

MINUTES of the meeting of the **COMMUNITIES SELECT COMMITTEE** held at 10.00 am on 7 November 2017 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 8 February 2018.

Elected Members:

- *Rachael I. Lake (Chairman)
- *Mr Saj Hussain (Vice-Chairman)
- *Mr Bob Gardner
- *Mr David Goodwin
- Miss Alison Griffiths
- *Mr Richard Hampson
- Miss Marisa Heath
- *Mrs Jan Mason
- *Mr Cameron McIntosh
- *Mrs Lesley Steeds
- *Ms Barbara Thomson
- *Mr Keith Witham

*= In attendance

Substitute Members:

None

In attendance

Kathryn Adamson, International Association of Music Libraries, Archives and Documentation Centres (IAML)
Barbara Eifler, Executive Director, Making Music
Peter Milton, Head of Cultural Services, Surrey County Council
Steve Ruddy, Head of Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service
Denise Turner-Stewart, Cabinet Member for Communities, Surrey County Council
Mark Welling, Chair, Friends of Surrey Performing Arts Library (FOSPAL)
Rose Wilson, Lead Manager Surrey Library Service, Surrey County Council

10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Marisa Heath.

11 MINUTES OF THE PREVIOUS MEETING: 7 SEPTEMBER 2017 [Item 2]

The minutes were agreed as an accurate record of the Communities Select Committee meeting held of 7 September 2017.

12 DECLARATIONS OF INTEREST [Item 3]

There were none.

13 QUESTIONS AND PETITIONS [Item 4]

A public question was submitted by Mr Roger Miller, a response to this question was tabled at the meeting and is attached to these minutes as Annex 1.

Mr Miller indicated that he would like to ask a supplementary question and the Chairman informed him that as the question related to the Surrey Performing Arts Library, this would be taken at the beginning of item 6.

14 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) UPDATE 2017/18 [Item 5]

Declarations of interests

None

Witnesses

Steve Ruddy, Head of Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service

Key points raised during the discussion

1. The report was introduced by officers who highlighted that responsibility for scrutinising Surrey County Council's (SCC) use of the Regulation of Investigatory Powers Act (RIPA) was delegated to the Communities Select Committee as outlined in the Council's Corporate Policy. Members were advised that RIPA did not grant SCC any additional powers when conducting surveillance but rather was designed to regulate those powers which already existed to ensure that they were only used when necessary and were exercised in a proportionate manner. The Select Committee was informed that Trading Standards investigated a variety of activity that was either criminal or considered not to be consistent with ethical practice. Officers only sought authorisation under RIPA to conduct surveillance of suspects when other options for investigation had been exhausted.
2. Attention was drawn to some amendments that were proposed to SCC's Corporate Policy on the use of RIPA. Officers highlighted that social media was an increasingly popular marketplace for buying and selling a wide range of goods which meant that it was important to have clear guidelines when conducting surveillance on suspects' social media accounts. SCC's Corporate Policy had therefore been updated to incorporate the use of surveillance on social media accounts to ensure that RIPA authorisation was sought when necessary. The Committee was further advised that the role of Senior Responsible Officer for RIPA had been transferred to the Strategic Director for Environment & Infrastructure which had also been reflected in the updated Corporate Policy due to be signed off by Cabinet.
3. Members welcomed the report and highlighted the importance of RIPA as a precaution in ensuring that individuals' right to privacy was not infringed.

The Committee gave its support to the Corporate Policy stressing that it was clear and easy to read.

Recommendations:

The Communities Select Committee:

- i. considered the use of RIPA by Surrey County Council during 2016/17; and
- ii. supported the proposed additions to the Corporate Policy

15 SURREY PERFORMING ARTS LIBRARY - OPTIONS FOR THE FUTURE [Item 6]

Declarations of interests

None

Witnesses

Kathryn Adamson, International Association of Music Libraries, Archives and Documentation Centres (IAML)

Barbara Eifler, Executive Director, Making Music

Peter Milton, Head of Cultural Services, Surrey County Council

Denise Turner-Stewart, Cabinet Member for Communities, Surrey County Council

Mark Welling, Chair, Friends of Surrey Performing Arts Library (FOSPAL)

Rose Wilson, Lead Manager Surrey Library Service, Surrey County Council

Key points raised during the discussion

1. The item was introduced by the Chairman of the Communities Select Committee who highlighted that the future of Surrey Performing Arts Library (SPAL) had garnered significant public interest and stated that residents had been vocal in their support of SPAL. She emphasised that Select Committee Members were not being asked to consider the closure of SPAL but rather options for how it could operate in the future. Members were further advised that they were not being asked to comment on the consultation regarding the future of SPAL conducted by SCC and requested that the substance of discussions therefore remain focused on the proposed options contained within the paper and other opportunities for reducing costs and generating revenue.
2. A public question was submitted by Mr Roger Miller to which a response was tabled at the meeting. Mr Miller asked a supplementary question requesting further information on plans to move the SPAL collection from where it was housed to other libraries in Surrey should that be option decided on by the Council. He stressed that a number of performing arts groups were relying on borrowing materials from SPAL for pre-arranged performances and so it was vital that any disruption was kept to a minimum. The Chairman advised Mr Miller that this would be explored in detail with officers during the course of the discussions on the item.

3. An introduction to the report was provided by officers from SCC who outlined the reasons why it was necessary to reconfigure SPAL. They highlighted that SCC was committed to continuing the service provided by SPAL but stressed that it could not be sustained in its existing format due to the significant financial pressures facing the Council and that £180,000 had to be achieved by 1 April 2018. The Committee was informed that the Council's preferred option was that SPAL continued as a single collection transferred to the management of a charitable trust but emphasised that the Council would need to satisfy itself that any trust which did come forward had the finances to support the collection. Officers further indicated that splitting music and drama into two collections and placing them in existing libraries was the most realistic option and that it had the added benefit of making SPAL's collection accessible to a more diverse range of groups at a time when the number of visitors to the library was dropping. The majority of those who responded to the user survey conducted by SCC regarding the future of SPAL had also indicated that they would continue to borrow items if the collection was placed in different libraries.
4. The Committee was informed that the Library Service was ready to implement either of the options contained within the report. A project group had already been established and had considered the space available across all of Surrey's libraries to ensure that the SPAL collection could be successfully accommodated and to ensure that it could be relocated in a way that would minimise disruption to borrowers. Contact had also been made with both Hampshire's and Westminster's performing Arts Libraries to review their operating models to assess whether they could be applied to SPAL.
5. Discussions turned to the Interlibrary Loan system which had placed a significant financial burden on SCC on account of the majority of requests to loan from SPAL coming from outside the county. Members acknowledged the importance of the Interlibrary Loan system in enabling Surrey residents to borrow from libraries across the country but expressed concern that Surrey Council Taxpayers were subsidising those borrowing items from other parts of the country. Officers highlighted that the Interlibrary Loan system for SPAL was different to that used for book requests by the main library service, and withdrawal from the SPAL Interlibrary Loan scheme would not impinge directly on the rest of the library service. However careful thought would need to be given to withdrawing from the Interlibrary Loan system used by SPAL as this could have a detrimental effect on Surrey residents who needed to borrow performing arts materials
6. The Executive Director of Making Music read a statement to Committee Members regarding the future of SPAL and emphasised that it was an important part of the ecology of lending that supported a range of musical groups in Surrey. She also highlighted the danger of using visitor numbers as a measure of how popular SPAL was as individuals will often borrow on behalf of a large number of people. Attention was drawn to the national picture where a number of local authorities had found operating models that enabled their performing arts libraries to remain financially sustainable such as in Nottingham where the library had increased charges for loaning out items. Members were, however, advised that costs levied by SCC would have to be manageable. The Committee was

informed that Making Music's preferred option was for a charitable trust to assume responsibility for the collection.

7. A statement was delivered to the Committee by a representative from the International Association of Music Libraries, Archives and Documentation Centres (IAML) who reiterated that footfall to SPAL was not a sound basis for determining its popularity among residents. As well as individuals borrowing large number of items on behalf of others, the number of people through the door at SPAL does not take into account those who order materials such as books or scores to pick up from other libraries. The Committee was advised that increasing borrowing charges too much could create a barrier to borrowing for those who were less well-off. Members were informed that SCC could consider working with other local authorities to develop a regional approach to lending performing arts equipment and resources which could provide a sustainable solution.
8. The Chairman of Friends of Surrey Performing Arts Library (FOSPAL) addressed the Committee highlighting that FOSPAL's preference would be for a charitable trust to take responsibility for the SPAL collection. The Select Committee heard that the items contained within the SPAL collection had been accumulated through a combination of investment by the Council as well as a donation from individuals and charitable organisations which meant that it should be considered an asset of the community at large rather than a collection owned by the Council. FOSPAL understood the considerable financial challenges which confronted the Council and that some sort of change was necessary to the service as a result. Members were informed that a number of the cost-saving measures and proposals to increase income generation could have been implemented already but counselled against withdrawing from the Inter-Library Loan System on account of the benefits that it provided to Surrey residents. The Committee was advised that FOSPAL supported the proposed option of transferring responsibility for SPAL to a charitable trust and urged the Council to explore this possibility in greater depth. Splitting the collection in two and placing them in separate libraries would initiate the end of SPAL as performing arts collections required investment for them to grow and to continue to be useful for borrowers.
9. Discussions turned to the location of SPAL at Denbies Vineyard and Members inquired as to whether SCC would continue to pay the lease on the site at Denbies after the collection was relocated. Officers confirmed that the Council had agreed a lease with Denbies until 2021 and so would retain the site for a period of time after it had been vacated by SPAL. Members were, however, informed that the costs of renting the site at Denbies was not calculated within the Library Service's budget but instead sat within the Property Service Team's budget. Members suggested that the library remain within Denbies until the future of SPAL had been satisfactorily resolved as the Council would continue to pay rent on the site anyway. Attention was drawn to SCC's Medium Term Financial Plan (MTFP) which required significant savings within the Library Service's budget for 2018/19. Maintaining the service within Denbies beyond the end of the 2017/18 financial year was not possible given the required savings and the wider financial challenges which the Council was facing.
10. Witnesses highlighted the need to develop a more commercial operating model for SPAL, one that would increase revenue generation and reduce

costs. Members suggested that SCC could work with other local authorities to develop a performing arts library which acted as a regional hub for the South East and indicated that an approach could be made to Central Government to support this model. Concerns were expressed regarding the extent to which it would be possible to set up a regional performing arts library. All local authorities were facing their own financial pressures and it was therefore unlikely that they would have capacity to fund a performing arts library service based in Surrey. Any talk of the Government making a financial contribution to the formation of a regional hub was also considered to be unrealistic.

Mr Bob Gardner left the meeting at 12.00pm

11. Attention was drawn to the considerable budgetary pressures that were confronting the Council in the context of which SPAL could not be considered a priority on account of its statutory responsibilities particularly given that a third of those consulted on the future of the library hadn't borrowed an item in over a year. It was advised that savings of £180,000 were required to the library service's budget to take effect in 2018/19 and that the focus should remain on identifying an option that would enable the Council to achieve these savings as were outlined in the MTFP.

Mr Bob Gardner returned to the meeting at 12.05pm

12. Further discussions took place regarding efforts that had been made by SCC to identify an organisation to assume responsibility for SPAL. The Committee highlighted that a charitable trust would have more flexibility than SCC in how it operated the service and would be able to do so in a more commercial, cost effective way. This included the ability to seek commercial sponsorship and to secure support from funding bodies such as the National Lottery which the Council was unable to do. Members stressed the need to ensure that any organisation that put itself forward to take over SPAL was subject to a stringent financial assessment. The Chairman of FOSPAL highlighted that user groups had not been engaged by SCC in efforts to find an organisation to assume responsibility for SPAL. He emphasised that FOSPAL was not the right organisation to take control of the library's collection but indicated that it could help to identify a charitable trust or another organisation that could take on this responsibility. The Committee requested that officers establish a forum with user groups to investigate the viability of Option 2.
13. The discussion turned to option 1 proposed within the report whereby the SPAL collection would be split between into individual music and drama collections and relocated to separate libraries within Surrey. Witnesses highlighted that maintaining the SPAL collection was not like looking after a normal collection and that specialist librarians were required to ensure that loans were issued and returned correctly. Without specialist librarians maintaining the collection it was likely that materials could be damaged or go missing which, without continued investment from SCC, would mean that the usable collection would gradually dwindle. The Committee expressed a preference for Option 2 over Option 1 because of concerns of the impact on the collection in Option 1
14. Members identified some immediate steps that could be taken by officers in order to lower the costs associated with running SPAL. It was

suggested, for example, that the Service could help to reduce staffing costs by making greater use of volunteers to run SPAL. The Committee also highlighted the importance of reviewing the borrowing fees charged by the library which would enable SPAL to generate increased revenue and help to offset some of the costs of running the service. Members agreed that an update should be provided to the Select Committee at its meeting on 8 February 2018 detailing progress made by officers, in conjunction with the, user group forum in identifying a charitable trust to run SPAL. The report should also detail the implications that reduced staff costs, increased borrowing fees and a more effective IT system could have on the finances of SPAL. Concern was expressed that the report to the Select Committee did not contain the most up to date budget figures for the library service and Members asked that these be provided for the meeting on 8 February 2018.

15. The Cabinet Member for Communities SPAL thanked Members, witnesses and those in attendance at the meeting for reflecting the strength of feeling that existed regarding SPAL. She reiterated the Council's commitment to preserving the collections stated that the Council would work with user groups to investigate the viability of Option 2.

The meeting was adjourned by the Chairman from 1.20pm to 1.35pm.

Recommendations:

The Communities Select Committee recommended that:

- i. further evaluation work takes place in relation to costing a new IT system better suited to the specific needs of a performing arts library such as the system currently in use in Nottingham;
- ii. the Library Service carries out further analysis of the current ILL systems and propose a range of changes which would improve the financial viability of the performing arts aspect of the ILL service and also evaluate the impact of withdrawing from the system;
- iii. the service produces and implements a range of revised pricing for SPAL services which can be implemented in shorter and longer timescale;
- iv. officers review staffing costs to secure immediate savings and to investigate the use of volunteers;
- v. establish a forum to investigate the viability of Option 2.
- vi. Option 3, closure of the service, is removed from the list of options.
- vii. officers report back to the Communities Select Committee at its meeting on 8 February including up to date budget figures to highlight progress on the recommendations and to develop recommendations for the March meeting

**16 RECOMMENDATIONS TRACKER AND FORWARD WORK PROGRAMME
[Item 7]**

Declarations of Interest: Declarations of Interest:

None

Witnesses:

None

Key points raised during the discussion:

1. The Committee noted that an item on the future of Surrey Performing Arts Library would be added to the Communities Select Committee meeting on 8 February 2018.
2. Members discussed the item on the Armed Forces Covenant which was being scoped by officers. The Committee felt that scrutiny would not add value to the Covenant and it was agreed that this item should be removed from the Committee's Forward Work Programme.

17 DATE OF THE NEXT MEETING [Item 8]

The Committee noted that its next meeting would take place on 8 February 2018.

Meeting ended at: 1.45 pm

Chairman