

Report author:

Bev Rice Tel: 2478287

Neil Charlesworth Tel: 2477885

Report of Director Of City Development

Report to Executive Board

Date: 16 May 2012

Subject: Future of Cow Close, Drighlington, Rawdon and Shadwell Libraries

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Farnley and Wortley, Guiseley and Rawdon, Harewood, Morley North,		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

1. In May 2011 Executive Board Leeds Library and Information Service were asked to work with four communities to investigate the potential for community management of their libraries and to report to the May 2012 Executive Board as to whether ways forward could be found or whether closure was the only option.
2. Friends groups were formed in Shadwell, Rawdon and Drighlington and the service and the Councils community assist management specialist have worked closely with the groups to develop a way forward tailored to the specific needs of each library and its community.
3. No 'friends' came forward at Cow Close to form an action group and despite a campaign by ward councillors to 'use it or lose it' borrowing from the library has continued to decline.

Recommendations

4. Executive Board is recommended to:

- (i) Decline the request to transfer the freehold of Shadwell Library to Shadwell Parish Council.
- (ii) Delegate authority to the Director of City Development to negotiate a 25 year peppercorn lease on a full repairing and insuring basis with Shadwell Parish Council or Shadwell Independent Library Committee in line with the draft Community Asset Transfer Policy.
- (iii) Approve the community asset transfer of Rawdon Library building to the Friends of Rawdon Library by way of a 25 year peppercorn lease on a full repairing and insuring basis.
- (iv) Approve the transfer of the library services at Rawdon and Shadwell to the Friends of Rawdon Community Library and Shadwell Independent Library Committee respectively.
- (v) Approve the transfer of Drighlington Library service to the Friends of Drighlington library and the building to be managed by Environment and Neighbourhoods.
- (vi) Approve the closure of Cow Close Library and pass back to Environment and Neighbourhoods Directorate for further consideration of use.

1 Purpose of this report

- 1.1 This report outlines proposals to transfer Rawdon Library service and the building to the local community group; to transfer Shadwell Library service to the Shadwell Independent Library Committee and the building to the Shadwell Parish Council; to transfer Drighlington Library service to the local friends group and the building to Environment and Neighbourhoods and to close Cow Close Library as no community group has come forward to run the library.

2 Background information

- 2.1 In May 2011 the Executive Board approved a major review of Leeds Library and Information Service. The recommendations included the proposal to delay for a year, the closure of Cow Close, Drighlington, Rawdon and Shadwell libraries to investigate the potential of transferring them to the community under the Community Asset Transfer Policy.
- 2.2 To assist the communities the library service advised that, on the date of the transfer, the general book stock, public computers (returned to their factory settings) and furnishings in the library would remain. The community groups could also access the public facing library catalogue but the data lines would be disconnected and access to the detailed library management system and databases, containing customer information, would not be available. Advice has however been provided on alternative systems.
- 2.3 The communities of Shadwell, Rawdon and Drighlington have established friends groups and have investigated the opportunities of community asset transfer. The library service funded independent advice from Locality, a national agency with expertise in library transfer and this was taken up by two communities. Library staff and officers from Asset Management were invited to and attended most of the community groups meetings.
- 2.4 The Library Service has assisted each friends group by completing CRB checks and training volunteers in the library basics; outlining the costs of running each library; developing a community engagement toolkit with tips to increase use and providing rental or purchase options to enable groups to maintain book stock if they so wish.
- 2.5 While community asset transfer discussions have been ongoing the library service has continued to provide the day to day library service at each site. There have been the usual stock exchanges to maintain up to date stock, work with local schools, readers groups and IT learning sessions.
- 2.6 Despite this continued work Drighlington has seen almost 20% fewer visits and overall borrowing has reduced by 6%. At Rawdon there have been over 26% fewer visits and overall borrowing has reduced by almost 5%; the extra day staffed by volunteers has not shown an increase overall. At Shadwell Library there has been a continuation of the decline in both visits, down 22% and borrowing, down over 17%. At Cow Close library, there has been a 19% increase in the number of visits over the year, however the number of individual people

using the library remains very low and overall borrowing has reduced by over 6%. All bar Shadwell have seen an increase in the use of IT.

3 Main issues and proposals

3.1 Shadwell

- 3.1.1 Shadwell Independent Library Committee with the support of Shadwell Parish Council have submitted a proposal to take over the running of Shadwell Library. The proposal is based on the transfer of the freehold of the building to Shadwell Parish Council for nil consideration, who will then sub-let the property to Shadwell Independent Library for a peppercorn rent.
- 3.1.2 The transfer of the freehold falls outside the principles contained within the draft Community Asset Transfer policy, considered by Executive Board on 7th March 2012 (Appendix 1 contains the relevant excerpts from this policy). This policy requires transfer of only the interest that is needed to allow the proposal to work. This can be achieved with a 25 year lease. The property has a value of £150,000, subject to planning and listed building consents being granted for conversion of the building to a house, including construction of a new first floor. To provide the property for nil consideration would result in the council providing a significant financial contribution towards the project.
- 3.1.3 The only secure way to protect the Council's financial contribution to the project would be to provide a lease with use restrictions that the property must be used as a community facility, including a local library.
- 3.1.4 The proposal submitted makes no case for a freehold transfer other than to support the required capital investment. A sum of £90,000 has been identified for works to be undertaken to the property to make it fit for purpose. Shadwell Independent Library Committee will apply for grant funding towards this sum. It is proposed any shortfall will be made up from the Parish Council accessing Public Works Loan Board funding. No grant funders require freehold ownership for funding to be provided and the Public Works Loan Board do not secure their lending on the property at all, rather they take security against the Parish Council precept.
- 3.1.5 Volunteers rather than paid staff will be used and Leeds Library and Information Service will provide a starting stock of books. As a result the running costs are low. Total expenditure is estimated at approximately £11,000 per year. This will be funded by an annual grant of £3,000 per year from Shadwell Parish Council, a scheme requesting an annual £10 donation from local households and a £50 per year patron scheme for local residents to raise a total of £2,000 per year, donations/sponsorship from local businesses will raise £2,000, fundraising events £2,000 and income from activities run at the library. A further £2,000 will be required to meet the £11,000 per year costs and it is hoped this will be funded by grant from the local Area Committee.
- 3.1.6 The library service will be run by Shadwell Independent Library Committee for the benefit of the local community. All charges for equipment, stock etc will be the sole responsibility of Shadwell Independent Library. They will also be responsible

for any issues arising with child protection, data protection, vulnerable adults, health and safety etc and there would be no recourse to Leeds City Council.

3.2 **Rawdon**

- 3.2.1 Friends of Rawdon Community Library have submitted a proposal to take over the running of Rawdon Library. The proposal is on the basis of the Council granting a 25 year peppercorn lease on a full repairing and insuring basis. Friends of Rawdon Community Library will be responsible for all running costs and capital works.
- 3.2.2 Rawdon Library is adjacent to Micklefield House and Micklefield Lodge. These properties have development potential. If the proposed community asset transfer does not go ahead, the library building would be included in any such development site. Exclusion of the library would reduce the capital value of the site by up to £185,000. This figure includes an assessment of the potential impact the retention of the library would have on the future redevelopment/refurbishment of the adjacent Council buildings. It is therefore proposed that if the retention of the library has a detrimental impact on any future redevelopment/refurbishment of the Council buildings a clause is included in the lease to permit the Council to provide alternative premises with costs of relocation being met by the Council and all parties acting reasonably.
- 3.2.3 A 25 year lease will represent the long term agreement necessary for Friends of Rawdon Community Library and the wider local community to have ownership of the library and will also provide sufficient security of tenure if they propose to raise loan funding in the future.
- 3.2.4 The proposal is in line with the draft Community Asset Transfer policy considered at Executive Board on 7th March 2012.
- 3.2.5 Friends of Rawdon Community Library propose the following funding scheme in their business plan. This shows provision of a community facility including a library that will be managed and staffed by volunteers and used as a community centre. Leeds Library and Information Service will provide a starting stock of books, which will be made up of the fiction stock at the date of transfer plus an agreed amount of non-fiction. The shelving and other furniture will also be included. Expenditure is forecasted to be £11,000 per year. Income is expected to primarily be from renting out rooms to local groups and from running community events. A small café is expected to generate £2,000 profit and there will be a membership scheme which is hoped to generate £500. Total income is expected to be £15,000 per year.
- 3.2.6 Capital works of £10,000 have been identified as essential within the next two years to undertake repairs to the roof, walls and decoration. There will be further costs for works to change the layout within the building to make it suitable for community use. Friends of Rawdon Community Library will apply for external funding to undertake these works.
- 3.2.7 It is proposed to transfer the library building to the Friends of Rawdon Community Library in line with the Councils Community Asset Transfer policy. The Friends

Group will take responsibility for all bills and charges associated with the building to include but not exclusively rates, services, building and grounds maintenance. The library service will also be run by the Friends of Rawdon Community Library for the benefit of the local community. All charges for equipment, stock etc will be the sole responsibility of the Friends of Rawdon Community Library. They will also be responsible for any issues arising with child protection, data protection, vulnerable adults, health and safety etc and there would be no recourse to Leeds City Council.

3.3 Drighlington

- 3.3.1 Drighlington Library is based in one room within Drighlington Meeting Hall, the remainder of the property provides community meeting spaces. The whole building is currently the responsibility of Leeds Library and Information Service. The Friends of Drighlington Library in their business plan do not want to take responsibility for the whole building and there is no other local group at present that could engage in a community asset transfer. There has been no decision taken to close the meeting hall. It is therefore proposed that Drighlington Meeting Hall be transferred to Environment and Neighbourhoods, to the community centre portfolio. They are supportive of this proposal.
- 3.3.2 The library service will be handed to the Friends of Drighlington Library for them to run the library independently from Leeds Library and Information Service. Therefore all charges for equipment, stock, activities etc will be the sole responsibility of the Friends of Drighlington Library. Any issues arising with child protection, data protection, vulnerable adults, health and safety etc would have no recourse to Leeds City Council.

3.4 Cow Close

- 3.4.1 Discussions have taken place with ward councillors who themselves have urged local people to use the library or lose it. The library service has continued to update the stock, work with schools, key user groups and keep the library refreshed. The service also agreed not to introduce mobiles close to the library in case it undermines potential use of the static library. After all the publicity regarding closure there has been no increase in the overall number of books borrowed from the library and in December this fell below 500, this has recovered slightly however the number of items going out in the year ending March 2012 is down by 6.6% on the previous year. No community group has come forward to discuss the future of the library and the continued decline in use reinforces the need to close the library. The service will be replaced by the mobile services proposed in the initial Executive Board report following consultation with local ward members and customers. The building will pass back to Environment and Neighbourhoods Directorate for further consideration of future use.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The library service has worked with ward members of all four libraries and the friends groups of Drighlington, Rawdon and Shadwell. Meetings were organised throughout the period. The service has supported the development of the friends groups business plans and helped develop individualised training programmes for volunteers on the best ways to run the library. In addition the friends groups have carried out their own consultations of local people.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 Due regard had been given to equality and diversity and impact on cohesion and integration through EIAs published in 2008 and 2011. In addition, EIA screening forms have been completed for each of the sites included in this report.

The original proposals outlined in the October 2010 Executive Board report 'A New Chapter for Libraries' were drawn up utilising a wide range of management information such as service provision and costs, user take-up, demand and satisfaction levels. Information used included:

- TALIS library catalogue/ user information
- PLUS user survey results
- Number and geographical location of libraries
- Identification of libraries in areas rated high for Indices of Deprivation
- Analysis of catchment area for each library
- Number of active borrowers
- User profiles for each library compared to community profile e.g. age, ethnicity, disability, employment status
- Specific needs of existing users e.g. language, disability, unemployment, children
- Detailed analysis for each library based on ethnicity, world language book issues, disability, unemployment, retirement, population aged 0 – 15 and aged 65 and over
- Operational costs of building, staffing and additional resource costs e.g. IT
- Costs against use e.g. overall cost per visit/issue and staff cost per visit/ issue
- Opening Hours
- Stock and other resource e.g. IT availability
- Usage comparisons based on visits and issues per hour open
- Core City Comparisons

The analysis of this information informed a strategic level impact assessment which identified which libraries were servicing customers best. It was this analysis which also informed proposals for the development of the Children's and Family Library Service, Libraries at home, Community Library and new services such as e-books, to ensure that a service at least comparable to the existing one would be provided through New Chapter.

At the October 2010 Executive Board it was agreed that the Library and Information Service could carry out public consultation on its proposals. The scope of the

consultation was very wide and was about listening to local people's ideas and views and building a new service from those views. . It did not just ask if the public agreed that the viability of certain buildings was in question but sought ideas from local people of other ways the service could be delivered, services it could join up with, good locations where people meet, e.g. lunch clubs that a mobile visit could coincide with.

The key principles of the consultation were:

- That people were properly informed of the issues
- That the key principles of the change were well communicated
- That people felt there was scope to influence the proposals

A full consultation plan was prepared. The information was collated, reviewed and analysed on an ongoing basis as it was received.

In Library Consultation

Each library carried viability sheets for each library in its vicinity to help local people understand the issues with each library. There were also maps of the proposed mobile stops and staff were on hand to explain and answer questions. There was also a consultation form for each group of libraries.

The consultation form asked for:

- Views on the opening hours of the libraries which could have extended hours
- Views on the proposed mobile stops and ideas for better or more stops
- If people were interested in learning more about a Library at Home Service
- Whether they would benefit from the improved services
- Which library they use and if they thought it was viable
- Innovative ideas for delivering a library service.
- If there are any services locally that they think can be brought together

If a visitor to the library wanted to offer their views on libraries outside the vicinity then staff were able to download the consultation sheet for any library, or direct visitors to the online survey.

Notification about the consultation was also placed on Talking Point, the library services internet homepage, a dedicated New Chapter online area www.leeds.gov.uk/newchapter, as well as referenced on social media sites such as Facebook and Twitter.

Downloading the Consultation

The viability sheets, the report, the maps and the consultation sheets could be downloaded from the Council's website. Once filled in these could be returned via freepost.

Citizens Panel and online

The Citizens Panel was utilised and its members were asked a range of questions including their views on the core principles and what they thought were acceptable costs to run the service. In addition a simple online survey was employed.

Parish Councils, local meetings, etc.

Staff were available to attend meetings at the request of local groups to discuss ideas for service provision and parish councils were contacted to offer this option. Petitions, letters and locally initiated surveys were also welcomed.

Other Stakeholders and consideration of equality and diversity

Letters were distributed to inform stakeholders of these proposals and encourage their involvement in the consultation. This included letters to all representative groups held within the Equality Unit's database, seeking the views of how the proposals might impact on members of the community which they represent.

The information obtained through this consultation informed a revised Equality Impact Assessment which accompanied the May 2011 Executive Board Report 'Leeds Library and Information Service: Proposals for the Future'. With the report's recommendations it was agreed that four libraries could remain open for 12 months whilst further discussion were undertaken with interested parties regarding the libraries future and community asset transfer opportunities. These four libraries were Cow Close, Drighlington, Rawdon and Shadwell.

Following the work with communities outlined in this report, equality impact screening forms have been completed for the proposals for Cow Close, Drighlington, Rawdon and Shadwell libraries.

- 4.2.2 The main issue for each of the sites proposed for community management or asset transfer is that once the transfer is completed Leeds City Council would have no control of the offer; opening hours, variety of stock, access to city wide stock including reservations, computer access, return anywhere, levels of charges made for services, such as membership, IT use, and even book loans, etc.
- 4.2.3 In consideration of Leeds City Council's statutory obligation as a library authority, to ensure the provision of a comprehensive and efficient library service, the Library Service should not therefore completely withdraw its services from the areas affected.
- 4.2.4 In light of this, and to ensure an equitable service to all, the Library Service will:
- Promote the At Home Service and online services.
 - Continue to provide mobile library services in consultation with local community, including the older people and children's mobile service.
 - Inform all in the community who have used the library of new/alternative services.

4.3 Council policies and City Priorities

- 4.3.1 The libraries will be passed to the relevant organisations following the Councils Community Asset Transfer policy. A key principle of this is the desire to empower local people.

4.4 Resources and value for money

- 4.4.1 The anticipated savings associated with these libraries were included in the budget savings for 2011/12 outlined in the Executive Board report of the 18th May 2011. Maintaining these libraries for a further 12 months has presented an unfunded budget pressure for the service. Transfer or closure of these sites will alleviate this pressure for 2012/13 onwards.
- 4.4.2 There will be no effect on staffing. The staff working at these sites are doing so under temporary arrangements put in place for the 12 month review period. They will return to their substantive positions at their base site, alleviating the staffing pressures that these sites have been under.
- 4.4.3 Members are asked to note the values of the properties at Shadwell and Rawdon in determining the proposed community asset transfers. Shadwell Library is valued at £150,000, subject to planning and listed building consent being granted for conversion of the building to a house, including construction of a new first floor. Transfer of Rawdon Library reduces the value of the potential development site next to Micklefield Park by £185,000.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is eligible for call in.
- 4.5.2 Condition 6 of Schedule 2 of the Data Protection Act 1998 defines how Leeds Library and Information Service needs to deal with sharing of data on local customers. The service can only disclose names and addresses of users of the libraries in question as this disclosure will be in the 'legitimate interests' of the groups. As such the service does not require the consent of the library users to carry out this disclosure. The service will however write to all library users of Shadwell, Drighlington and Rawdon that it intends to disclose their names and addresses and provide them with the opportunity to opt out if they do not want this information disclosed.

The database and library management system cannot be shared because it contains not just the names and addresses but the full borrower record which is obviously confidential to that user.

Libraries that are transferred to the community to run will therefore need to source their own client management system for future data collection. The service have advised community groups of a range of low cost solutions that are currently used by standalone libraries including Leeds Schools.

- 4.5.3 The requirements of the 1964 Libraries and Museum Act, to provide a comprehensive and efficient service will not be affected by these transfers or

closure as the library service still provides a high level of access as a result of changes implemented in May 2011. Services will continue to be provided to older people via the at home services, a wide range of services are available online including loan of ebooks and current mobile provision will remain

5 Risk Management

- 5.1 A full risk assessment has been made and mitigating action taken to ensure a smooth transfer. In terms of the Friends being appropriately skilled, Drighlington and Rawdon have introduced a volunteer day where the friends groups have been fully responsible for running the library.
- 5.2 The integrity of the Council computer network has been protected by the removal of TALIS and other management systems, phone and data lines and all software at handover.
- 5.3 Processes have been established to ensure continuity of service for users and how the new services will and will not link with Leeds Library and Information Service.
- 5.4 To ensure the production of quality business plans and to assist the friends groups arrive at the best possible solutions, independent advice was provided at the service's cost to two of the friends groups.
- 5.5 The transfer of Rawdon Library to Friends Of Rawdon Library on a 25 year lease carries only limited risks to the Council. Conditions within the lease will restrict uses to library and community benefit purposes, so even if Friends Of Rawdon Library fails any party stepping in and taking over the lease could only use it for those purposes. If the building comes back to the Council then it would decide its future.
- 5.6 The transfer of the freehold of Shadwell Library for nil consideration is high risk, as detailed in paragraphs 3.1.1 to 3.1.8 above. The most suitable mitigation for these risks is to offer the community asset transfer on a long lease basis, which will have no impact on the project itself but will allow inclusion of a use clause to ensure the property continues to be used for the purposes of the transfer.
- 5.7 There are no additional risks to the Council from the transfer of Drighlington Meeting Hall to Environment and Neighbourhoods. The transfer of the library service to Friends of Drighlington Library carries no additional risk. Should they be unable to continue to operate the service then the service will close and the library space will be available for other community lettings.

6 Conclusions

- 6.1 Shadwell Parish Council and Shadwell Independent Library Committee have requested a freehold transfer. No justification has been made for transferring the freehold for nil value other than bidding for capital sums. Officer opinion is that the project could go forward with no loss to the local community with a long lease agreement.
- 6.2 Friends Of Rawdon Library have developed a realistic business plan and they have managed the library one day per week since 13th October 2011, recently proposing an increase to 2 days per week. Granting a 25 year lease on the property

alongside providing a stock of books and furniture will allow the local community to commit to running the facility for the benefit of the community.

- 6.3 Friends of Drighlington Library have submitted a business plan which proposes the transfer of the library to Friends of Drighlington Library. However, they do not want responsibility for the whole building. It is therefore recommended that the Drighlington Meeting Hall building transfer to Environment and Neighbourhoods community centre portfolio and that the library service transfers to Friends of Drighlington Library
- 6.4 Cow Close library has not had interest from any Friends groups in the area nor has any business case been submitted.

7 Recommendations

Executive Board is recommended to:

- (i) Decline the request to transfer the freehold of Shadwell Library to Shadwell Parish Council.
- (ii) Delegate authority to the Director of City Development to negotiate a 25 year peppercorn lease on a full repairing and insuring basis with Shadwell Parish Council or Shadwell Independent Library Committee in line with the draft Community Asset Transfer Policy.
- (iii) Approve the community asset transfer of Rawdon Library building to the Friends of Rawdon Library by way of a 25 year peppercorn lease on a full repairing and insuring basis.
- (iv) Approve the transfer of the library services at Rawdon and Shadwell to the Friends of Rawdon Community Library and Shadwell Independent Library Committee respectively.
- (v) Approve the transfer of Drighlington Library service to the Friends of Drighlington Library and the building to be managed by Environment and Neighbourhoods.
- (vi) Approve the closure of Cow Close Library and pass back to Environment and Neighbourhoods Directorate for further consideration of use.

8.0 Appendices

8.1 Appendix 1 The draft Community Asset Transfer Policy excerpts.

Appendix 2 Site Plans

9.0 Background Documents¹

- Equality Impact Assessment Screening forms for Shadwell, Rawdon, Drighlington and Cow Close libraries
- Community Asset Transfer Policy - Draft
- Executive Board Report 18th May 2011 - Libraries and Information Service: Proposals for the Future
- Shadwell Independent Library Business Plan
- Rawdon Community Library Business Plan
- Friends of Drighlington Community Business Plan

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.