

12 September 2011

Item 3

Libraries

Purpose of report

For discussion and direction.

Summary

This item is an opportunity for Members to discuss the implications of the libraries statutory framework for our sector-led improvement programme and what it means for how we support councils to modernise their library services.

Members will receive a presentation from Sue Charteris, Founder Director of Shared Intelligence. Sue conducted the Public Inquiry into Wirral Council's public library service in 2009 and together with her team at Shared Intelligence has been heavily involved in the modernisation of public library authorities.

Recommendation

Members are asked to note the report and to consider the implications for how we support councils to modernise their library services.

Action

To be taken forward by officers as directed by Members.

Contact officer: Laura Caton
Position: Senior Adviser
Phone no: 020 7664 3154
E-mail: laura.caton@local.gov.uk

Libraries

Background

1. Members will be very aware that there is a vigorous debate about the future of libraries and campaigns in those areas where local councils have taken the difficult decision to close some of their libraries.
2. The LG Group has consistently argued that the best way to protect frontline library services and to avoid getting into the territory of statutory inquiries is innovation, led by the energy and expertise of councils themselves. To this end, we worked with the Museums, Libraries and Archives Council (MLA) to support 36 councils as part of the Future Libraries Programme. The learning has been shared widely across the sector.
3. The MLA is being disbanded in October 2011 and responsibility for the national development of libraries is being transferred to Arts Council England (ACE).
4. We are currently working with ACE to scope phase 2 of the Future Libraries Programme and the Board agreed an outline vision at its meeting in July. This will include validating and continuing to share the learning that is emerging from phase 1, developing a support offer for councils to access over the next few months and a longer-term project to support the development of excellence in public libraries.

The 1964 Public Libraries and Museums Act

5. In considering changes to libraries, councils are very aware that they must have regard to their statutory duty to provide a “comprehensive and efficient library service” (the 1964 Public Libraries and Museums Act). The Secretary of State and Culture Minister have written to councils on several occasions to remind them of their statutory duty and to highlight improvement support. However, the Act is badly out of date. It still requires council libraries to provide gramophone records and requires the Secretary of State to “superintend” how they do it.
6. In January 2009, Wirral Metropolitan Borough council agreed recommendations in its Strategic Asset Review (SAR), including that the council should close either 11 or 12 of its current 23 Libraries. This decision was expected to save the council £3.1 million, from a cultural services budget of around £30 million.
7. In April 2009, DCMS announced that there would be an inquiry into the library service provided by Wirral Metropolitan Borough Council, to gather further

information to help the then Secretary of State decide whether the council's plans were consistent with their statutory duty. This is only the second time the Secretary of State has used these powers to intervene at the local level. Sue Charteris was appointed to carry out an independent review, which recommended that the council was in breach of its statutory duty because it failed to make an assessment of local needs. This was robustly challenged by Wirral Council. The council did not proceed with the planned library closures and as a result the Secretary of State did not find the council in breach of its statutory duty. Members can view the full report at http://webarchive.nationalarchives.gov.uk/+/http://www.culture.gov.uk/images/publications/wirral_local_inquiry.pdf.

8. Local library campaigners and community groups are currently starting legal action against a small number of councils who they believe to be in breach of the 1964 Act although a judge recently ruled that Isle of Wight Council had followed due process in announcing plans to reform its library service.

Conclusion and next steps

9. The LG Group is clear that democratically elected councillors are best placed to assess local need and put in place a local public library service that meets that need.
10. Members may wish to discuss the implications of the current libraries statutory framework for our sector-led improvement programme and what it means for how we support councils to modernise their library services.
11. ACE and the LG Group will announce further details about phase 2 of the Future Libraries Programme in September.

Financial Implications

12. ACE is funding phase 2 of the Future Libraries Programme, supported by the LG Group.