals for a combined service and Cabinet agreed to proceed with public consultation on the two viable options – The Podium and Lewis House.

5.2 Our aim is to integrate library and customer services in Bath to reach out to more people from all ages and backgrounds – providing a place where everyone in the community can access support, knowledge, culture and events to help them reach their full potential. The integration of services is both physical and cultural, with library and customer services coming together to share the same space, facilities and support, to meet the changing needs of their customers.

5.3 The consultation commenced on 20th July and closed on 15th September 2017. The consultation document has been available on the council's website and in print at all libraries and OSS's. Posters advertising the consultation were placed in GP surgeries, leisure centres, and Children's Centres. There has also been media coverage and advertising (direct by email and posters) as well as mediated support from partners and staff in various locations for those with difficulties in completing the form or for hard to reach groups.

5.4 The results of the consultation show that nearly 92% of respondents opted for the Podium as their preferred location for the combined library and one stop shop. This preference was echoed across nearly all demographic and user groups recorded. There was a lower response rate from regular OSS users and of those responses there was a preference for Lewis House but not by a significant margin. The consultation results are attached at appendix A.

5.5 In addition to the public consultation described in the body of this report we have also engaged with our partner agencies and with staff during the consultation period. Key partners that deliver services from the OSS currently had a preference for Lewis House but they recognised the need for flexibility and the value of an integrated service so would be happy to accept either location and would welcome the opportunity to work with us to ensure the chosen location delivers the best possible outcomes for their clients and the wider community.

5.4 In the light of the consultation findings, we are recommending to Members that The Podium site is developed for the new modern integrated service.

5.5 This development is a unique opportunity to create a vibrant, bespoke space that will address issues identified in the business case of accessibility and inclusion, visibility and connectivity, flexibility and adaptability – a space where all members of the community can read, connect, learn and get help.

- 5.6 As part of the consultation and in accordance with our EIA we asked several questions regarding people's personal circumstances in order to ensure we reached a wide cross-section of the public and potential interested parties. We also asked for people interested in the design of the new facility to put their names forward to have discussions with the Council and its appointed design team to help shape the design to deliver a combined and modernised One Stop Shop and Library service. Proposals for how this will be managed are set out in appendix B.
- 5.7 The outline timetable in the business case was used to calculate the required savings by 2020. Delays will have implications for achieving these savings. A detailed project plan, including consideration of implications for continuing library operations during construction will be developed during the next phase of the project for which budget approval is sought. The next phase includes briefing, engagement and design works up to tender stage and it is anticipated that this will take place between November 2017 and May 2018.

6 RATIONALE

- 6.1 As described in the July report, integrating the Library and OSS in Bath allows us to deliver our strategic objectives at the same time as meeting the financial challenges we face.

7 OTHER OPTIONS CONSIDERED

- 7.1 In Section 7 of the July report and in detail in the accompanying business case we described the alternative options for achieving the objectives set out. Having completed the consultation on the two viable options we are ready to recommend a site for the new service and to progress into design and delivery.
- 7.2 The other viable option was to locate both services in Lewis House. The Council has no preference for either site and the consultation material reflected this. This option was preferred by the partner organisations that currently operate from Lewis House but these parties considered the benefits of co-locating services outweighed the location. This, together with the balance of public opinion, is the basis for the selection of The Podium and the recommendation in this report.

8 CONSULTATION

- 8.1 Targeted communications about the consultation went via email to schools, an inter-agency contact list held by the communities team (600 recipients) and via a number of networks, e.g. the Children's and Young Peoples Network, Health Watch, Voluntary Sector Network and the Council's equalities networks. There was significant social media activity to raise awareness of the consultation.
- 8.2 The public have had the opportunity to engage with the Council at its Full Council meeting and at the Community, Transport and Environment Scrutiny panel during the consultation period. All points raised have been incorporated

into the consultation analysis to inform the decision on location and the next steps in the process.

8.3 The section 151 officer, finance and property officers have been involved with the options appraisal and cost models contained in the business case. They have reviewed and approved this report and its recommendations.

8.4 It should be noted that this report recommends further engagement during the design phase to ensure it meets a wide range of customer needs.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. A table of key risks is included within the July business case.

Contact person	<i>Ian Savigar, Divisional Director Customer Services: Tel 01225 477327</i>
Background papers	Equalities Impact Assessment dated September 2017 (to be published on Bath NES website) Cabinet report, associated papers and Minutes from 19 th July 2017 (available on Bath NES website)
Please contact the report author if you need to access this report in an alternative format	

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Appendix A

Consultation on the location of a combined Library and One Stop Shop in Bath - Results

Following the report to cabinet on 19th July a consultation was undertaken through the council’s online consultation system between 20th July and 15th September. The questionnaire was open for all people to respond online and additional outreach was conducted at youth centres and one stop shops. Paper copies of the survey were circulated to libraries and one stop shops across the district and the results were input manually.

The results were broken down by key user groups, as determined in the Libraries Needs Assessment:

- Regular users of libraries and one stop shops
- People with dependent children
- People with long-term health conditions
- People from different socio-economic backgrounds (determined through the indices of multiple deprivation)

and other demographic characteristics.

Part 1 – Location preference

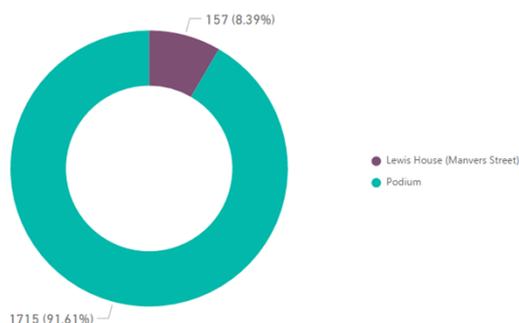
The overall results are shown below:

Bath Modern Library Consultation July-September 2017 Analysis

There were **1891** responses to this consultation

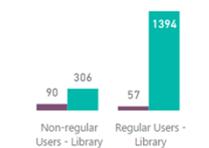
Overall preference

Preference for the location of a combined Library & One Stop Shop service in Bath

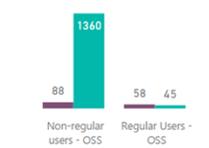


Preference by key groups

Preference by usage - Library



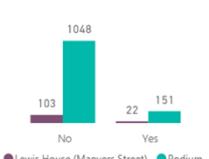
Preference by usage - One Stop Shop



Preference by dependent children



Preference by long-term condition



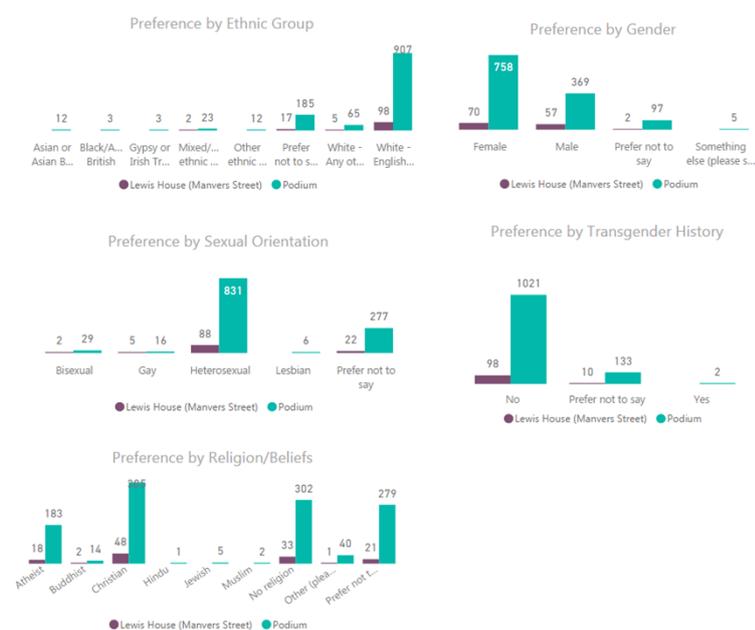
Preference by deprivation (1= least deprived)



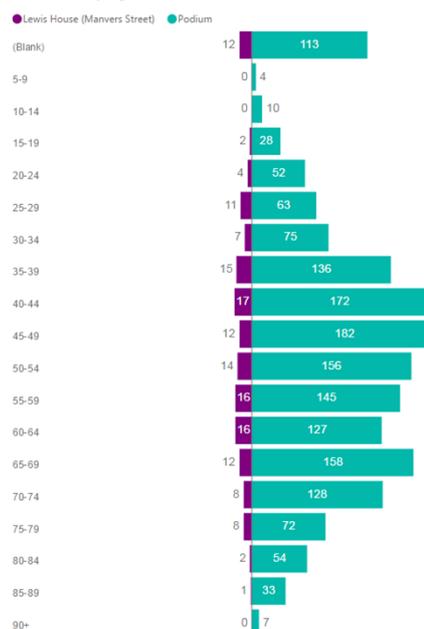
Nearly 92% of respondents opted for the Podium as a location for the combined library and one stop shop.

The analysis also examined the results by protected characteristics as defined in the equalities act, the results by these groups are provided overleaf.

Preference by other demographic groups



Preference by Age



The preference for the podium is echoed across nearly all demographic and user groups recorded with only the small number of existing One Stop Shop users preferring the Lewis House site.

Substantial engagement was undertaken to increase survey turnout amongst key groups, including where there was a lower response rate from regular OSS users who had no preference for either site.

Part 2 – Free Text Analysis.

In addition, a free text option was provided for respondents to identify their reasoning for selection of their preferred site.

Responses were categorised and refined to determine overall themes. This document summarises responses to the free text question included in the questionnaire - “Please could you indicate why you have chosen your preference” in response to choosing between The Podium and Lewis House as the site for the new integrated Library and One Stop Shop service (OSS). Detail of the categories and descriptive quotes are provided in Appendix 1.

A single respondent can provide multiple reasons for their preference (or none), the number of unique comments do not equal the number of respondents.

1. The Podium

Of the **1,715** respondents choosing this option, **3,893** comments/reasons for this preference were recorded.

The following themes were identified:

1. Accessibility, space and atmosphere
2. Location and amenities

3. Financial savings
4. Concerns about Lewis House
5. Integration of Library and OSS
6. Other comments

2. Lewis House

Of the **157** respondents choosing this option, **218** comments/reasons for this preference were recorded.

The following themes were identified:

1. Location and amenities
2. Accessibility, space and atmosphere
3. Financial savings
4. Integration of Library and OSS
5. Other comments

Part 3 – Partner feedback

In parallel with the public consultation, the views of our key partners that deliver services alongside the Council have been sought.

The general view was that accessibility – both in terms of transport links and ground floor access – was an important factor to their clients and that Lewis House better addresses those needs. However, the benefits of co-location were also recognised as important and they are keen to work with the Council to implement whichever decision is reached for the overall benefit of their services to local residents.

Further, they considered it vital the current facilities and good services delivered by the One Stop Shop are maintained and, when integrated services are delivered there is a positive atmosphere within the space. Services need to be accessible to all of the community and the integration of services will continue to make it easier for partners to signpost their clients to a wider range of services delivered all under one roof.

All acknowledged they are keen to see libraries develop, and want to see a wider range of customers using the libraries. By increasing accessibility to the resources that the library has available it was agreed by all that their clients could benefit from the integration of the two services and the opportunities this offers.

“We are very committed to the principle of co-location in One Stop Shops Whichever location is chosen, we would be very keen to be involved in the design and layout of the service area. Our experience at Keynsham and in Bath has shown us that where we meet with clients is very important.”

Part 4 – Full Council and Scrutiny Panel feedback

The debate at Full Council identified issues under the following themes:-

The Council needs to ensure any decision is based on evidence based consultation and detailed understanding of needs and impacts.

The council has carried out a comprehensive needs assessment and this was presented as a background document to the July Cabinet report. It has constantly appraised the Department of Culture, Media and Sport of its proposals and taken appropriate legal advice.

Evidence shows a declining use of traditional library service and an increasing need for integrated services.

The design phase will continue to build on the evidence from the needs assessment and, by involving a cross section of the community in the process, will ensure that the new Modern Library space takes into account needs and impacts.

Throughout the process the council continues to review its Equality Impact Assessment of the programme.

Has the Council looked at creative ways of securing Funding?

At the time when Innovation Funds were available the Council was not in a position to make an appropriate bid. However, as the design phase of this project takes place the Council will seek to access grant funding as and when applicable.

The Council hasn't shared operational plans or how savings will be delivered.

The Council has set out its operational plan in the business case that was presented with the cabinet report in July.

It has made clear that the overall programme will deliver net savings of £800,000 this will predominantly be through a reduction in staffing levels across the whole of the customer services department and through the alignment and improvement of working processes. These savings will be achieved by bringing together integrated One Stop Shops in Keynsham, Midsomer Norton and Bath ensuring the sustainability of both services.

Will there be professional staff and how will you manage the additional pressure staff are facing?

This is the first major review of Library services for many years and therefore it is important that staff are involved in the consultation process, it is equally important that One Stop Shop staff are also involved and our engagement plans will ensure this happens.

In addition staff consultation is ongoing with regard to changes in job descriptions and roles and this is being supported by the appropriate training. Many staff actually view this as a real opportunity.

Reviews of operating procedures are helping staff to improve the ways in which they work.

We will need to maintain a specialist approach across all services including professional librarians but there are also many tasks which can be performed in a more generic way and these will save time and improve the customer experience.

Volunteers can't perform many tasks due to Data Protection issues but they are useful in delivering outreach services!

We are looking at new ways of working and increasing self-serve solutions for which volunteers can be successfully employed and we will certainly be looking to continue to use volunteers to support both day to day functions and outreach support.

There was a request not to choose Lewis House as the new Venue

Whilst there is clear public support for the Podium site, there were a number of comments which highlighted why Lewis House may be a better location.

The report sets out the decision and this has now been ruled out although some of the issues raised could have been resolved through the engagement and design process.

The Community, Transport and Environment Scrutiny Panel raised questions under the following themes:

What is the objective of the proposal – savings or improved services?

The objective is to deliver both. Our aim is to integrate library and customer services in Bath to reach out to more people from all ages and backgrounds – providing a place where everyone in the community can access support, knowledge, culture and events to help them reach their full potential. Across the whole programme, refocussing resources and improving business processes will improve services and deliver the required savings.

Are other consultees aware of the Keynsham model for combined services?

The Keynsham model was cited in the July Cabinet paper and business case.

Issues of design – meeting rooms, customer experience, easy access to books, disabled access.

This development is an opportunity to create a vibrant, bespoke space that will address issues identified in the business, by the public and in building surveys. The design phase will take these issues into account.

Appendix 1 – Detailed Free Text Response Category Descriptions and representative quotes.

1. The Podium

1.1 Accessibility, space and atmosphere

This category includes preferences based on the ease of access to the Podium, layout/design of the building, space available and aesthetic appeal of the building. This category accounts for 1,765 responses. These can be summarised as:

428 respondents commented on available floor space in the Podium

- Available space being larger than the alternative available at Lewis House
- More space being available for physical books
- More space for movement and browsing

“Space for books to be handled. Space for students to work. Recently I saw about 40 Students working there.”

416 respondents felt that the Podium has good accessibility

- Multiple means of entry
- Lift from car park
- Space between aisles
- Covers disability, mobility impairment and access for children and buggies

“The Podium site has excellent accessibility, especially for wheelchair users, the elderly and people with small children, who live outside town where there are no bus links, forcing them to use cars. Having the car park with a lift up to the library is a huge plus for these people”

327 respondents commented that the Podium is a pleasant building and atmosphere

- Light and airy feel
- Aesthetic design favourable to Lewis House
- Good lighting
- A comfortable space with a good layout conducive to reading and studying

“The Podium provides a bright, open plan space with a relaxed feel”

“I love the huge open space and good lighting. It's a space that feels comfortable safe and welcoming”

272 respondents cited the Podium as being purpose-built to be a library and that it works well as it is currently

- Specific comments regarding the Podium being designed and built to be a library
- General comments about the Podium being the most appropriate venue and resistance to change at this point

“Keep the library where it is. It's purpose built, works well so I see no reason to change it”

“Don't see the point in moving a popular service from a building that is ideal as it is”

221 respondents preferred the single floor layout of the Podium

- These are specific mentions of a single-floor space being a benefit
- As well as multiple floors being a negative aspect to Lewis House

- This is seen as impacting accessibility
- A number of parents would not feel comfortable being on a different floor to their children

“Adult/children’s library on different floors not conducive for family use”

“Better access for all and ease to move from one section to another rather than need to go to a different floor”

101 respondents cited the availability of community space

- Multipurpose space available for special events and groups

“exhibition space which can also be used as library space or for events and activities”

“contains function rooms/exhibition space which benefit local community groups”

1.2 Location and Amenities

This category covers comments regarding the position of the library, convenience and proximity to other local amenities. It accounts for 1,293 comments and can be summarised as:

850 respondents (the largest group in the consultation) felt that The Podium was the preferred physical location for the library

- Town centre location
- Proximity to shops and café’s
- Easy to combine trips into Bath with library visits
- A number of respondents said it was simply closer for them to get to

“Bath Library is historically and culturally as important as Bath Abbey and the Guildhall and needs to be situated in the very centre of the city”

“Centrally located - it’s not called Bath Central Library for nothing”

220 respondents cited the car park at the Podium as a benefit

- On-site parking with lift access to library
- Seen as having greater availability than Manvers Street car park with no need to cross road

“The podium has a car park which I can use to get there easily with very little walking, as I am disabled and unable to walk very far”

“There is no free or simple parking at Manvers St”

144 respondents gave the presence of Waitrose as a reason for preferring the Podium

- Ability to combine library visit with shopping on-site
- Waitrose café and free coffee

“More people visit Waitrose on a daily basis & can easily combine that trip with a visit to the library, than visit the One Shop”

79 respondents felt the transport links to the Podium were an important benefit

- Multiple bus stops/routes in vicinity

“Very convenient for bus transport”

1.3 Financial savings

This category covers comments where cost savings were given as a reason for preferring the Podium. This accounts for 293 comments and can be summarised as:

293 respondents felt the financial situation was better with the Podium option

- Short-term saving of not having to move the larger library site to the OSS
- The cheaper option according to provided business case

“Taken purely fiscally, the Podium offers the best option for the Council according to the Council's comparison of the two viable options”

1.4 Concerns about Lewis House

This category covers comments where respondents have chosen the Podium as their preferred location and cited specific concerns about the proposed accommodations and suitability of Lewis House. This accounts for 196 comments and can be summarised as:

156 respondents felt that Lewis House is an unsuitable location for a library

- The aesthetic of Lewis House as a building
- Manvers Street as an environment; including heavy traffic, pollution, small pavements and busy pedestrian traffic due to commuters/tourists
- Association with benefits office
- Location by Southgate and train station

“Lewis House is an ugly and unwelcoming looking building that will put people off using library facilities. Despite its proximity to rail and bus links it is hidden away behind Southgate”

“Lewis House is in horrible part of Bath - constant traffic queues outside and a pavement full of disorientated tourists. I associate the building, and the area, with benefits and poverty”

40 respondents cited lack of available space at Lewis House

“The plans and layout given in the previous attempt to move the library showed very clearly that there would not be enough space at Lewis House to provide the kind of library service I would want to use”

1.5 Integration of Library and One Stop Shop

Although not specifically asked for in the question, a number of respondents provided unsolicited feedback regarding the plan to integrate these 2 services. This accounts for 150 comments and can be summarised as:

139 respondents were opposed to the plan to integrate the library and OSS

“I want the library to remain in the Podium and other options considered for the one stop shop. They are two different services entirely”

11 respondents were in favour of integration

"I think it's a great idea to combine the two facilities"

1.6 Other comments

This category covers comments where respondents have made other suggestions or comments unrelated to the primary question of location preference, or taken the opportunity to express dissatisfaction with the consultation specifically or the Council in general. It accounts for 196 comments and can be summarised as:

52 respondents commented on awareness and familiarity with the existing services and concerns that changing this may impact usage

"Because it's the library I have taken all my children to. It's what we are used to and it's comfortable"

46 respondents had specific issues with the consultation itself

- A number felt the issue of integration should have been asked over preference for location
- Others took issue with the number of demographic questions asked

"I had no choice. We want a separate library but you did [not] offer that option"

"I fail to see why all these questions are relevant with regard to a One Stop Shop/Library"

35 respondents had concerns about risks associated with OSS customers or others near Lewis House

"I don't want my children being near Julian house- there are too many issues around there"

"Opposite all the homeless drunks as on Manvers street"

32 respondents made specific complaints about the council or other services

"This is just an attempt to cut the service"

31 respondents commented specifically on the importance of trained librarians

"Librarians are highly-trained. It isn't appropriate to de-skill them and combine their duties with other totally unrelated functions"

2. Lewis House

2.1 Location and amenities

This category covers comments regarding the position of the library, convenience and proximity to other local amenities. It accounts for 103 comments and can be summarised as:

52 respondents cited the proximity to public transport as a benefit to the Lewis House location

- Train and Bus station
- Taxi rank

“Conveniently near bus station and train station so easy to get to the venue”

38 respondents felt the location of Lewis House was preferable

“Central, near bus station & train station. Perfect location”

12 respondents made reference to the availability of parking at Lewis House

“Easier parking and transport links. No shared location with a supermarket”

2.2 Accessibility, space and atmosphere

This category includes preferences based on the ease of access to Lewis House, layout/design of the building, space available and aesthetic appeal of the building. This category accounts for 38 responses. These can be summarised as:

28 respondents felt Lewis House has good accessibility

- Ground floor entrance
- Disabled toilets on all floors
- Lifts
- Ramps

“Lewis house is easier to get to for wheelchairs”

A small number of other responses (each less than 5 responses) were received which fit in this category, including 5 responses citing the **size** as preferable at Lewis House and 4 stating Lewis House is a **pleasant building**.

“Lewis House is a bright friendly office with an entrance at street level”

2.3 Financial savings

This category covers comments where cost savings were given as a reason for preferring Lewis House. This accounts for 34 comments and can be summarised as:

34 respondents felt the financial situation was better with the Lewis House option

- The Council owns the building so long-term rental savings
- No risk of lease being revoked

“it will save costs in the long term due to rental of building. Makes it more sustainable to combine services”

2.4 Integration of library and One Stop Shop

Although not specifically asked for in the question, a number of respondents provided unsolicited feedback regarding the plan to integrate these 2 services. This accounts for 30 comments and can be summarised as:

29 respondents who commented on integrating the services were in favour and 1 was opposed

2.5 Other comments

This category covers comments where respondents have made other suggestions or comments unrelated to the primary question of location preference, or taken the opportunity to express dissatisfaction with the consultation specifically or the Council in general. It accounts for 13 comments and can be summarised as:

9 respondents commented on awareness and familiarity with the existing services

“the one stop shop is already there and people are aware of how to access the services that operate out of the building”

A very small number of other comments were received which did not fit into other categories, including 2 complaints about the content of the consultation, 1 a general complaint about the Council and 1 concerned about risks associated with mixing OSS and library customers.

“I am a frequent visitor to the One Stop Shop in Bath and I have experienced some difficult customers there. I am concerned how easily they could be extradited from the Podium”

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Bath Library

Approach to Design Engagement

Background

Local people have been asked to complete a survey on the future location of the Council’s combined Library and One Stop Shop Service. As part of that survey expressions of interest were invited from the community to help shape and design the new facility during the next stage of the project. The proposal is that a selection of those respondents representing different groups in the community will be invited to take part in the design process with the architectural team.

The Survey responses and expressions of interest

Of the 1891 respondents 604 expressed an interest in being a part of the next stage in the process (responding either ‘yes’ or ‘Not sure, contact me later in the year’). We have identified several key groups that represent a cross section of the communities that responded and other interested parties (some respondents might be members of more than one group):

	Group
1	Regular Library Users
2	Regular OSS Users
3	Families with children
4	People (inc. children) with disabilities
5	Younger people (age 14-21)
6	Campaigning Group
7	Staff
8	Partner organisations

The Approach

- Selection of representatives from the expressions of interest in each group will be carried out using standard research methodology. Ideal group size will be 10-12 people. Where a group may be under-represented we will seek to supplement numbers from existing networks such as disability forums, youth groups, etc.

- Where possible and appropriate the sessions will be held in the Podium so that the spaces can be visualised. The sessions will be facilitated by the appointed architects with Bath NES staff in support. The outline programme indicates that the sessions are likely to take place between November 2017 and February 2018.
- Initially 2 phases of meetings are proposed with each group where attendees will actively be involved in design using prepared materials and aids to the discussions:
 1. Concept – the spaces in scope, understanding the must haves, importance/value of different public spaces, scale of spaces.
 2. Development of detail – adjacencies, shared areas, degrees of separation required, proportions of space, design details/preferences.
- There will be the opportunity for all participants to feedback on the sessions and at the end of the process to capture and share what was discussed.
- It may not be possible to satisfy all wishes but, where compromise is required, the rationale for those decisions will be shared.

Notice requesting a call in of Cabinet Member Decision E2999

“Modern Libraries Bath - Consultation outcomes and proposals”

The undersigned Councillors wish to call in decision E2999 “Modern Libraries Bath – Consultation outcomes and proposals” taken by the Cabinet on 11 October 2017.

This request is made in the public interest of full disclosure of the facts underpinning the decision to move the One Stop Shop to The Podium and for the following specific reasons:

1. The need for public scrutiny of the Council’s expenditure on this project to date – no breakdown of the expenditure costs has been published – and of the proposed savings related to the investment.
2. No open, public consultation has taken place on the issue of whether co-location of Bath Library and the One Stop Shop is desirable or accepted by service users.
3. No evidence has been presented about the practicality of co-locating services at The Podium, nor whether this would benefit or disadvantage service users. No assessment has been made of the potential impact on both services. No assessment has been made of the needs of users for either the One Stop Shop or Bath Central Library. No benchmark example of comparable conversions of a small main city library into a co-located library and One Stop Shop has been given.
4. It is unclear whether the project is deliverable or sustainable given the issues around The Podium lease arrangements, and the Police/Shopmobility lease arrangements at Lewis House, which have not been resolved.

Signatories:

1. Councillor Richard Samuel (Lead; by email)
2. Councillor Dine Romero (by email)
3. Councillor Paul Crossley (by email)
4. Councillor Michelle O’Doherty (by email)
5. Councillor Rob Appleyard (by email)
6. Councillor Cherry Beath (by email)
7. Councillor Alison Millar (by email)
8. Councillor Steve Hedges (by email)
9. Councillor Neil Butters (by email)
10. Councillor Tim Ball (by email)
11. Councillor Shaun Stephenson-McGall (by email)
12. Councillor Ian Gilchrist (by email)

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CALL-IN OF EXECUTIVE DECISIONS

RULE 1 – WHO MAY REQUEST A CALL-IN?

Elected members who do not sit on the Cabinet have the right to request a “call-in” of an executive decision which has been made by the Cabinet, or a person or body to whom the power to make executive decisions has been delegated, but not yet implemented.

These decisions could be made by;

- the Cabinet
- a Cabinet Member,
- a committee of the Cabinet
- an Officer taking a key decision acting on delegated authority from the Cabinet
- an area committee
- a body under joint arrangements

BUT NOT the decisions of quasi-judicial or Regulatory Committees.

Notice of the decision made shall be published to every councillor and the publicity shall specify the period in which the “call-in” right may be exercised.

RULE 2 – SUBMISSION OF A “CALL-IN” NOTICE

A notice requesting a “call-in” of an executive decision shall be in writing and signed by 10 or more elected members (excluding Cabinet Members) making the request. The request shall be deposited with the Chief Executive.

The request shall include individual signatures on the notice or electronic communications from individual members signifying their support for the call-in. If a Member is unable to communicate in writing or electronically he/she may signify support by telephone.

The persons making the call-in request shall state the decision being called in, the decision maker, the date the decision was taken and shall give reasons for the call-in.

No member of the Council is entitled to sign up to more than 5 call-in requests in any Council year.

The Chief Executive shall determine whether a call-in is valid (ie whether it has been received within 5 working days of the decision being published and requested by the appropriate number of members and that the decision may properly be called in under the Constitution) and, if so, consult with Overview & Scrutiny Chairs to decide which Panel should consider it.

The Chief Executive shall make a report of any validated call-in to a meeting of the relevant Overview and Scrutiny Panel which shall meet wholly in public within 14 working days of a valid call-in notice being verified.

A decision may only be called in once.

RULE 3 – CONSIDERATION BY OVERVIEW AND SCRUTINY PANEL

The Overview and Scrutiny Panel shall consider the issues raised in the “call-in” request and the stated reasons for the request. They have the following courses of action open to them;

- a) To dismiss the call-in: the decision shall then take effect immediately;
- b) To refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of the Panel's concerns; or
- c) To refer the matter to Council to itself undertake the role of the Panel (which may necessitate an additional Council meeting to meet necessary timescales) [NB: the ultimate decision still remains with the original decision maker].

If the call-in is dismissed, notification will be made to all interested parties and the original decision can be implemented. No amendments can be made to the decision [Six-month rule applies – Part 4(D), rule 15]

If the Panel consider any aspect of the decision requires further consideration, it must refer it back to the decision maker.

In total, the Panel shall ensure that the period of overview and scrutiny involvement in an individual call-in shall not exceed 21 working days.

RULE 4 – CONSIDERATION BY DECISION MAKER

The person or body which made the decision shall consider the report of the Overview and Scrutiny Panel or Council and must;

- (a) confirm the original decision; or
- (b) make some changes to the original decision; or
- (c) make a different decision.

The decision maker may not ignore the report. The decision maker shall undertake this consideration within 10 working days from the date of the Overview and Scrutiny (or Council) meeting.

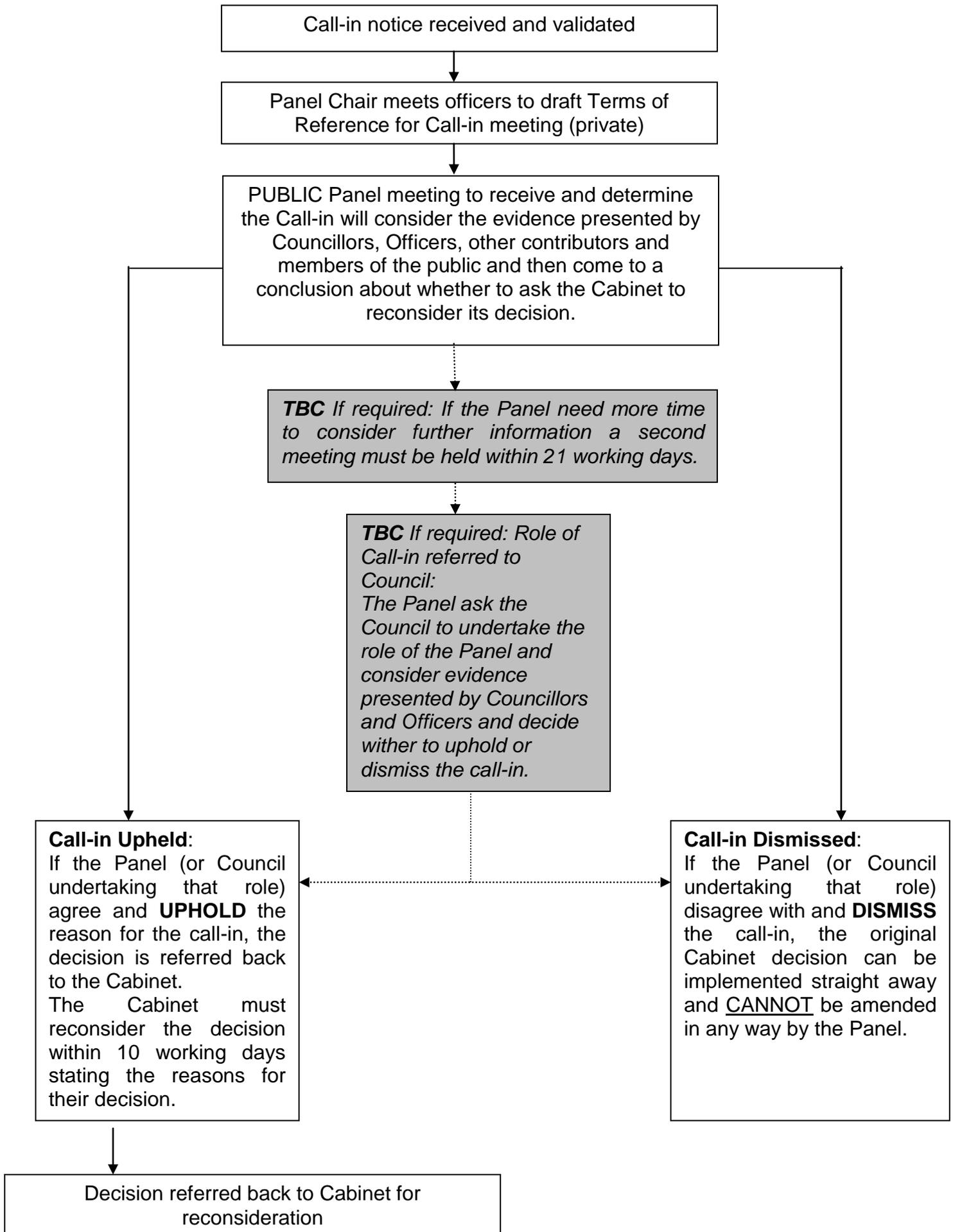
The decision made by the decision maker after considering the report of the Overview and Scrutiny Panel shall be final and will be implemented immediately. There is no further opportunity for “call-in” of the decision.

RULE 5 – EXCEPTIONS TO “CALL-IN”

The rights under this Procedural Rule shall not apply in the following circumstances:

- when the executive decision is urgent as defined in the Urgency Procedure Rules within this Constitution
- the effect of the call-in alone would be to cause the Council to miss a statutory deadline
- a decision taken under the General Exception and Special Urgency Access to Information Rules [Part 4B, rules 15 and 16].

FLOW CHART:



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APPENDIX 5 - TERMS OF REFERENCE

Call-in of the Cabinet decision: E2999

Introduction

Cabinet at its meeting on the 11th October agreed to:-

1. Note the outcome of the consultation.
2. Approve the Podium as the chosen site for the central Bath integrated Library & One Stop Shop.
3. Fully approve capital spending of £330K for the next phase of the project.
4. Agree that the next phase will involve appointment of architects and a positive programme of user and partner engagement to enable detailed designs and costings, as set out in appendix B of the report.
5. Note that once detailed costings have been produced, and final designs established, the total requirement for capital funding will be confirmed and relevant approvals obtained.

On the 17th November a call-in notice was received, signed by 12 Councillors, objecting to this decision. A copy of the call-in request is attached at Appendix 3 of the formal agenda papers. The call-in petitioners are concerned on the following grounds:

This request is made in the public interest of full disclosure of the facts underpinning the decision to move the One Stop Shop to The Podium and for the following specific reasons:

1. The need for public scrutiny of the Council's expenditure on this project to date – no breakdown of the expenditure costs has been published – and of the proposed savings related to the investment.
2. No open, public consultation has taken place on the issue of whether co-location of Bath Library and the One Stop Shop is desirable or accepted by service users.
3. No evidence has been presented about the practicality of co-locating services at The Podium, nor whether this would benefit or disadvantage service users. No assessment has been made of the potential impact on both services. No assessment has been made of the needs of users for either the One Stop Shop or Bath Central Library. No benchmark example of comparable conversions of a small main city library into a co-located library and One Stop Shop has been given.
4. It is unclear whether the project is deliverable or sustainable given the issues around The Podium lease arrangements, and the Police/Shopmobility lease arrangements at Lewis House, which have not been resolved.

Relevant PDS Panel

The 'call-in' request has been referred to Bath & North East Somerset Council's Communities, Transport & Environment Policy Development & Scrutiny Panel to review the decision.

Call-in Meeting

At the Panel meeting on 13th November the Panel will investigate and determine the matter. They will assess in detail the reasons for the Cabinet decision and consider the objections stated in the call-in notice via a range of information from Councillors, Officers and members of the public (further details below).

Objective

The objective of the Call-in review is to determine whether or not the resolution made by the Cabinet Members should:-

- Be referred back to the Cabinet for reconsideration [**'Uphold' the call-in**]
- Proceed as agreed by the Cabinet [**'Dismiss' the call-in**], or
- Be referred to Full Council to undertake the role of the Panel [*the ultimate decision would still remain with the Cabinet*].

Method

To achieve its objective, the Panel will investigate the original decision and the objections stated in the call-in notice. The Panel will hear statements from members of the public who have registered to speak about both the substance and processes behind the decision. Public statements will be limited to 3 minutes per speaker. It will also require attendance and/or written submissions from:-

- Representative Councillor(s) for the call-in request – Cllr Richard Samuel
- Lead Cabinet Member – Cllr Warrington (Cabinet Member for Transformation and customer Services), and key service officers

Outputs

The Panel's view and supporting findings will be made publicly and will include:

- Minutes & papers from public Panel call-in meetings.
- A summary note will be provided, setting out the result of the call-in meeting

Constraints

The Panel will only address questions from the points received within the call-in notice.

- **Timescales.** The Panel must hold its initial meeting within 14 working days of the call-in being verified to consider the call-in request. The Panel has a total of 21 working days to reach its decision.
 - Initial Public Meeting must be held by 15th November [14 working days from receipt of validated call-in request]
 - If meeting adjourned, second public meeting must be held 24th November [21 working days from receipt of validated call-in request]
 - If referred directly to the Cabinet, a response must be received by 29th November [10 working days from date of 1st meeting]
 - If adjourned and then referred to the Cabinet, a response must be received by 8th December [10 working days from date of 2nd meeting]

- **Resources.** The call-in process must be managed within the budget and resources available to the Panel.

- **Council Constitution.** Part 4E, Rule 13 requires that “*Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources*”. Section 3.1 of the cover report (formal agenda papers) provides further explanation.

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Bath & North East Somerset Council	
MEETING:	Communities, Transport & Environment Policy Development and Scrutiny Panel
MEETING DATE:	13 th November 2017
TITLE:	Call-in of decision E3000 Modern libraries – Community Library Approach
WARD:	ALL
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 Cabinet Decision</p> <p>Appendix 2 Accompanying Report for the Decision (with Appendices)</p> <p>Appendix 3 Call-in Request (1 & 2)</p> <p>Appendix 4 Call-in Guidance Note</p> <p>Appendix 5 Terms of Reference for the Call-in</p>	

1 THE ISSUE

1.1 Any 10 Councillors not in the Council’s Cabinet may request that a Cabinet or Single Member Decision made but not yet implemented be reconsidered by the person or body who made it. This is called a “call-in” and has the effect of preventing the implementation of the decision pending a review of the Decision by a Policy Development and Scrutiny Panel.

1.2 This report sets out the call-in received by 11 Councillors of the decision relating to the agreed approach to run Community libraries in Bath & North East Somerset. This also covers the points raised by a second call-in notice, also received within the 5 day call-in period, by a further 13 Councillors. The role of the Panel is to consider the issues raised by both call-in notices and to determine its response.

2 RECOMMENDATION

THE PANEL IS ASKED TO:

- a. Consider the call-in request received (refer to Appendix 3).
- b. Approve the Terms of Reference of the Call-in which will be prepared after consultation with the Chair of the Panel (Appendix 5) subject to any further comments received from Panel members (as in paragraph 5.2.2 below).

- c. Decide if it requires any further information to enable it to make a determination of the call-in request and, if so, request this information and any contributions that will assist the Panel in determining the call-in either at this meeting or at a further meeting (e.g. from the Cabinet Members; Councillor(s) representing the call-in signatories; and any other internal or external contributors required by the Panel).
- d. Decide whether it will reach a conclusion about whether to uphold or dismiss the call-in; or refer the matter to the Council itself to undertake the role of the Panel, at this meeting or if a further meeting is required.
- e. If a further meeting is required to hear and determine the call-in, the Panel is asked to agree the date for this. The constitutional requirement is for that meeting to take place before the end of the 15th November (this timescale would not apply if the Panel decided to refer their role to the full Council).
- f. Undertake an examination of the call-in request in accordance with the proposed procedure set out in Appendix 5.
- g. Note that, following the examination, the Panel may either dismiss the call-in, uphold the call-in or refer the matter to Council to itself undertake the role of the Panel.

3 FINANCIAL IMPLICATIONS

3.1 The Panel should be aware that the Council's Constitution (Part 4E, Rule 13) requires that

3.2 *"Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources or the extent to which that should be seen as a priority for future years' budget considerations".*

3.3 It is important, therefore, in its consideration of the call-in that the Panel gives consideration to the alternative options available to the decision-maker and the financial consequences of these.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSALS

4.1 A Call-in is a statutory process pursuant to the Council's Constitution Part 4E.

4.2 The topic of this Call-in is a decision regarding the agreed approach to delivering a modern library service in B&NES.

5 THE REPORT

5.1 BACKGROUND

5.1.1 The decision which is now subject to a call-in request was a Cabinet Decision made on the 11th October (Appendix 1) following consideration of the officer report (Appendix 2). The Council Solicitor, on behalf of the Chief Executive, has validated the call in and confirms that it conforms to constitutional requirements in terms of time of receipt and number of Members validly subscribing to it. Appendix 3 sets out the reasons for the call-in request.

5.2 ASSESSING THE CALL-IN REQUEST

5.2.1 The Terms of Reference (Appendix 5) will indicate the suggested scope of the Call-in. This will outline the information and contributions the Panel is advised to consider in order to determine the call-in. It will have been prepared in consultation with the Chair. Panel members are invited to comment on the terms of reference and any changes they request will be taken into account in an updated version which will be circulated at the meeting.

5.2.2 The Policy Development and Scrutiny Panel Chairs have approved guidance on the handling of call-in requests which make clear that there is a presumption that every validated call-in will proceed to a public meeting stage. The process for that meeting is set out in paragraph 5.3 below. If a second meeting of the Panel is required to complete the review it needs to take place no later than 24th November to comply with the constitutional requirement that the total period of overview and scrutiny involvement in a call-in must not exceed 21 working days.

5.3 SUGGESTED FORMAT FOR THE MEETING TO DETERMINE THE CALL-IN

5.3.1 When the Panel determines the call-in, it is suggested that the following format be adopted:

- i. Remind itself of the issues to be considered and consider any additional written information supplied.
- ii. Hear from and ask questions of the Cabinet Member(s) and Lead (or other agreed) Officers.
- iii. Hear from and ask questions of Councillor(s) representing the call-in signatories.
- iv. Hear from and ask questions of any appropriate external contributors (a "panel" style contributors` session is suggested).
- v. Call-in Councillor and Cabinet member(s) have the opportunity to make comments on any new considerations that may have arisen during the debate.
- vi. Discuss and draw conclusions from the written and oral information presented.
- vii. Consider and formulate the Panel's determination of the call-in.

6 RATIONALE

6.1 The recommendations were suggested pursuant to the Council's constitution

7 OTHER OPTIONS CONSIDERED

7.1 Not applicable

8 CONSULTATION

8.1 This report has been prepared following consultation with the Chair and Vice Chair of the Policy Development and Scrutiny Panel.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Donna Vercoe, Senior Scrutiny Officer, 01225 396053</i>
Background papers	<ol style="list-style-type: none">1. <i>Equalities Impact Assessment:</i> http://www.bathnes.gov.uk/services/your-council-and-democracy/equality-and-diversity/equality-impact-assessments/service-deliv2. <i>Bath & North East Somerset Libraries needs Assessment:</i> http://www.bathnes.gov.uk/sites/default/files/siteimages/Your-Council/Local-Research-Statistics/bnes_libraries_needs_assessment_-_final_05.07.17.pdf3. Intro page including link to downloadable data tables - http://www.bathnes.gov.uk/services/your-council-and-democracy/local-research-and-statistics/wiki/libraries-needs-assessment
Please contact the report author if you need to access this report in an alternative format	

Cabinet Meeting Resolution

Executive
Forward Plan
Reference

E3000

Modern Libraries - Community Library approach

Date of Meeting	11-Oct-17
The Issue	<i>Report sets out the proposals for Bath NES Community Libraries.</i>
The decision	<p>RESOLVED (unanimously) that the Cabinet agreed to:</p> <ol style="list-style-type: none"> 1) Adopt the new approach to delivering Community Run Library services in Bath and North East Somerset as set out in Appendix B as part of the overall Modern Libraries programme. 2) Approve the release of Capital in the sum of £275,000 to invest in and support our new approach to Community Run Libraries.
Rationale for decision	As described in the July Modern Libraries report, integrating the core libraries and considering a new approach to delivery for our communities, allows us to deliver our strategic objectives, continue to provide a comprehensive and efficient library service whilst at the same time meeting the financial challenges we face.
Other options considered	As per report.
The Decision is subject to Call-In within 5 working days of publication of the decision	

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Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Cabinet	
MEETING/ DECISION DATE:	11 October 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E3000
TITLE:	Modern Libraries Programme - Community Library approach	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
APPENDIX A – Current library provision and use		
APPENDIX B – New Delivery model and support framework		

1 THE ISSUE

- 1.1 The Modern Libraries Programme is seeking to deliver improved services across Bath and North East Somerset at the same time as contributing to the Council's unprecedented financial challenges. The Council is committed to an annual efficiency saving of £800,000 by 2020 to be realised through the whole programme.
- 1.2 Whilst there is a financial pressure, the Modern Libraries Programme seeks to develop an exciting community approach. Building on work so far, this will provide opportunities and increased investment for locally-based sustainable services across our areas tailored to local needs.

2 RECOMMENDATION

The Cabinet is asked to;

- 2.1 Adopt the new approach to delivering Community Run Library services in Bath and North East Somerset as set out in Appendix B as part of the overall Modern Libraries programme.
- 2.2 Approve the release of Capital in the sum of £275,000 to invest in and support our new approach to Community Run Libraries.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The Council has made provision for a capital budget of £5.953m plus £0.971m identified balances (a total of £6.924m overall) in order to deliver the modern libraries programme, this report focuses on the investment in and delivery of the Community Library Programme to be funded by £275,000 capital which will include a grant fund for the community and other supporting resources.
- 3.2 As part of the overall Modern Libraries Programme staffing levels will be reduced through staff turnover. Further development of the Community Run Libraries approach is key to enabling this and the corresponding investment in the programme is intended to mitigate any adverse effects of the reduction. There are no plans to make any redundancies and overall the transformation of the whole service, including the expansion of Community Run Libraries, will contribute to the overall programme savings target of £800k by 2020.
- 3.3 A total of £87,000 is currently spent on the rent, rates and utility bills each year for the Council managed branch libraries as well as the running costs of the mobile vehicle. The balance of the savings identified for the programme will be met through releasing the majority of these expenditures plus a proportion of savings in management and staffing costs across the whole service area.
- 3.4 Leases and tenancy agreements relating to the buildings may need to be reassigned, sub-let or existing agreements surrendered depending on break clauses. Consideration will also be given to potential Community Asset Transfer of existing branch provision facilities, depending on local circumstances.
- 3.5 Professional and other council support that is available for Community Run Libraries is set out in Appendix B

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 Under the Public Libraries and Museums Act 1964, local councils in England have a statutory duty to provide a 'comprehensive and efficient' library service for all people working, living or studying full-time in the area who want to make use of it.
- 4.2 We are not planning on reducing the Library service available but rather we will ensure that residents and library users will continue to receive the comprehensive and efficient library service they already enjoy. The Council, however, needs to take a strategic, long-term approach to transforming the library service and by adopting this new community approach, we will also strengthen the resilience of our communities as well as ensuring efficiencies. Any decisions taken will be based on an assessment of need, and future

library provision will be actively managed with the community and library professionals.

5 THE REPORT

- 5.1 The Council currently manages 3 “core” libraries - in Midsomer Norton, Keynsham and Bath. These are planned to be integrated with One Stop Shop services and a report on the Bath core library and One Stop Shop is contained elsewhere on this agenda. The Council’s core library staff resources are also supporting its 5 ‘branch’ libraries with varying opening hours, at Paulton, Weston, Saltford, Moorland Rd and Radstock. These core and branch libraries are complemented by a single mobile vehicle and additional home and community-based options (<http://www.bathnes.gov.uk/services/libraries-and-archives/access-all>).
- 5.2 Library usage is declining, especially within areas with a greater density of low income households where we would wish to see an increase. Rural areas have a lower proportion of registered users and no area has greater than 16% of the population using a library.
- 5.3 Visitor numbers are in single figures at the majority of mobile library stops, so this makes this a particularly costly service per capita. In addition, the short stopping times and infrequent visits from the mobile vehicle are not conducive to support local activities and engagement.
- 5.4 Given these challenges, a new approach is required that is better tailored to local needs, makes best use of our local assets and encourages greater local ownership and therefore potentially more use from the community. The aim of this approach is that by 2020 library provision in the community with the exception of the core Library One Stop Shops in Bath, Midsomer Norton and Keynsham will be provided through Community Run Libraries and strengthened home and community-based options including the [Home Library Service](#) (link from Bath NES website address at para. 5.1). We will build on our relationships with residential homes, voluntary groups such as village agents and Age UK, as well as working with Virgin Care on new models of delivery including social prescribing.
- 5.5 This approach will see significant investment to enable local community groups (to include town and parish councils as well as voluntary organisations) to deliver local library services tailored to their community needs. Groups would become responsible for running costs, staff or volunteer management and appropriate IT. However, they would be offered a package of professional support from the Council including stock, volunteer training and networking.
- 5.6 There will also be access to a start-up fund (The Community Library Fund) of up to £5000 per scheme, further details of which will be widely publicised. In order to add to this fund and promote sustainability, local groups aiming to

run Community Libraries will be provided with additional help including support to access to alternative funding sources such as Crowdfunding.

5.7 The Community Run Libraries approach in each locality will be the subject of further discussions with the Area Forums, building on the progress so far that has seen significant interest in some communities wanting a more tailored library provision locally. For example work with parishes and communities from the Chew Valley, Timsbury, Stowey Sutton, Farmborough, Mulberry Park, Radstock and Paulton is already developing ideas for various Community Run provisions that will encourage and extend the use of libraries across the area. These range from utilising existing local community spaces, a school library or transferring the management of a branch library to a 'click and collect' facility in a village shop.

5.8 The Council will work with the Area Forums and their wide range of partners to support and champion local Community Library provision and be open to a range of opportunities. For example we would envisage local groups receiving support to ease the transition from current branch libraries to Community Run Libraries as this takes time. This is set out in more detail in Appendix B.

5.9 This overall approach will help deliver the following community benefits as supporting our outcomes identified in our Strategic Framework:

- Creating stronger more resilient communities by taking ownership of providing a library provision more tailored to local needs to encourage and extend their community's access to books and literature or online resources, improving literacy and digital skills.
- Potentially creating a new space or invigorating an existing space, to bring people together for a wider breadth of services and local fun, educational, social community events and activities which can build community cohesion as well as giving people the opportunity to enjoy themselves.
- Providing a local safe place to go to meet others, study or a gateway for physical and digital health information or support as a non-clinical space where health and wellbeing groups could work with the community in a trusted and non-threatening venue. Supporting people in self-care and in the self-management of long-term conditions and reduce social isolation.
- Supporting local economic growth and prosperity by providing the resources and support to encourage people back to work and business start-up.

5.10 In recent years, the Council has tested this approach in local communities by developing a number of 'Community Run Libraries'. These libraries are independently run by local community groups and have proved popular locally. There are currently 4 of these 'Community Run Libraries', all different but tailored to their locality, at the "Hub in the Pub" at Chew Stoke, the New Oriel Hall in Larkhall, Combe Hay and at Southside Youth Hub.

6 RATIONALE

6.1 As described in the July Modern Libraries report, integrating the core libraries and considering a new approach to delivery for our communities, allows us to deliver our strategic objectives, continue to provide a comprehensive and efficient library service whilst at the same time meeting the financial challenges we face.

7 OTHER OPTIONS CONSIDERED

7.1 Nationally, local authorities are considering a wide range of options for delivering community library services. The Council does not want to close libraries or reduce services, so considered all of the models as part of a desktop review, to assess both their suitability and potential to deliver the service in line with available resources:

- Local authority-run – library services maintained and either unstaffed i.e. self-serve only (OpenPlus) or staffed by council personnel.
- Commissioned – library services outsourced or contracted to a third-party organisation.
- Outsourced – library service outsourced to another local authority. These are known as ‘shared services’ and involve outsourcing the whole library service or specific functions.
- Community run with local authority support – this includes models where the council transfers either the management of both the library asset (building and infrastructure) and the management or just the management of a library to an existing or new community organisation.

7.2 Each model has its pros and cons but moving to a blended approach of local authority-run and a new Community Run delivery provision with local authority support would enable the efficiencies to be made and deliver a better solution for the communities in many instances.

7.3 National best practice demonstrates that by working with community groups themselves to develop an appropriate delivery offer for their community and offering the right package of support ensures longer term sustainability and a more tailored service for the community. Transitioning to this approach will take time and support and relies on community commitment and often an increased use of volunteers.

7.4 This approach combined with existing benefits of joint procurement from working collaboratively with other authorities as part of the LibrariesWest consortium for book stock and the library management systems and co-

location with our One Stop Shops provides opportunities for increased access to services and overall reduced costs.

8 CONSULTATION

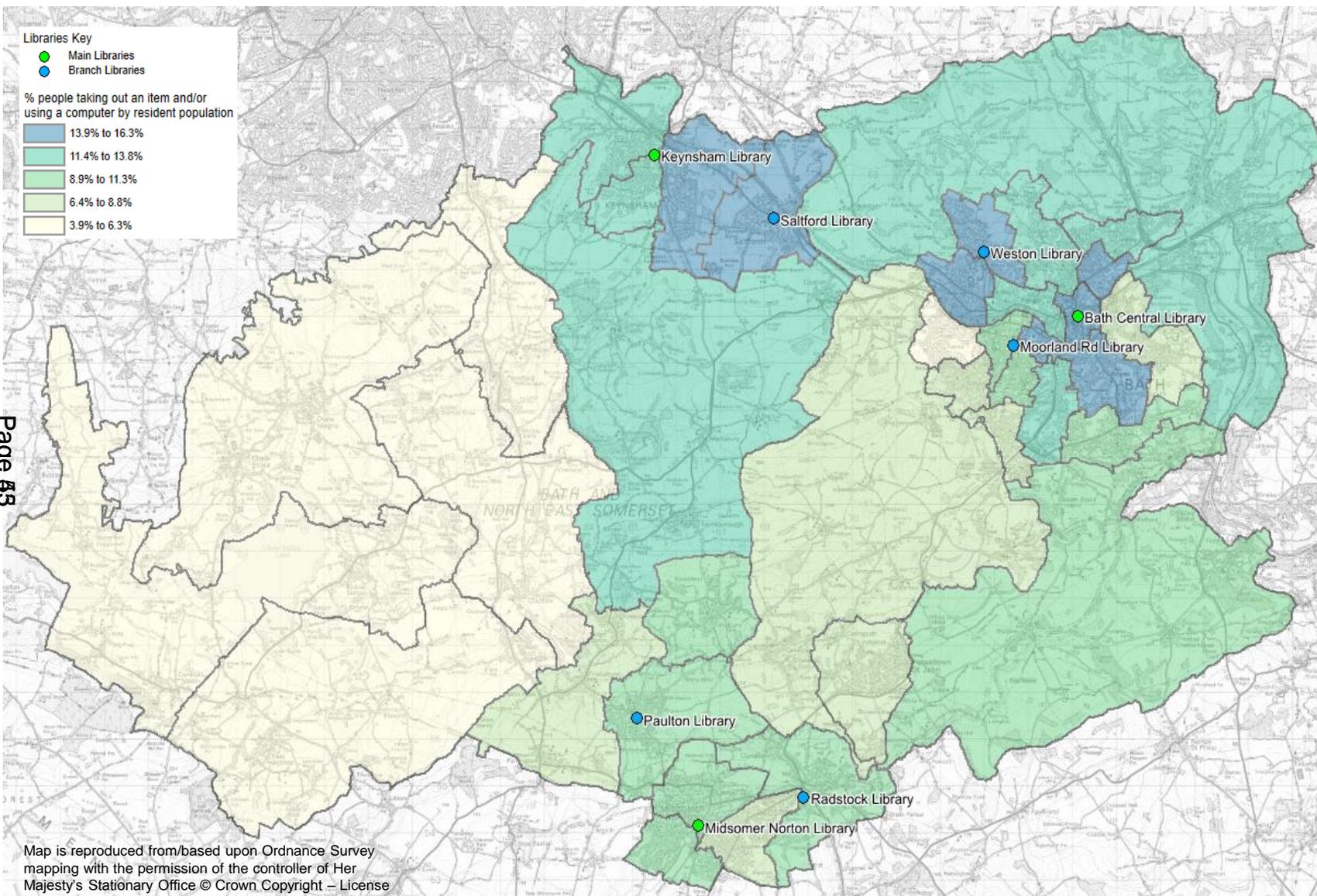
- 8.1 Public meetings have been held in the localities setting out the strategic aims through the Area Forums and further meetings are planned for the autumn cycle.
- 8.2 Following the Area Forums a series of informal engagement meetings have been held with various community groups including local parish, community and local interest groups supported by the Council's Community Engagement Team.
- 8.3 Councils are encouraged to provide Department for Culture Media and Sport with advance notice of proposals to change library service provision to assist the Libraries Minister in carrying out their statutory superintendence role - ensuring that councils are fulfilling their legal duties. In this case the Council has been in communication with the Department about its overall strategy which aligns in many ways with the "Ambition for Public Libraries in England 2016 to 2021" paper, we have also sent details of these proposals to the Department and will continue to be in communication with the Department with further developments.
- 8.4 The s151 and monitoring officer have had opportunity to review and input into this report.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Ian Savigar, Divisional Director Customer Services: Tel 01225 477327</i>
Background papers	Equalities Impact Assessment (will be published on the Bath NES website)
Please contact the report author if you need to access this report in an alternative format	

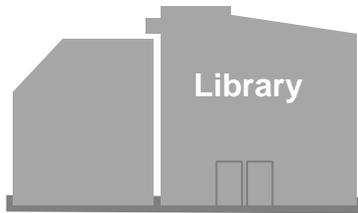
B&NES library locations and % registered users by ward



Page 68

Map is reproduced from/based upon Ordnance Survey mapping with the permission of the controller of Her Majesty's Stationary Office © Crown Copyright – License No. LA100023334

Bath City



Three Council run Libraries:
Bath Central, Weston & Moorland Road

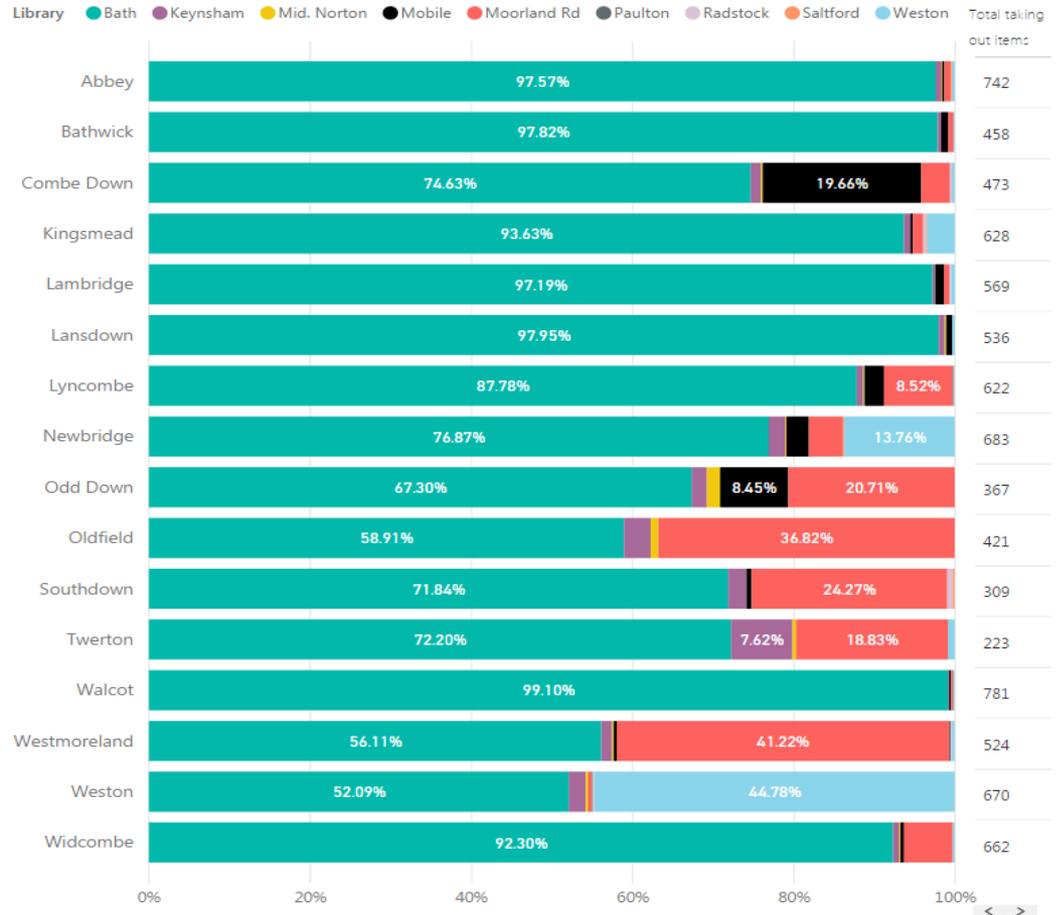


Two Community Libraries: New Oriel Hall, Larkhall & Southside Youth Hub



The Mobile Library visits Combe Down, Odd Down & Newbridge

Bath



Source: Library Management System. LibrariesWest users with a Bath and North East Somerset postcode who have taken out at least one item in the period.

The data has been aggregated to ward and analysed by library of issue as a % of all issues for that ward to provide a standardised comparison. NB: The consequence of this is that someone who uses multiple libraries will be double-counted.

The data included in this analysis is extracted from 01/06/2016 to 28/02/2017 to provide consistency with the Library Needs Assessment published in June 2017

Bathavon

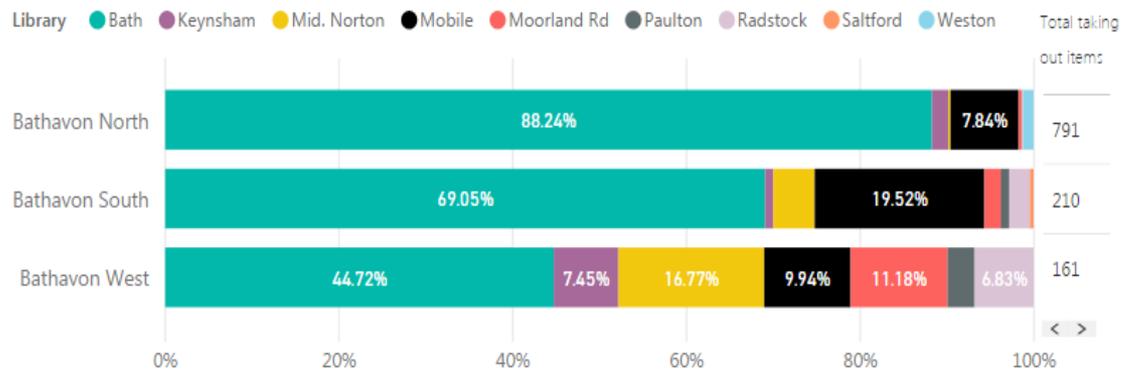


One Community Library
at Combe Hay Parish
Church



The Mobile Library visits Batheaston,
Bathford, Newton St. Loe, Bathampton,
Wellow, Hinton Charterhouse,
Freshford, Priston & Tunley

Bathavon



Main Library use by Ward (% of users)

Source: Library Management System. LibrariesWest users with a Bath and North East Somerset postcode who have taken out at least one item in the period.

The data has been aggregated to ward and analysed by library of issue as a % of all issues for that ward to provide a standardised comparison. NB: The consequence of this is that someone who uses multiple libraries will be double-counted.

The data included in this analysis is extracted from 01/06/2016 to 28/02/2017 to provide consistency with the Library Needs Assessment published in June 2017

Keynsham

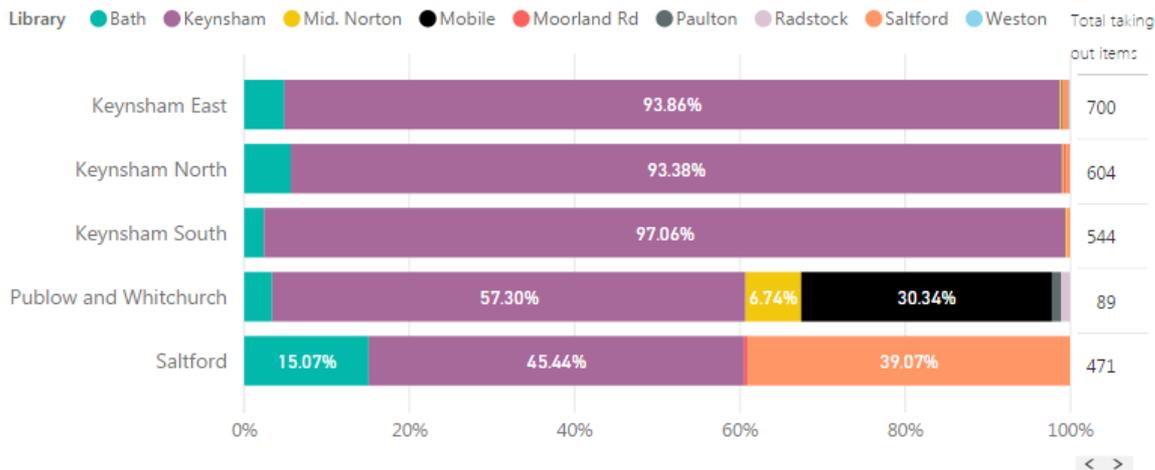


Two Council run Libraries:
Keynsham & Saltford



The Mobile Library visits
Chewton Keynsham, Marksbury,
Compton Dando & Farmborough

Keynsham



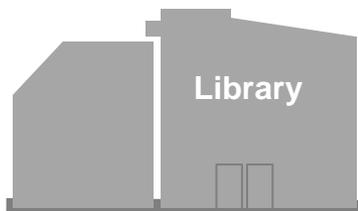
Main Library use by Ward (% of users)

Source: Library Management System. LibrariesWest users with a Bath and North East Somerset postcode who have taken out at least one item in the period.

The data has been aggregated to ward and analysed by library of issue as a % of all issues for that ward to provide a standardised comparison. NB: The consequence of this is that someone who uses multiple libraries will be double-counted.

The data included in this analysis is extracted from 01/06/2016 to 28/02/2017 to provide consistency with the Library Needs Assessment published in June 2017

Somer Valley

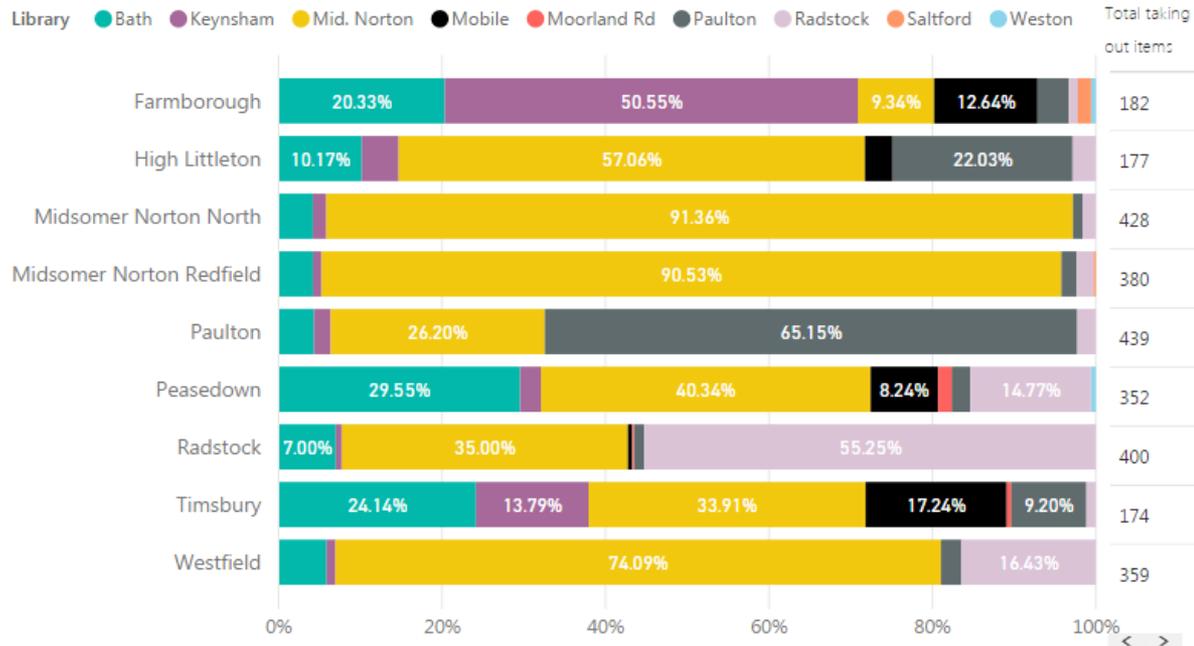


Three Council run Libraries:
Midsomer Norton,
Radstock & Paulton



The Mobile Library visits
Timsbury, Camerton, Peasedown
St. John, Farrington Gurney, High
Littleton
& Writhlington

Somer Valley



Main Library use by Ward (% of users)

Source: Library Management System. LibrariesWest users with a Bath and North East Somerset postcode who have taken out at least one item in the period.

The data has been aggregated to ward and analysed by library of issue as a % of all issues for that ward to provide a standardised comparison. NB: The consequence of this is that someone who uses multiple libraries will be double-counted.

The data included in this analysis is extracted from 01/06/2016 to 28/02/2017 to provide consistency with the Library Needs Assessment published in June 2017

Chew Valley

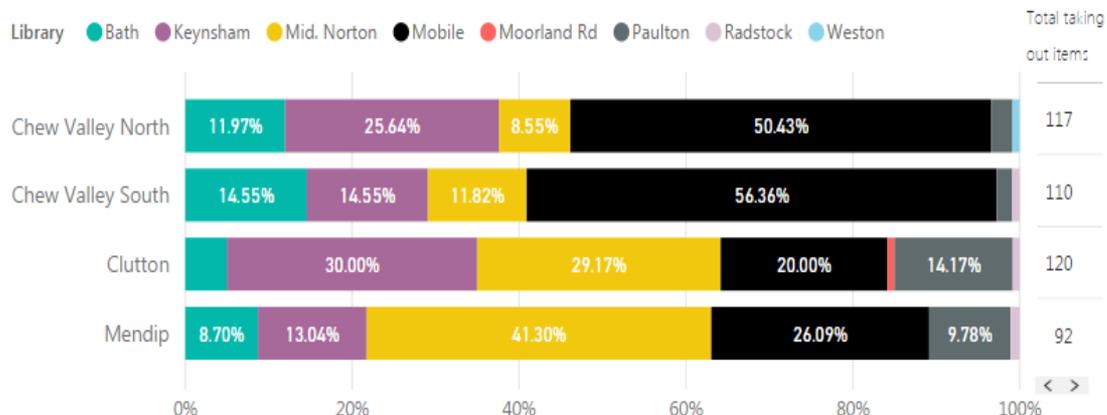


One Community Library at The Stoke Inn, Chew Stoke



The Mobile Library visits Bishop Sutton, Norton Malreward, Stanton Drew, Chew Magna, Pensford, Cameley, Temple Cloud, Clutton, Chew Stoke, West Harptree, East Harptree, Compton Martin, Ubley & Hinton Blewett

Chew Valley



Main Library use by Ward (% of users)

Source: Library Management System. LibrariesWest users with a Bath and North East Somerset postcode who have taken out at least one item in the period.

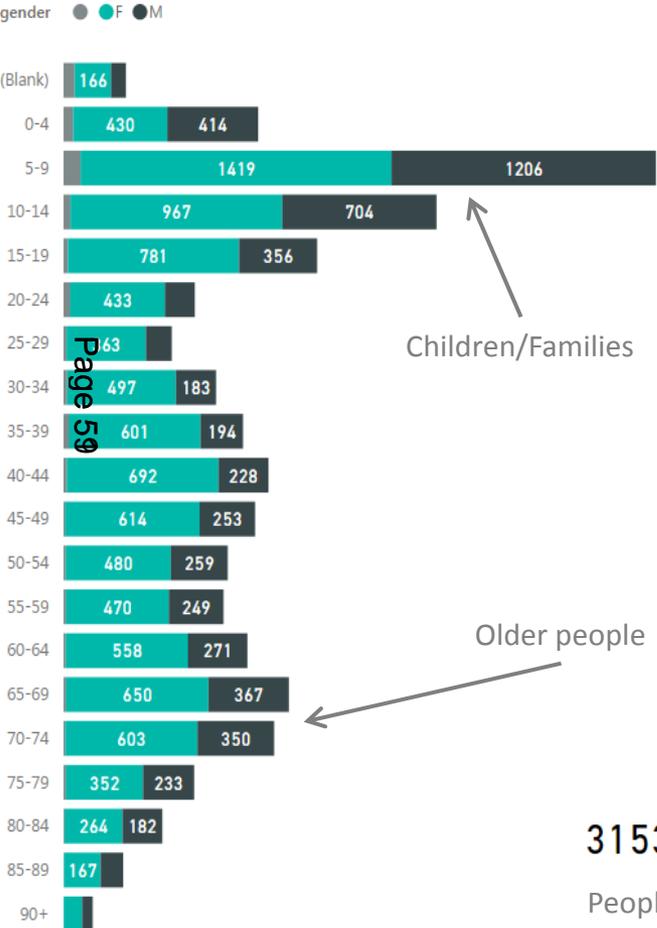
The data has been aggregated to ward and analysed by library of issue as a % of all issues for that ward to provide a standardised comparison. NB: The consequence of this is that someone who uses multiple libraries will be double-counted.

The data included in this analysis is extracted from 01/06/2016 to 28/02/2017 to provide consistency with the Library Needs Assessment published in June 2017

Registered User demographics

Between 01 June and 28 Feb there were **256K** items taken out by **18K** people from All

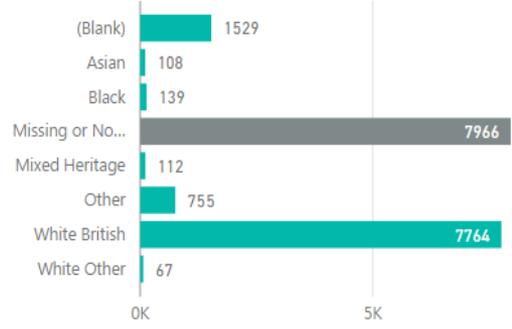
Users taking out items - Age and Sex



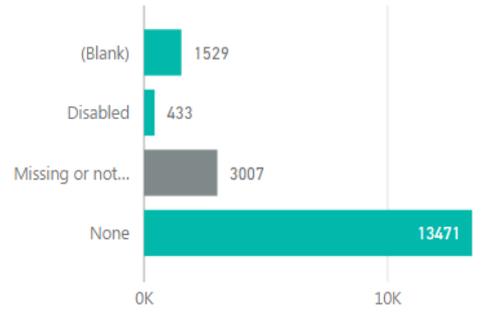
Children/Families

Older people

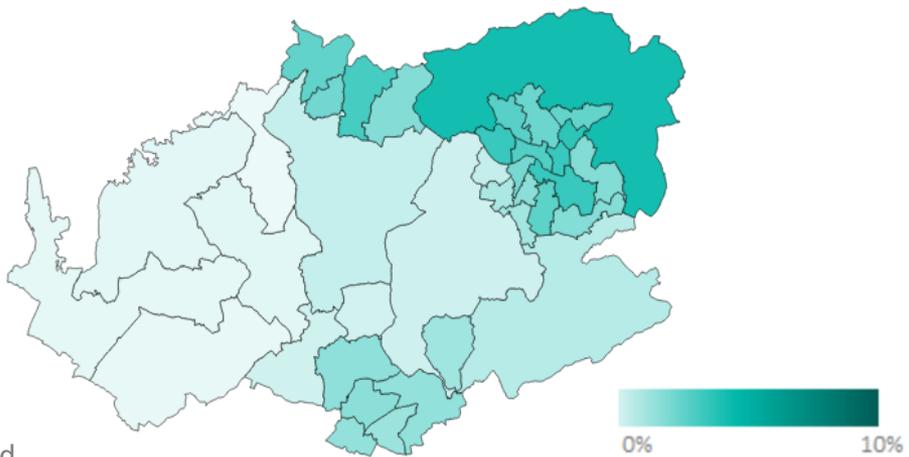
Users taking out items - Ethnicity



Users taking out items - Disability



Users taking out items - % by ward

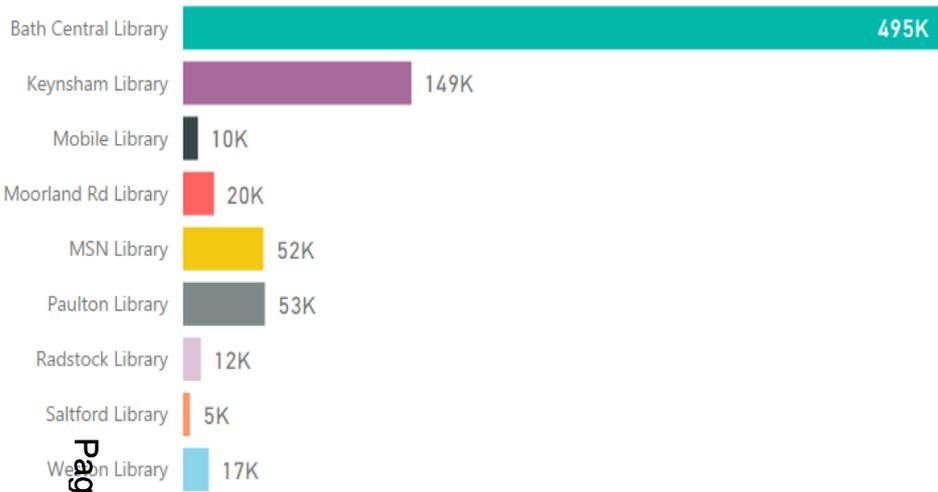


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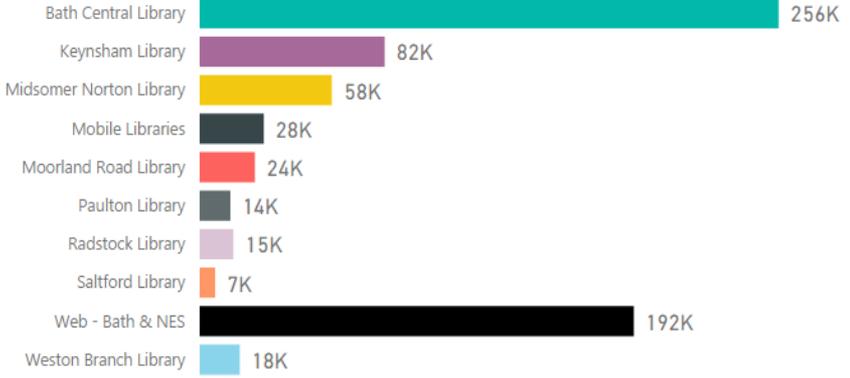
People were not resident in B&NES, or did not have a valid postcode for analysis

2016 Activity Snapshot

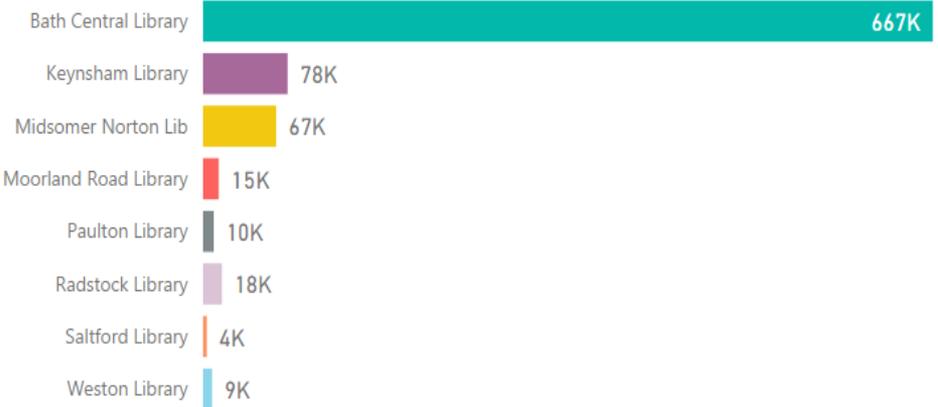
Footfall 2016 Calendar Year



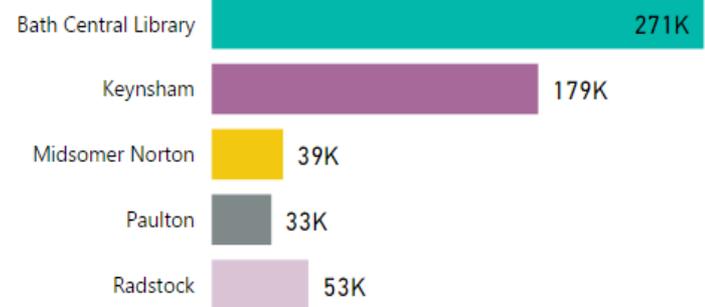
Issues 2016 financial year



Computer reservations 2016 Calendar Year



Projected unique wi-fi devices 16/17

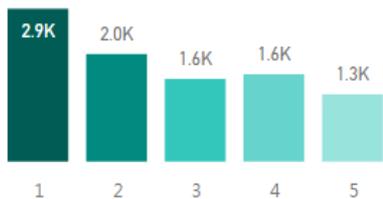


Page 62

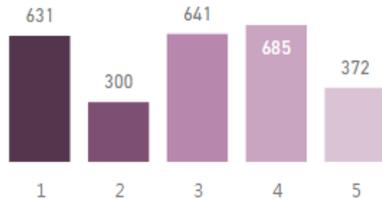
No. registered users by Deprivation

(IMD quintile 5 = most deprived)

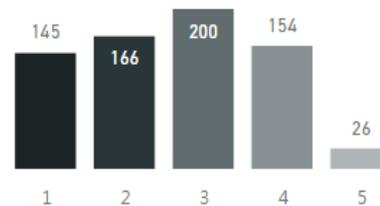
Bath



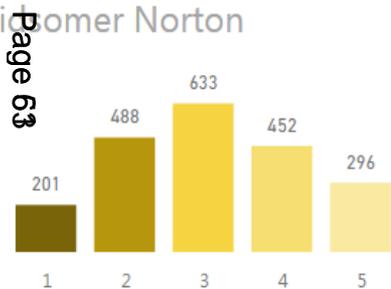
Keynsham



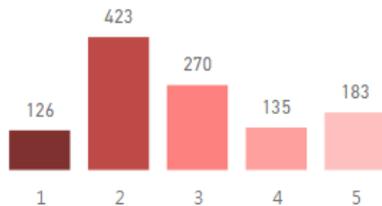
Mobile



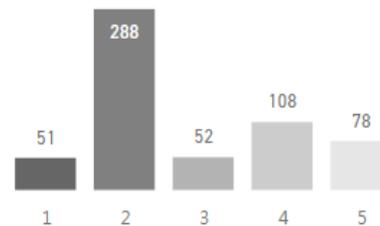
Milcomer Norton



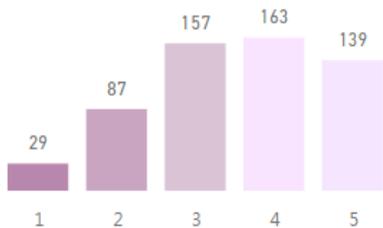
Moorland Rd.



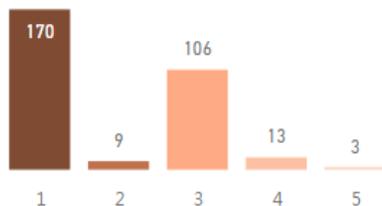
Paulton



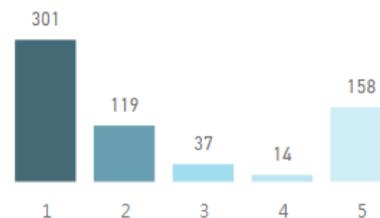
Radstock



Saltford



Weston



Page 63

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New Service Model

Core Library Services

By 2020, it is anticipated that there will be three core council run libraries in our main population centres. These will be located with other Council Services and our partners.

Bath One Stop Shop & Library

Keynsham One Stop Shop & Library

Midsomer Norton One Stop Shop & Library

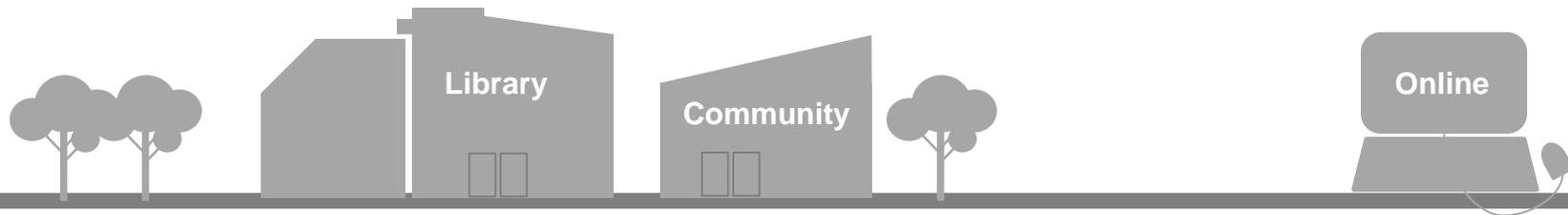
Community Run Libraries

There will be opportunities to develop Independent Community Run Libraries.

Some existing Branch Libraries may transition from Local Authority management to be managed by the local community with a view to becoming Independent Community Run Libraries.

We will offer support to communities, key organisations and stakeholders expressing an interest in making this transition or providing new library services based on their local conversations and identified need.

We will offer a package of professional and funding support.



Community Run Library Model

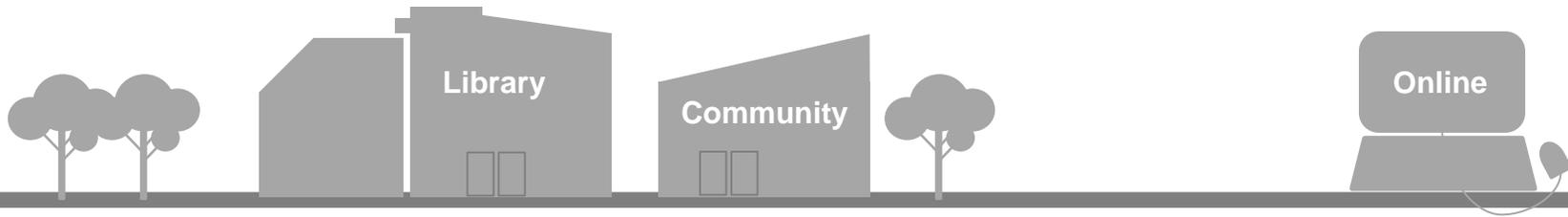
Page 66

Authority Transition Community Run Library Model (for initial period 1 year)

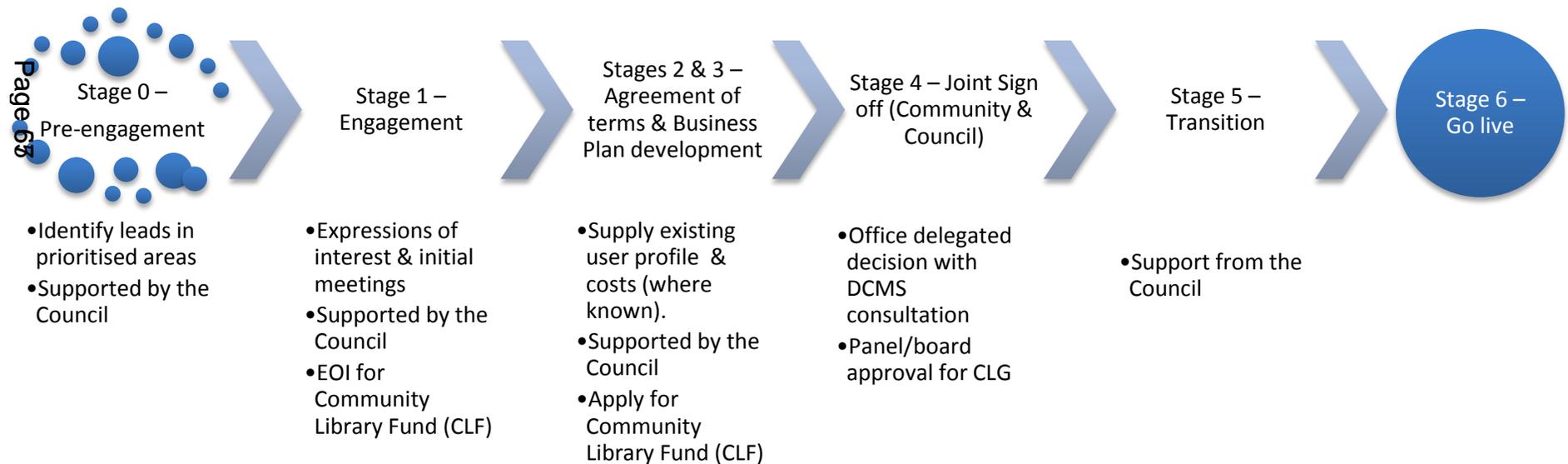
- Running and staffing costs all funded by local group
- Catalogue book stock and professional support provided by B&NES
- IT equipment, Kiosks and support/maintenance provision provided and funded by B&NES
- All loan related fees, fines and charges income retained by B&NES
- Continue to be part of LibrariesWest Consortium stock/reservations/rules and reservations network
- Only suitable for existing branch libraries
- Eligible for one off Community Library Start Up Grant (at this stage or when move to Independent)

Independent Community Run Library Model

- Running and staffing costs all funded by local group
- Book/issues and membership rules (including fees and charges) determined at local level
- IT equipment/support and maintenance, Wi-Fi, printing and any other systems funded by local group
- Income from local sales & services retained by local group
- B&NES identified rotated stock (removed from central catalogue) plus any local sourced stock
- Professional support from B&NES available through networking and training events
- Eligible for one off Community Library Start Up Grant
- Click and collect point for core Library stock on LibrariesWest Consortium system



Process for developing Community Run Libraries



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Appendix 3 – Call In request

Call-in of Cabinet Decision E3000 made on 11 October 2017

Amalgamated call-in of Cabinet member Decision: Modern Libraries – Community Library Approach

1. The call-in is requested on the basis that the wrong decision was reached at the Cabinet meeting and for the following specific reasons:
 - a. The report fails to identify the impact on current mobile library users once this service ceases.
 - b. Inadequate consideration has been given to how sustainable it is to expect local groups to take on the running of libraries and how this would be funded.
 - c. The consultation on this approach has been limited and the results of this consultation have not been published (to be considered with 2i).
 - d. The Equalities Impact Assessment referred to as a background paper does not appear to have been published.
2. The call-in request is made in the public interest of full disclosure of the facts underpinning the decision and for the following specific reasons:
 - i. The decision has been taken without any open, public consultation having been carried out.
 - ii. No financial breakdown has been provided to decision-makers regarding the proposed savings and no detail is offered of how the community model may work.

Information about the ownership of branch library buildings is not included in the report

Original call in requests:-

(Call in request 1)- Received on the 13th October 2017

The call-in is requested on the basis that the wrong decision was reached at the Cabinet meeting held on 11 October, 2017.

This is because the decision has been made on the basis of a **Misleading and Inadequate Report**.

The report (paragraph 4.2) states “We are not planning on reducing the Library service available but rather we will ensure that residents and library users will continue to receive the comprehensive and efficient library service they already enjoy”. The report further claims that services will be improved and will be sustainable.

What is clear, however, is that if this plan is delivered, the mobile library service will cease. The mobile library serves isolated communities and is used by residents who are unable to travel to the main centres. The report provides no alternative to the mobile library once it has been cut, presumably because no alternative is proposed.

Appendix 3 – Call In request

The report also fails to identify the impact on current mobile library users once this service ceases. It is not clear whether mobile library users have been consulted on the proposal. If they have been consulted, the results of this should be made available to the decision-maker. If they have not been consulted, this must happen before a decision is made.

Under this proposal, if branch libraries are to continue to exist, community groups will have to take over all aspects of the service including buildings, running costs, staffing and IT. Inadequate consideration has been given to how sustainable it is to expect local groups to take on these responsibilities. It is not clear whether either volunteers or funding will be forthcoming. Parish Councils (where they exist) may or may not be willing to take on the running of libraries and potentially raising their precept in order to meet the costs of doing so. In areas without a Parish Council, and in those areas where Parish Councils are unwilling to raise the precept to fund branch libraries, the only source of funding appears to be Crowdfunding. It is misleading in the extreme to claim therefore that this proposal is not a reduction in the library service and that it will result in a better, more sustainable service than that currently available.

Finally, the consultation on this approach has been limited and the results of this consultation have not been published. Furthermore the Equalities Impact Assessment referred to as a background paper does not appear to have been published.

In view of the above, the Cabinet is asked to look again at the decision. Before doing so, the Cabinet must ensure that the report includes the following information:

- 1 Details about the willingness or otherwise of Parish Councils and local groups to take on responsibility for libraries;
- 2 The impact of the proposal on the library service if local groups are able to take on the new responsibility – in other words, what will be the main differences between the new service and that currently received;
- 3 The impact on services if no group is willing to take on responsibility for their local library;
- 4 The effect on services if other sources of funding are not identified;
- 5 The results of consultation with users on the plans; and
- 6 The Equality Impact Assessment.

Signatories:

1. Joe Rayment (Lead)
2. Chris Dando
3. John Bull
4. Liz Hardman
5. Eleanor Jackson
6. June Player
7. Sarah Bevan
8. Karen Walker
9. Douglas Deacon
10. Colin Blackburn

Appendix 3 – Call In request

11. Robin Moss

(Call in request 2) – Received on the 17th October 2017

The undersigned Councilors wish to call in decision E3000 “Modern Libraries – Community Library approach” taken by the Cabinet on 11 October 2017.

This request is made in the public interest of full disclosure of the facts underpinning the decision and for the following specific reasons:

1. The decision has been taken without any open, public consultation having been carried out.
2. No financial breakdown has been provided to decision-makers regarding the proposed savings and no detail is offered of how the community model may work.
3. Information about the ownership of branch library buildings is not included in the report.

Signatories:

1. Councillor Richard Samuel (Lead; by email)
2. Councillor Dine Romero (by email)
3. Councillor Paul Crossley (by email)
4. Councillor Will Sandry (by email)
5. Councillor Michelle O’Doherty (by email)
6. Councillor Tim Ball (by email)
7. Councillor Alison Millar (by email)
8. Councillor Steve Hedges (by email)
9. Councillor Neil Butters (by email)
10. Councillor Shaun Stephenson-McGall (by email)
11. Councillor Nigel Roberts (by email)
12. Councillor Caroline Roberts (attached to original paperwork)
13. Councillor Cherry Beath (by email)

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CALL-IN OF EXECUTIVE DECISIONS

RULE 1 – WHO MAY REQUEST A CALL-IN?

Elected members who do not sit on the Cabinet have the right to request a “call-in” of an executive decision which has been made by the Cabinet, or a person or body to whom the power to make executive decisions has been delegated, but not yet implemented.

These decisions could be made by;

- the Cabinet
- a Cabinet Member,
- a committee of the Cabinet
- an Officer taking a key decision acting on delegated authority from the Cabinet
- an area committee
- a body under joint arrangements

BUT NOT the decisions of quasi-judicial or Regulatory Committees.

Notice of the decision made shall be published to every councillor and the publicity shall specify the period in which the “call-in” right may be exercised.

RULE 2 – SUBMISSION OF A “CALL-IN” NOTICE

A notice requesting a “call-in” of an executive decision shall be in writing and signed by 10 or more elected members (excluding Cabinet Members) making the request. The request shall be deposited with the Chief Executive.

The request shall include individual signatures on the notice or electronic communications from individual members signifying their support for the call-in. If a Member is unable to communicate in writing or electronically he/she may signify support by telephone.

The persons making the call-in request shall state the decision being called in, the decision maker, the date the decision was taken and shall give reasons for the call-in.

No member of the Council is entitled to sign up to more than 5 call-in requests in any Council year.

The Chief Executive shall determine whether a call-in is valid (ie whether it has been received within 5 working days of the decision being published and requested by the appropriate number of members and that the decision may properly be called in under the Constitution) and, if so, consult with Overview & Scrutiny Chairs to decide which Panel should consider it.

The Chief Executive shall make a report of any validated call-in to a meeting of the relevant Overview and Scrutiny Panel which shall meet wholly in public within 14 working days of a valid call-in notice being verified.

A decision may only be called in once.

RULE 3 – CONSIDERATION BY OVERVIEW AND SCRUTINY PANEL

The Overview and Scrutiny Panel shall consider the issues raised in the “call-in” request and the stated reasons for the request. They have the following courses of action open to them;

- a) To dismiss the call-in: the decision shall then take effect immediately;
- b) To refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of the Panel's concerns; or
- c) To refer the matter to Council to itself undertake the role of the Panel (which may necessitate an additional Council meeting to meet necessary timescales) [NB: the ultimate decision still remains with the original decision maker].

If the call-in is dismissed, notification will be made to all interested parties and the original decision can be implemented. No amendments can be made to the decision [Six-month rule applies – Part 4(D), rule 15]

If the Panel consider any aspect of the decision requires further consideration, it must refer it back to the decision maker.

In total, the Panel shall ensure that the period of overview and scrutiny involvement in an individual call-in shall not exceed 21 working days.

RULE 4 – CONSIDERATION BY DECISION MAKER

The person or body which made the decision shall consider the report of the Overview and Scrutiny Panel or Council and must;

- (a) confirm the original decision; or
- (b) make some changes to the original decision; or
- (c) make a different decision.

The decision maker may not ignore the report. The decision maker shall undertake this consideration within 10 working days from the date of the Overview and Scrutiny (or Council) meeting.

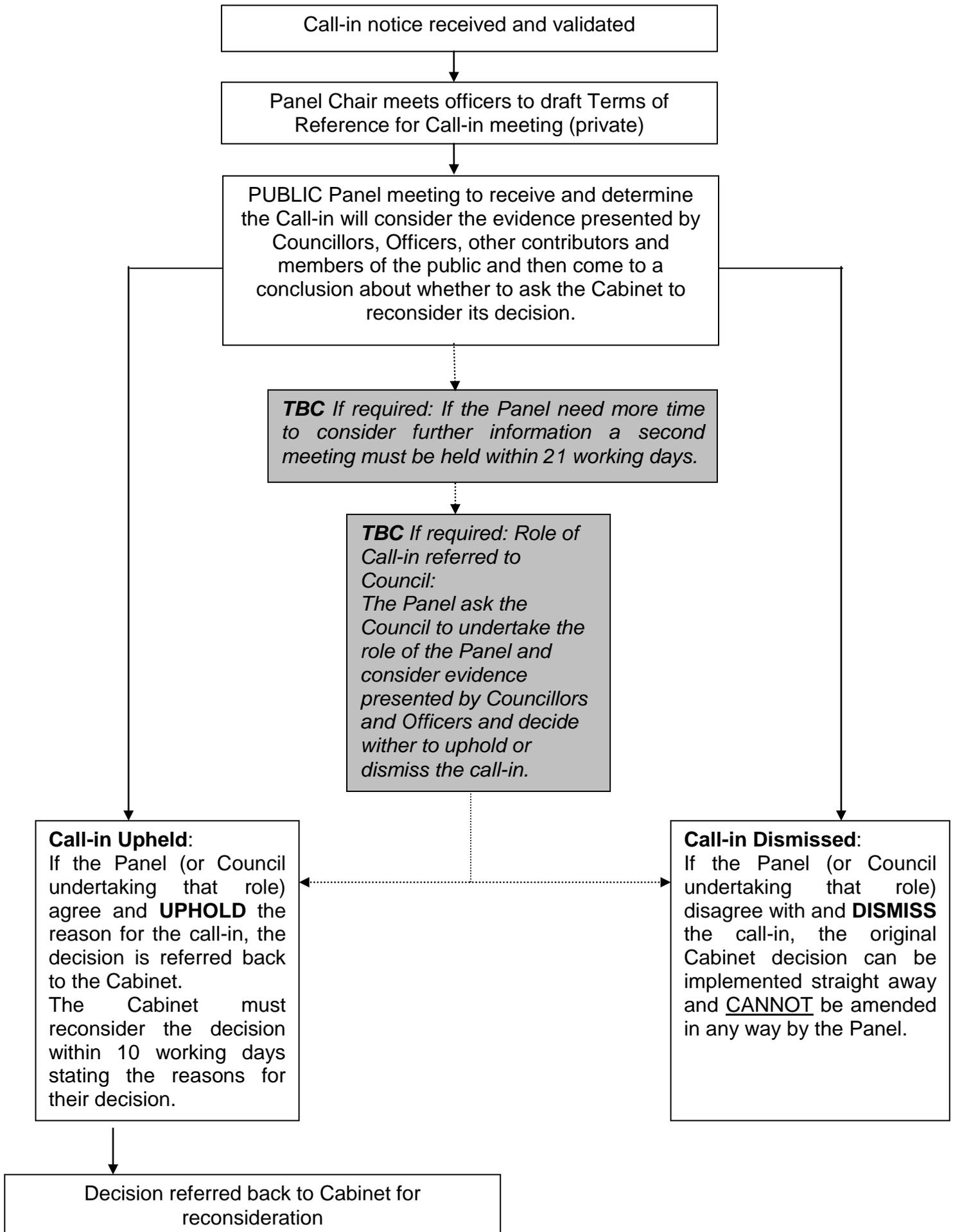
The decision made by the decision maker after considering the report of the Overview and Scrutiny Panel shall be final and will be implemented immediately. There is no further opportunity for “call-in” of the decision.

RULE 5 – EXCEPTIONS TO “CALL-IN”

The rights under this Procedural Rule shall not apply in the following circumstances:

- when the executive decision is urgent as defined in the Urgency Procedure Rules within this Constitution
- the effect of the call-in alone would be to cause the Council to miss a statutory deadline
- a decision taken under the General Exception and Special Urgency Access to Information Rules [Part 4B, rules 15 and 16].

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APPENDIX 5 - TERMS OF REFERENCE

Call-in of the Cabinet decision: E3000

Introduction

Cabinet at its meeting on the 11th October resolved to:-

1. Adopt the new approach to delivering Community Run Library services in Bath and North East Somerset as set out in Appendix B as part of the overall Modern Libraries programme.
2. Approve the release of Capital in the sum of £275,000 to invest in and support our new approach to Community Run Libraries.

On the 13th October a call-in notice was received, signed by 11 Councillors, objecting to this decision. A second call-in notice was also received on the 17th October, signed by 13 Councillors. A copy of the below amalgamated reasons for the call in and also the original call in notices are attached at Appendix 3, (1 & 2) of the formal agenda papers.

- (1) This decision relates to the agreed approach to delivering modern Libraries and should be reconsidered for the following reasons:-
 - a) The call-in is requested on the basis that the wrong decision was reached at the Cabinet meeting and for the following specific reasons:
 - b) The report fails to identify the impact on current mobile library users once this service ceases.
 - c) Inadequate consideration has been given to how sustainable it is to expect local groups to take on the running of libraries and how this would be funded.
 - d) The consultation on this approach has been limited and the results of this consultation have not been published (to be considered with 2i).
 - e) The Equalities Impact Assessment referred to as a background paper does not appear to have been published.
- (2) The call-in request is made in the public interest of full disclosure of the facts underpinning the decision and for the following specific reasons:
 - i. The decision has been taken without any open, public consultation having been carried out.
 - ii. No financial breakdown has been provided to decision-makers regarding the proposed savings and no detail is offered of how the community model may work.
 - iii. Information about the ownership of branch library buildings is not included in the report.

Relevant PDS Panel

The 'call-in' request has been referred to Bath & North East Somerset Council's Communities, Transport & Environment Policy Development & Scrutiny Panel to review the decision.

Call-in Meeting

At the Panel meeting on 13th November the Panel will investigate and determine the matter. They will assess in detail the reasons for the Cabinet decision and consider the objections stated in the call-in notice via a range of information from Councillors, Officers and members of the public (further details below).

Objective

The objective of the Call-in review is to determine whether or not the resolution made by the Cabinet Members should:-

- Be referred back to the Cabinet for reconsideration [**'Uphold' the call-in**]
- Proceed as agreed by the Cabinet [**'Dismiss' the call-in**], or
- Be referred to Full Council to undertake the role of the Panel [*the ultimate decision would still remain with the Cabinet*].

Method

To achieve its objective, the Panel will investigate the original decision and the objections stated in the call-in notice. The Panel will hear statements from members of the public who have registered to speak about both the substance and processes behind the decision. Public statements will be limited to 3 minutes per speaker or any variation proposed by the Chair. It will also require attendance and/or written submissions from:-

- Representative Councillor(s) : call-in request (1) – Cllr Joe Rayment & call-in request (2) - Cllr Richard Samuel
- Lead Cabinet Member – Cllr Warrington (Cabinet Member for Transformation and customer Services), and key service officers

Outputs

The Panel's view and supporting findings will be made publicly and will include:

- Minutes & papers from public Panel call-in meetings.
- A summary note will be provided, setting out the result of the call-in meeting

Constraints

The Panel will only address questions from the points received within the call-in notice.

- **Timescales.** The Panel must hold its initial meeting within 14 working days of the call-in being verified to consider the call-in request. The Panel has a total of 21 working days to reach its decision.
 - Initial Public Meeting must be held by 15th November [14 working days from receipt of validated call-in request]
 - If meeting adjourned, second public meeting must be held 24th November [21 working days from receipt of validated call-in request]
 - If referred directly to the Cabinet, a response must be received by 29th November [10 working days from date of 1st meeting]
 - If adjourned and then referred to the Cabinet, a response must be received by 8th December [10 working days from date of 2nd meeting]

- **Resources.** The call-in process must be managed within the budget and resources available to the Panel.

- **Council Constitution.** Part 4E, Rule 13 requires that “*Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources*”. Section 3.1 of the cover report (formal agenda papers) provides further explanation.

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