

MINUTES of the meeting of the **COMMUNITIES SELECT COMMITTEE** held at 10.00am on Thursday 16 August 2012 at County Hall.

These Minutes are subject to confirmation by the Select Committee at its meeting on 27 September 2012.

Members:

- * Steve Cosser (Chairman)
- * Chris Norman (Vice-Chairman)
- * Mike Bennison
- A Graham Ellwood
- * Mrs Angela Fraser
- * Denis Fuller
- A Mr David Ivison
- A Jan Mason
- * John Orrick
- A Michael Sydney
- * Colin Taylor
- * David Wood

Ex officio Members:

Mrs Lavinia Sealy (Chairman of the Council)
Mr David Munro (Vice-Chairman of the Council)

In attendance:

- * Helyn Clack (Cabinet Member for Community Services & the 2012 Games)
- * Kay Hammond (Cabinet Member for Community Safety)
- * Peter Martin (Deputy Leader of the Council)

Substitute Members:

- * Tim Hall
- * Eber Kington
- * Denise Turner Stewart
- * Richard Walsh

A = apologies

* = present

PART 1
IN PUBLIC

46/12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Graham Ellwood, David Ivison, Jan Mason and Michael Sydney. Denise Turner-Stewart, Tim Hall, Eber Kington and Richard Walsh substituted respectively.

47/12 DECLARATIONS OF INTEREST [Item 2]

There were no declarations of interests. However it was noted that both John Orrick and Richard Walsh had a wife that worked in a Surrey County Council library, though not one on the Community Partnered Library network.

48/12 CALL-IN OF CABINET DECISION [Item 3]

Declarations of interest: None.

Witnesses:

Carol Deakins	New Haw Leading Group, Chairman
Lee Godfrey	Surrey Libraries Action Movement
Beryl Marlow	Representative of Byfleet Library
Jenny Meineck	Representative of Ewell Court Library
Sue O'Connell	Bramley Parish Council
Kelly Saini Badwal	SCC Library Sectors Manager
Susie Kemp	Assistant Chief Executive
Peter Milton	Head of Cultural Services
Rose Wilson	Libraries Operations Manager
Peter Martin	Deputy Leader of the Council
Helyn Clack	Cabinet Member for Community Services & the 2012 Games
Kay Hammond	Cabinet Member for Community Safety

Key points raised during the discussion:

- The Chairman introduced the item and informed the Committee that the second desired outcome contained in the call-in document (that the concept of volunteers extending opening hours and facilities at libraries should be extended to all libraries in the core library network) would not be considered as part of the discussion because it did not relate to the Cabinet decision taken on 24 July 2012.
- The Members who submitted the call-in were invited to address the Committee. It was stated that the key aim of the call-in was to improve the current arrangements for Community Partnered Libraries (CPLs). Concerns raised included issues highlighted by the High Court judgement such as giving due regard to the Equalities Act and responding to issues raised by members of the public. It was suggested that the Council's consideration of its obligations under the Equalities Act should be proactive rather than reactive. The view was expressed that a sustainable decision would have to be fair with regards to the closure of libraries, as at present the Council could take this decision without the input of the volunteers concerned.

Statements from Witnesses:

- The following witnesses were invited to speak for a maximum of three minutes to the Committee and outlined what they regarded as the key issues in connection with the Cabinet Decision. Following the

statements Committee Members were given an opportunity to question the witnesses.

Sue O'Connell (Bramley Parish Council):

- Informed Members that Bramley library supported community involvement in libraries, though volunteers were disappointed with implementation progress to date. Specific issues included:
 - A lack of response from the Council regarding a lease
 - A lack of direct consultation
 - A lack of adequate time for the Cabinet to consider Equalities and Diversity concerns.
- The view was expressed that proposals for the CPL model put forward by Bramley library of retaining some paid staff and having the Parish Council working in partnership with SCC would reduce the cost and requirements for equalities and diversity and health and safety training while making use of expertise already available to the Council.
- It was suggested by that if volunteers were able to increase usage at Community Partnered Libraries, the relevant Parish Council could potentially be able to fund their own paid staff. It was stated that the volunteers at Bramley library had proposed putting forward Parish Council Members for training but were yet to receive a response from SCC.
- The Cabinet Member for Community Services and the 2012 Games informed the Committee that it was unlikely they would implement any of the proposals made by the Bramley volunteer group as the retention of a paid member of staff would not allow for the same level of flexibility as volunteers. It was stated that the Council would still provide support to libraries but that the CPL model would afford local people the responsibility to make decisions that would cater to their specific needs.

Lee Godfrey (Surrey Library Action Movement):

- Expressed the view that the Council had not adequately taken requirements around staff training into account, with no survey having taken place and that therefore the recent High Court judgement had not been abided by. Further concern was expressed at the fact a petition with in excess of five thousand signatures had been submitted to the Cabinet and the concerns of the signatories had not been taken into account, which was that they may not have been counted correctly. The witness also expressed the view to the Committee that the proposals put forward by volunteers at Bramley library to retain some paid staff would result in a reduced need for training, less complicated contracts, less concern over legal obligations and volunteers being free to set up new services.
- The Cabinet Member for Community Safety expressed the view that training issues around equalities provision highlighted by the High Court judgement had been discussed in depth at the Cabinet meeting of 24th

July, and that as a result 'due regard' to this matter had been given when the decision was taken to implement the CPL model.

- It was suggested that the retention of paid staff would benefit libraries as a result of their established relationship with current users, their knowledge of the community's requirements and their regular shift patterns. The view was expressed however by a Member of the Committee that volunteers could potentially commit for a number of years and provide the same level of expertise.
- It was noted that a number of volunteer groups were willing to move forward with the current CPL proposals, though those opposed to the plans were seeking the implementation of a model that they believed suited the needs of all parties.

Jenny Meineck (Ewell Court Library):

- Informed the Committee that their local library's steering group had not yet been given the opportunity to meet with the lead Cabinet Member to discuss the CPL policy and issues of sustainability. The witness expressed concern that the current Memorandum of Understanding did not state what would happen if SCC failed to fulfil its responsibilities of the CPL partnership and that this would dissuade volunteer groups from signing up. At present the only options available to volunteers in such a situation would be taking the Council to court, which some witnesses stated would be too costly. Additional concern was raised at the fact that the public liability insurance volunteers would have to take out would cover accidents but not incidents such as racism or discrimination.
- Officers stated that throughout the process they had consulted with SCC's legal department regarding a number of issues including volunteer training and public liability insurance, which the County Council would be financing. Partner organisations would have a responsibility to comply with legislation and ensure that their volunteers were trained.

Beryl Marlow (Byfleet Library):

- Expressed the view to the Committee that volunteers coming forward to help run Community Partnered Libraries came from a broad range of backgrounds and would be able to provide an effective service to residents. They would also be able to introduce a number of positive changes including increased opening hours and junior reading groups. The view was also expressed that the retention of paid staff would not allow the volunteers to implement these new activities.
- Members were informed that in the case of Byfleet library, volunteers were willing and able to take on responsibility for equality and diversity issues.
- Although volunteers at Byfleet library were supportive of the CPL proposals, it was acknowledged that a 'one size fits all' approach to the

CPL model would not work, with different libraries likely being required to provide different services to their local communities.

- It was suggested by a Member of the Committee that local Members could be used as a valuable resource in the operation of Community Partnered Libraries, though following the judicial review communication had halted.

Carol Deakins (New Haw Library):

- Stated that she believed the CPL model would not result in a lesser service for residents and that it would provide a positive opportunity for change. She asked that the Council implement the model to allow volunteers to start running their local libraries.
- A number of New Haw library volunteers had received equalities and diversity training and it was stated that this knowledge would 'cascade' down. Therefore the volunteers had few concerns regarding the practical and cost implications of this training.

Kelly Saini Badwai (SCC Library Group Manager):

- Expressed the view that CPLs would bring a number of benefits to local libraries including increased opening hours and services tailored to better serve the needs of local residents.
- Informed the Committee that concerns around equalities and diversity legislation and insurance would be resolved, with training schemes being put in place and support from Surrey County Council being made readily available to volunteers.

Cabinet Member contributions:

- Following the six witnesses, the three Cabinet Members were asked by the Chairman to provide a statement that would take no more than five minutes. The following key points were given by Peter Martin (Deputy Leader of the Council), Helyn Clack (Cabinet Member for Community Services & the 2012 Games) and Kay Hammond (Cabinet Member for Community Safety).
- Concern had been expressed by a Member of the Committee at the fact that the CPL model would not be making any immediate financial savings for Surrey Council taxpayers, though it was suggested that implementation was justified on the basis that volunteers would be able to increase usage and widen the appeal of libraries by providing additional services that the Council's paid staff would be unable to introduce, such as increased opening hours. The Cabinet Member for Community Services & the 2012 Games stated that a reduction in paid staff in Surrey's libraries would result in long term savings and that these could be reinvested into the network, though the use of these savings was still to be decided.
- The Deputy Leader expressed the view that the CPL model was the best way forward as it would be impossible to continue with the current

arrangements without closing certain libraries. The Committee was informed that quantifying specific cost savings would be difficult at present as a result of changes to the policy including an increase in support staff of 20%.

- Some Members stated that they were reassured by comments made by Cabinet Members and emphasised the importance of the introduction of a new model for libraries not being stalled by bureaucracy.
- It was suggested by a Member of the Committee that Surrey's volunteers for the Olympics could be used as a resource for the CPL model. The Cabinet Member for Community Services & the 2012 Games stated that she would look in to harnessing their potential.
- Officers confirmed that the CPL model would be unaffected by public lending rights legislation.

Following the Cabinet Members' contributions the Chairman asked for final comments from Members of the Committee. The following points were raised:

- The Vice-Chairman stated that he was satisfied with the financial status and equalities issues addressed in the report, and suggested that the call-in be rejected as the CPL model allowed for flexibility in terms of implementation.
- Concern was expressed by a Member of the Committee that if paid members of staff were not retained at Community Partnered Libraries a two-tier system would be implemented, and that the Cabinet should consider a multi-faceted approach to CPLs.
- Some Members suggested that the Committee refer the Cabinet's decision of 24 July 2012 back for reconsideration so that the Committee's concerns could be taken into account and specific thought be given to avoiding a one size fits all approach to implementation of the CPL model and public liability issues.
- The view was also expressed by a Member that the Cabinet decision had addressed all of the concerns raised by the Committee and that the Council should be enabled to implement the CPL policy without further delay.
- The Chairman concluded the debate by suggesting that the Cabinet should be given the opportunity to now move forward with the proposal to introduce CPLs. He also asked that Cabinet be informed of concerns expressed by the Committee that there had been a lack of clarity on proposed savings arising from CPLs, and that they be asked to widely clarify this issue. The Chairman informed the Committee that the Member Reference Group would continue to consider developments and any significant issues arising in relation to CPLs.
- The Committee took a recorded vote as follows:

To endorse the Cabinet decision of 24 July 2012 (8 votes):

Steve Cosser
Chris Norman
Mike Bennison
Angela Fraser
Denis Fuller
Tim Hall
Denise Turner Stewart
Richard Walsh

To refer the decision back to Cabinet for reconsideration (4 votes):

Eber Kington
John Orrick
Colin Taylor
David Wood

Therefore by a vote of 8 votes to 4, the call-in was rejected.

Actions/further information to be provided:

None.

Resolved:

That the Cabinet decision of 24 July 2012 to establish Community Partnered Libraries at the ten locations of Bagshot, Bramley, Byfleet, Ewell Court, Lingfield, New Haw, Stoneleigh, Tattenhams, Virginia Water and Warlingham in order to ensure a sustainable future for those libraries based on the SCC model, be endorsed.

Select Committee next steps:

The Committee will consider any future issues in relation to the implementation of the Community Partnered Libraries model as and when required.

49/12 **DATE OF NEXT MEETING [Item 4]**

Noted that the next meeting of the Committee would take place on 27 September 2012.

[Meeting ended: 1.30pm]

Chairman

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