# Business Management Overview and Scrutiny Committee, Agenda Item 4, Public Questions

The role of Business Management Overview & Scrutiny Committee is to scrutinise proposed decisions which have been called in by one or more Members of that Committee. Under the provisions of the Constitution, the Chairman of the Committee is required to give the responses to public questions. As the below questions relate to the Community Library Process, their answers, although delivered by the Chairman of the Committee, have been provided by the relevant Cabinet Member.

### **Ms Frances Briers**

### Question 1

How do you know you can get a buyer for Friern Barnet library? As I am fed up with boarded up building.

### **Question 2**

Why close the library now? when you have the money back from iceland.

# Response to Question 1

Nothing is certain, however the Council's Property Services have already been made aware of a number of potentially interested parties and do not anticipate that there would be any difficulty in selling the building.

# Response to Question 2

Over a three year period, the council will have its budget reduced by £46 million. For the library service, this will see a reduction of £1.4m - the equivalent of a reduction in the libraries budget of around 20%. This is in step with other services.

Our intention is to provide a library service through the borough that is financially sustainable and the merger of Friern Barnet and North Finchley into a Landmark Library at the Arts Deport does just that.

The funds returning to the Council's reserves from the Icelandic banks are capital funds – ie they aren't recurring revenue funds which can be used to deliver services or savings. Population changes are causing considerable pressure on school places: the council is most likely to need to use funds returning from Icelandic banks to meet its statutory duty to provide school places.

If we didn't close Friern Barnet now, we'd have to take the money from another part of the service, most likely from a more well-used library.

Michael Lunn		
Wichael Lumi		
Question What is the current state of negotiations with the Arts Depot regarding the transfer of library services from Frien Barnet Libray to the Depot, and when does the Council expect library services to be available in the Arts Depot?	Response to Question Discussions are underway with the artsdepot about the nature of services which can be provided from the site, and outline plans will be available from early summer. If we can introduce library services on an interim basis before a more permanent library service is introduced, we will do so.	
Sheri Darby		
Question 1	Response to Question 1	
I am fully aware that the difficult economic climate has forced you to sell our much cherished library. In order to help us understand this economic necessity could you tell us. What is the total amount that has been spent on the development and planning of the Landmark Library in artsdepot to date? (eg architects fees, consultants etc).	No fees have been spent to date on the development and planning of the Landmark Library: an architect to provide a feasibility study is about to be commissioned.	
Question 2.  Has the planned Landmark Library in artsdepot now been fully costed and if so what are those costs?	Response to Question 2 Not yet, see earlier answers	
Question 3.  What are the proposed running costs of the new library at artsdepot (Including rent, staffing etc)	Response to Question 3 Until a design has been developed, and detailed discussions with the artsdepot completed, it is not possible to answer this question.	
Question 4.  How much money will be saved both in the short term and in the long term by the 'merger' of North Finchley and Friern barnet into artsdepot	Response to Question 4 In the short term, £100,000 will be saved by closing Friern Barnet library on 31 <sup>st</sup> March. In the long term, these plans have been	

•	approved by Members on the basis that they will deliver a Landmark Library in North Finchley and a revenue saving of £200,000.
Fiona Cochrane	
	Response to Question 1
Question 1 Will the Council acknowledge that they misled the community by suggesting that proposals would be considered for use of the current Friern Barnet Library building, when the intention was always to sell the building?	The Libraries Strategy has always been clear that improvements to library services would be funded by reinvestment of monies achieved through the sale of library buildings identified for closure.
	The invitation for expressions of interest gave these answers to the following questions:
	Can we use the current building? Possibly. It depends on the nature of your proposal. The Council needs to make savings and so use of the current building would have to be at low or no cost to the Council.  Would a community library have to be in the existing library building?  No, not necessarily. You may have an idea for an alternative venue such as a community building or a shared space. Wherever it is, the building must be safe, accessible to all members of the community and suitable for use as public premises.  What rent will the Council charge for use of the library building?  Barnet Council sets the level of rent related to any leases which it issues by carrying out a valuation process. The valuation takes into consideration a number of factors such as market rental values and what the future use of a space will be. We do not have an up to date rental valuation for the library buildings in question but this is something that we will look to carry out as part of discussions with organisations that express an interest in future use of buildings.
	The invitation was left deliberately open, as the council wanted to encourage innovation. However, it was very clear that proposals

# had to be low or no cost to the council.

When the Officers met with the group in October 2011, they also stressed that it was the council's intention to dispose of the building. In discussion, they clarified that, if the building were not to be sold, then the required capital funding would have to be derived from another source.

The Group's proposal did not demonstrate that they were prepared to deliver rental income.

# Question 2

Will the Scrutiny Committee recommend to Cabinet that, in light of the serious flaws in the way councillors and council officers have conducted the community library process and the way they have misled the public, the community library process be extended to allow the Save FBL Group to investigate alternative sites for a community library in Friern Barnet? Will they recommend that Friern Barnet Library remain open while this search for a solution takes place? Will Cabinet assure the people of Friern Barnet that the stock of Friern Barnet Library, offered to the community as part of a library solution, will not be disposed of while the Save FBL Group seeks an alternative solution in the locality?

### Response to Question 2

The council has run a robust and open process to enable community bids. It has made offers of advice and clarification to community groups bidding in this process and is sorry that these were not taken up in the case of Friern Barnet library.

If Friern Barnet library were to remain open at this time, services elsewhere in the borough would need to be withdrawn to achieve the required saving – this would mean withdrawing services from libraries which are used more heavily than Friern Barnet.

The Council remains committed to dialogue with the Save Friern Barnet library Group to seek to find an alternative proposal for a community-led library in the area. Clearly this cannot be an indefinite commitment – the council is happy to confirm that the stock of Friern Barnet will be stored until the end of May in the hope that it can be used for a community facility in the area.

### **Question 3**

The Phase 1 implementation plan (Library Strategy Review) states "Develop and agree plans for new Landmark Library, including initial designs and costing (Autumn 2011)" Have architectural plans now been drawn up for the proposed Landmark Library in artsdepot and if

# Response to Question 3

See earlier answer- discussions are underway with the artsdepot about the nature of services which can be provided from the site, and outline plans will be available from early summer.

so, have Cabinet approv	ved these plans?
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### Question 4

What exactly is the current position with regard to the development of the proposed Landmark Library in artsdepot and what is the proposed date for the opening of a fully functional library?

# Response to Question 4

See earlier answer - once plans have been developed, costed, and agreed it will be possible to set a date for an opening.

#### Paul Merchant

### Question 1

Oddly, the provision of volunteer librarians doesn't appear to affect the Council's projected costs, should a library service continue to run from the current building in Friern Barnet (as per the proposal from the Save Friern Barnet Library Group). What is the estimated cost of establishing a 'landmark library' at the Artsdepot, & do the Council envisage that this will be at no cost or low cost, as they demand of alternatives that strive to recognise the importance of community development (ie the proposal from SFBLG)?

# Response to Question 1

The Libraries Strategy has been agreed on the basis of a 'low cost or no cost' continuing provision at Friern Barnet, with services from Friern Barnet and North Finchley merged at the Landmark library. The SFBLG proposal assumed the continued provision of some library staff support by the Council — and if the council needed to continue to employ staff there, there would also be overheads in terms of payroll, finance and HR support etc. The SFBLG's proposal was therefore not sufficiently low cost to the Council to meet the level of savings required.

The Libraries Strategy made clear the council's intention to provide a modern library service, fit for the 21<sup>st</sup> century, and fully capable of delivering services to increase reading, literacy and learning opportunities for children and adults. The proposed Landmark library at the artsdepot will achieve those aims far more effectively than the buildings at North Finchley and Friern Barnet are able to do, providing modern spaces for the delivery of modern services. The Libraries Strategy makes clear that these improved services will be achieved by redirecting resources from Friern Barnet and North Finchley, and will achieve a revenue saving in so doing.

	The council remains committed to the principles of community development, and dialogue with the SFBLG to seek to find an alternative solution for a community-led library in the area.
Holly Howe Watson	
Question 1 Why are the people of Friern Barnet not being treated equally to other people in Barnet re the Library Strategy - for example, why was our community proposal not given the same consideration as the one presented by Hampstead Garden Suburb residents, and why is the Cabinet insisting on closing Friern Barnet library on March 31st while North Finchley residents get to keep their library until the new landmark library opens at the ArtsDepot?  I feel that Friern Barnet people are being treated unfairly.	The Library Strategy which was agreed by members last year made clear that the libraries proposed for closure had low levels of customer use.  The community proposal presented by the SFBLG was not, as the Hampstead Garden Suburb residents' proposal was, 'low cost or no cost'. North Finchley library is considerably busier than Friern Barnet library (attracting more than 100,000 more visits a year than Friern Barnet). The council needs to make the saving agreed in the library strategy – if Friern Barnet were to stay open, we would have to cut another service - this would mean withdrawing services from libraries which are used more heavily than Friern Barnet.
Finlay Howe Watson	
Question 1 Why are the poorer children in Friern Barnet losing their library while the much richer children in Hampstead Garden Suburb get to keep their library? It seems really unfair as lots of my friends parents don't speak English as a first language and when I go to their houses they don't have many books. I live in Friern Barnet not Hampstead Garden Suburb.	The council remains committed to working with the SFBLG to find a solution which would deliver a 'low cost or no cost' community-led library service in the area. In the meantime, libraries at South Friern and North Finchley are directly accessible by bus and are only 1.3 and 1.1 miles away respectively.

### Sarah Howe

#### Question 1

Barnet Council wants to sell the Friern Barnet library building and site can the council guarantee that this historic and beautiful building won't then be demolished to make way for flats and a shop? Can Barnet Council guarantee that the green space next to it will be preserved for people to continue using it as they have done for generations?

### Question 2

Robert Rams has been unable to give any dates for when the library services in the Arts Depot will be available for the people of Friern Barnet. Seeing as the 'landmark' library in the Arts Depot is the cornerstone of the Library Strategy and fundamental to it, will Cllr Rams please give firm details about when and where these services will be available?

# Response to Question 1

Any change of use by a buyer of the site would be subject to planning permission – and would therefore be open to public consultation- residents would be able to feed their views into the planning decision-making process. The plans for the green space would depend on any bids received.

# Response to Question 2

See earlier answer – we are in discussion with the artsdepot about how library services could be provided at that site, and will have plans by early summer.

Meanwhile, to ensure that some provision remains in the area, the council is looking at how it could put on a weekly activity for young children in Friary House.

# Joanne Fryer

#### Question 1.

Assuming that the Council officers passed on the four letters from schools, submitted with our two proposals, begging the Council not to close Friern Barnet Library as they could not get their children safely to the Artsdepot, why did Barnet Council not respond to these Headmasters?

### Question 2.

Children's Rhyme Time can take place in any building, not libraries alone. What PROPER library services will be up and running in the Artsdepot by April 1st as there currently are no rooms there either designated or being refitted for a library and the staff there does not appear to be aware of this new landmark service which is less than one month away?

### Question 3.

Since the sale of Friern Barnet Library (£430,000) will generate less money than the sale of a house in the same neighbourhood and Barnet spends less than 1.5% if its library budget on Friern Barnet Library, yet the Council is often quoted that getting rid of Friern Barnet Library will improve library services all over Barnet, does this imply that so little is spent on libraries that a miniscule amount will make a very big difference (as in the cases of Third World countries)?

# Question 4.

Cllr Rams has stated that the sale of Friern Barnet Library means that

# Response to Question 1

Letters which accompanied the proposal were letters of support, addressed to the SFBLG, and as such, were not for the council to reply to. One letter, being addressed to 'Dear sir or madam' was ambiguous, but it was assumed that this was also addressed to the Group.

# Response to Question 2

Discussions are underway with the artsdepot about the nature of services which can be provided from the site, and outline plans will be available from early summer. If we can introduce library services on an interim basis before a more permanent library service is introduced, we will do so.

# Response to Question 3

The Libraries Strategy is clear that capital funds from the sale of Friern Barnet and North Finchley Libraries will be used to re-invest in improvements to libraries in the borough. Revenue savings are necessary from the libraries budget, as from all other council services, since the council has to save over £46million over 3 years: the saving arising from the closure of Friern Barnet library will contribute to this.

# Response to Question 4

Barnet will be able to buy "better books". Does this mean that Barnet's chief librarian was not buying very good books before or that Cllr Rams will speak to authors and publishers and encourage them to make their productions better? Please define.

# Question 5.

Why does Barnet Council maintain that it wants to negotiate with people from the Community and then set up meetings only with Council Officers who say they have no power to negotiate?

### Question 6.

Why is Barnet Council willing to spend money on a library service in South Friern Library, which is more heavily used by people in Haringey, but then refuse to spend money on a library for the people in Friern Barnet who pay council tax to Barnet?

# Tamar Andrusier

# Question1.

Why did the Officers provide the Save FBL Group with an entirely different set of figures on which to base our proposal to those then quoted to cabinet? Is this fair?

The library strategy includes additional investment in book stock. This will mean more, newer stock. This comment was not intended to distinguish between, for example, Jane Eyre or the Girl with the Dragon Tattoo.

# Response to Question 5

The Council would be happy to negotiate and discuss with the community, within the parameters which have been already set when the libraries strategy was agreed – that is, the requirement to achieve savings in the libraries revenue budget, and for community libraries to be delivered at low cost or no cost to the council.

# Response to Question 6

Research highlighted in the Library Strategic Review identified that a higher proportion of people living in the catchment for South Friern library have low household incomes (ie are more deprived communities) as opposed to most of the rest of the borough (including Friern Barnet). The library strategy is specifically designed to ensure that deprived communities have the support they need to read and learn. The vast majority of users of South Friern library live in the immediate area – ie within Barnet.

# Response to Question 1

When the Officers first met with the SFBLG in October 2011, guidance was given on what the outline costs of running a community library would be, based on the assumption that this would be community-led provision (ie minimal or no cost to the council). In December 2011, when they met again, further figures were provided together with extensive information on library

operation and possible alternative models of operation. On 1<sup>st</sup> February, officers met with the group to discuss their proposal. At this time, three sets of figures were presented to the group:

- 1. Current, full operational costs of running the library by the council
- 2. An initial analysis of the cost of their proposal (including full staff and estimated overhead costs). This did include full staff costs for operating the building as their proposal was unclear on how they would manage this and this was our preliminary position.
- 3. Speculative costs for a service that could be operated by a community group this was work in progress to demonstrate how we could work with the group to make this a viable proposal (although still some way off the "low cost or no cost" requirement and therefore still needing further work).

It was because the Group's proposal was not a 'no cost or low cost' option, as previously assumed, that a different set of cost information was presented, in response to the Group's assumptions.

### Question2

Why did councillors and council officers not respond to the Save FBL Group proposal by engaging with the community as promised? If any aspect of our proposal seemed unclear or unacceptable, why were we not contacted for clarification, discussion or negotiation? Was it fair to the community for council officers to make wildly incorrect assumptions on aspects of the SFBLG proposal without seeking clarification, then to reject the proposal outright based on these assumptions?

# Response to Question 2

At all points, when officers were talking to groups, it was said their proposal would be start of a process, officers would then engage with them, and discuss their proposals further. This was on the assumption that proposals submitted were for truly community-led provision (ie not assuming continued staffing provision by the council) and were 'low cost or no cost'. The SFBLG's proposal was not low cost/ no cost and was not a proposal to run a community library, it was simply a proposal to downsize current provision.

### Question 3.

### Response to Question 3

The offers of help described by Robert Rams at last week's cabinet meeting were in fact all related to Friary House and running a standalone, volunteer-run library. When the Save FBL Group requested assistance from council officers, for example in seeking help investigating cross-budgetary funding for council services to be brought into the library as part of our proposal (such as health clinics and schools' workshops), they received no assistance whatsoever. Does the Scrutiny Committee accept that Robert Rams' description of offers of help to the community was greatly exaggerated and that these offers of help in fact only related to the proposal he desired the community to make (a stand-alone community library in Friary House)?

### Question 4.

On the day of last week's Cabinet meeting, Robert Rams tweeted "To the many residents emailing me today, we are NOT taking the decision to close Friern Library 2nite. That decision was taken last summer." Has the Cabinet member revealed that there was a pre-determined outcome to the community library process?

We are not aware of any request for assistance through the community bids process for help investigating cross-budgetary funding.

SFBLG submitted a preliminary proposal before being invited to make an Expression of Interest and without requesting any further support.

The Group were made, at the workshop on 14<sup>th</sup> December, an offer of availability of time by an Officer to work with SFBLG when developing their proposal including offer of time over the Christmas holiday period. No further help or further clarification of data was requested.

SFBLG subsequently submitted a preliminary proposal before being invited to make an Expression of Interest and without requesting any further support.

The council was clear, in the Community Library Bids process, that it was open to any suggestions which would deliver a low cost or no cost community library.

# Response to Question 4

On 26th July 2011, Cabinet approved the borough's new Library Strategy, part of which allowed for the merging and remodelling of library services in North Finchley and Friern Barnet into a Landmark Library in the Arts Depot. In addition, the council agreed that proposals could be made by the community to run community library services in either or both the Friern Barnet and Hampstead Garden Suburb areas. A recommendation was agreed for the library service to proceed to implement the strategy as set out in the report subject to the consideration of the feasibility of any community initiatives that come forward from residents on or before 31 October 2011.

In addition, comments from Cllr Rams during the Cabinet debate

and public questions confirmed that:

Community initiatives should be at no cost to the council or low cost

There is no commitment that the proposed community initiative should be based in the current site

Proposals may indicate alternative funding streams, depending on the scope of the bid

Changes to libraries are deferred until after 31 October 2011, so that proposals can be developed and reviewed

That decision was therefore clear: no closure would take place until after community bids were made and considered. Earlier answers have made clear that, unfortunately, the proposal of SFBLG did not meet the criteria set out at that time.

#### **Brian Watson**

#### Question 1

Does the Scrutiny Committee believe that at last July's cabinet meeting it was made clear to the community that, when inviting proposals from the community for community use of the Friern Barnet Library building, this meant proposals to BUY the building (according to Robert Rams, recently quoted in the local press)?

# Question 2

Now that the Icelandic millions are to be returned to the council's coffers and no contractual commitments have been undertaken with the library strategy would this not be a good time roll back and take another look at the entire plan in a more collaborative manner?

# Response to Question 1

See earlier answer – Cllr Rams made clear at the time that there was no commitment that the proposed community initiative should be based in the current site. A meeting with representatives of the Group in October 2011 made it clear that if the capital receipt from the library, necessary to fund improvements agreed as part of the library strategy, were not to be received, the proposal would have to identify how else those improvements would be funded (within the parameters agreed in the Libraries Strategy).

# Response to Question 2

If and when the council receives funds from the Icelandic banks, they will be capital funds – ie they aren't recurring revenue funds which can be used to deliver services. Population changes are causing considerable pressure on school places: the council is most likely to need to use funds returning from Icelandic banks to

	meet its statutory duty to provide school places.
	The Council will still be required to deliver revenue savings reductions of £46million over 3 years.
Tim Redmond	
Question 1. Why, in February 2012, did council officers say that no proposal that involved use of the Friern Barnet library building would be passed on for consideration by the cabinet when the 'Expression of Interest' document specifically refers to rent of and use of the very same building?	Response to Question 1  The criteria for consideration of community bids were very clear – low cost or no cost to the council – the SFBLG's bid did not meet those criteria and could not therefore be recommended to the council. Additionally, it assumed continued use of the library building without identifying an alternative means by which the necessary capital funds for delivery of improvements to the library service would be achieved.
Question 2. Has due process been followed when the wording of council documents has entirely misled the community into creating a proposal linked to Friern Barnet Library building, which was then rejected outright without any discussion?	Response to Question 2  See response to earlier answers – the council has been very clear about the criteria under which these bids would be considered.
Question 3.  Does the Scrutiny Committee accept that the community was misled into creating a proposal linked to community use for the building? The cabinet decision last July was to proceed with the library strategy 'subject to the consideration of the feasibility of any community initiatives that come forward from residents'. (Robert Rams also repeatedly used the phrases 'community use of the building' and 'community hub' in statements to the local press dating from last summer onwards)?	Response to Question 3  See response to earlier answers – the council has been very clear about the criteria under which these bids would be considered.
Martin Russo	

### Question 1.

If the intention was always to sell the building, why did the expression of interest document include a section about rent, and both this document and a letter from an officer clearly state that the use of the building was a possibility?

### Question 2.

I understood that any community proposal would be considered if it was shown to be at low or no cost to the council. Our proposal offered the opportunity to reduce costs not increase costs, so I ask the committee to consider our proposal's objectives in principle and reconsider the benefit to our community and request that it be put back to Cabinet for a vote to keep our library open?

### Question 3.

The news of the Icelandic money being refunded back and confirmed

### Response to Question 1

The invitation was left deliberately open, as the council wanted to encourage innovation. However, it was very clear that proposals had to be low or no cost to the council.

When the Officers met with the group, they also stressed that it was the council's intention to dispose of the building. In discussion, they clarified that, if the building were not to be sold, then the capital funding would have to be derived from another source.

The Group's proposal did not demonstrate that they were prepared to deliver rental income.

# Response to Question 2

Your understanding about 'low cost or no cost' was correct. However, simply delivering a reduction in costs was not enough. There are two fundamental principles relating to the Group's proposal which meant that the council did not consider there was scope to discuss it further:

- The proposal assumed continued provision of the building, the stock and the staffing by the council, with all associated overheads and costs this would not deliver a 'low cost or no cost' solution
- The proposal assumed continued use of the library building, without proposing any alternative way in which the capital receipt required to deliver the library strategy would be achieved

# Response to Question 3

If and when the council receives funds from the Icelandic banks,

by the Cabinet and later reported in the local press to
Barnet has meant that additional funding to compensate for it's intial
loss was held in reserve, as part of a contingency plan, but now is
avaliable for redistribution within Barnet's budget. I ask the committee
to request the surplus funding and contingency fund be used to
resource our library in Friern Barnet?

they will be capital funds – ie they aren't recurring revenue funds which can be used to deliver services or contribute to the savings required. Population changes are causing considerable pressure on school places: the council is most likely to need to use funds returning from Icelandic banks to meet its statutory duty to provide school places.

# Question 4.

In respect of question 3, Barnet would be in receipt of additional revenue and could use the interest from this money to fund our library in Friern Barnet? So I ask again the committee to refer it back to the Cabinet so they can use the interest from the millions saved to fund our library service in Friern Barnet?

# Response to Question 4

See previous answer

### Question 5.

Given the time frame of no substantive services being transferred to the Artsdepot, I ask the committee to keep our library open until such a positive alternative solution has been achieved as with the closure of Friern Barnet Library, risks compromising the legal framework for public library services, meeting the obligation of the Equality's act deliverance of a local public library services. Please suspend the decision to close Friern Barnet Library?

# Response to Question 5

If Friern Barnet were to be kept open, we would have to find alternative savings elsewhere in the service, from libraries which are used more intensively than in Friern Barnet.

The Council is confident that the requirements of the Equalities Act to fully consider the potential impacts of its decision on equalities groups, have been fully met, as are its obligations under the Public Libraries and Museums Act in relation to the provision of local public library services.

### Julie Lacey

### Question 1

I understand that the council received other offers to run the library at low or no cost apart from the bid by the Save Friern Barnet Library Group. Please can you provide details of all offers/bids/proposals to run the library in Friern Barnet, detailing when they were received and why they were rejected?

No other proposals were received in response to the Invitation to make Expressions of Interest in relation to Friern Barnet library, apart from the proposal submitted by the Save Friern Barnet Library Group.