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| Meeting | Business Management Overview & Scrutiny Committee |
| Date | 31 July 2012 |
| Subject | Friern Barnet Library Petition |
| Report of | Scrutiny Office |
| Summary | This report provides Members with information relating to a petition signed by 2,523 residents submitted to the Council in relation to Friern Barnet Library. |

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| Officer Contributors | Andrew Charlwood, Overview & Scrutiny Manager |
| Status (public or exempt) | Public |
| Wards Affected | Coppetts |
| Function of | Business Management Overview and Scrutiny Committee |
| Enclosures | Appendix A – Petition Summary |
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1. RECOMMENDATIONS

- 1.1 **That the Committee consider the petition received by the Council in relation to the Friern Barnet Library and make appropriate comments and/or recommendations to the Cabinet Member for Customer Access and Partnerships and officers in respect of the issues raised.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 6 September 2010, Strategic Library Review
- 2.2 Special Committee (Constitution Review), 13 October 2010, Local Democracy, Economic Development and Construction Act 2009 – Requirement for a Petition Scheme
- 2.3 Council, 2 November 2010, Report of the Special Committee (Constitution Review) – 13 October 2010
- 2.4 Cabinet, 29 March 2011, Strategic Library Review
- 2.5 Business Management Overview and Scrutiny Committee, 11 July 2012, Hampstead Garden Suburb Library and Friern Barnet Library Petitions
- 2.6 Cabinet, 26 July 2011, Strategic Library Review
- 2.7 Cabinet, 20 February 2012, Community Library Process
- 2.8 Business Management Overview and Scrutiny Committee, 28 February 2012, Call-in – Community Library Process
- 2.9 Cabinet, 4 April 2012, Reference from Business Management Overview and Scrutiny Committee – Community Library Process

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2012-13 Corporate Plan are: –
 - Better services with less money
 - Sharing opportunities, sharing responsibilities
 - A successful London suburb

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to deal with petitions received from members of the public in a timely way and in accordance with the provisions of the Council's Constitution carries a reputational risk for the authority

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 (“the Act”), the council has a legislative duty to have ‘due regard’ to eliminating unlawful discrimination, advancing equality and fostering good relations in the contexts of age, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation.
- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council’s leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council’s duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 The Local Democracy, Economic Development and Construction Act 2009 requires local authorities to publicise and comply with a scheme for handling petitions and also provide a facility for electronic petitions on their websites.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council’s Constitution.
- 8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).
- 8.3 Council Constitution, Section 4, Public Participation Procedure Rules, paragraph 5.8 provides that “Petitions of over 2,000 signatures will be considered at the Business Management Overview & Scrutiny Committee, where an officer will be called to give account. The Lead Petitioner will have the right to address the Committee for five minutes.”

9. BACKGROUND INFORMATION

- 9.1 In September 2010, Cabinet agreed that a Strategic Library Review should commence. The objectives of the review were to identify and meet local needs, identify options to modernise the service, provide a sustainable foundation for coming years, and to provide better services for less money. The aspiration for the review was to identify options to improve service provision, meet local needs and reduce cost.

9.2 In March 2011, the Strategic Library Review was presented to Cabinet, who agreed the following:

- Consultation commence on the proposed strategy and financial plan for a ten week period, with a final report outlining recommendations to be submitted to Cabinet for consideration thereafter.
- That the extensive consultation and review activity that underpins the proposed strategy and financial plan be noted.
- That the Equality Impact Assessment related to the proposed library strategy and financial plan be noted.
- That development of a high-level implementation plan incorporating all key changes, aligned with the outcome of consultation activities be approved.
- That the proposed strategy and financial plan would require additional capital expenditure outlined in this report be noted.
- That discussions commence with the Arts Depot Trust regarding the potential co-location and development of a new Landmark Library with arts, cultural, and children's specialism within the Arts Depot site.
- That the initiation of negotiations with a neighbouring borough to develop a shared services approach, with recommendations to be reported to Cabinet be approved.

9.3 On 11 July 2011, the Business Management Overview and Scrutiny Committee considered petitions that had been received in relation to Hampstead Garden Suburb and Friern Barnet Libraries and made the following recommendations to the Cabinet Member for Customer Access and Partnerships and officers:

- (i) Officers be requested to provide further information on financial methodology used to assess overheads for each library and provide assurance that the same financial methodology had been consistently applied across the entire library estate.
- (ii) Officers be requested to validate expected savings.
- (iii) the Cabinet Member for Customer Access and Partnerships be requested to examine proposals received by voluntary groups wishing to manage Hampstead Garden Suburb and Friern Barnet Libraries.

9.4 On 26 July 2011, the Cabinet considered the outcome of a ten week consultation process and resolved as follows:-

That Cabinet:

- (i) Notes the extensive consultation and review activity that underpins the proposed strategy and financial plan, and the findings of the second phase of consultation.
- (ii) Has considered the Equality Impact Assessment related to the proposed library strategy and financial plan.

- (iii) Notes that the proposed strategy and financial plan would require capital expenditure outlined in the report, to report via Cabinet Resources Committee.
- (iv) Endorses continued negotiations with the Arts Depot Trust regarding the co-location and development of a new Landmark Library with arts, cultural, and children's specialism within the Arts Depot site.
- (v) Endorses the programme of work outlined in the strategy, seeking opportunities to work with other local authorities to reduce costs.
- (vi) Proceeds 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.

9.5 On 20 February 2012, the Cabinet received a report which provided an update on the process for inviting and assessing proposals from the community to operate community libraries in the Hampstead Garden Suburb and Friern Barnet areas and resolved as follows:-

That Cabinet:

- (i) Note the progress to date.
- (ii) Reaffirms its decision to transfer services from Friern Barnet and North Finchley Libraries to a new Landmark Library based at the Arts Depot
- (iii) Request that the council enter into formal negotiations with Hampstead Gardens Suburb Residents Association to agree a mutually agreeable arrangement for a community library in the existing building.

9.6 On 29 February 2012, the Business Management Overview and Scrutiny Committee considered a call-in on the Community Library Process and resolved as follows:

- (i) The decision of Cabinet to reaffirm the decision to transfer services from Friern Barnet and North Finchley Libraries to a new Landmark Library based at the Arts Depot be referred back to the Cabinet for reconsideration to request that the Friern Barnet Library will not be closed before the proposed new library services are transferred to the Arts Depot.
- (ii) A representative from the Committee attend the Cabinet

9.7 On 4 April 2012, the Cabinet considered the reference back from the Business Management Overview and Scrutiny Committee (as set out at 9.6 above) and resolved as follows:

- (i) Taking into account the reference back by the Business Management Overview and Scrutiny Committee, Cabinet reaffirm the decision to transfer services from Friern Barnet and North Finchley Libraries into a new Landmark Library based at the Artsdepot, with the existing library service at Friern Barnet ceasing operation on 5 April 2012.

9.8 The Committee are requested to consider the petition received by the Council in relation to re-opening Friern Barnet Library (in accordance with the constitutional provisions outlined at paragraph 8.3 above) and make appropriate comments/recommendations to the Cabinet and officers in respect of the issues raised. The Cabinet Member for Customer Access &

Partnerships and Assistant Director Customer Services & Libraries have been invited to give account to the Committee.

9.6 The Chairman has agreed that the following format will be followed at the meeting:

- Lead Petitioner has five minutes to present the petition to the Committee;
- Ward Members have the opportunity to address the Committee;
- Committee Members have the opportunity to ask questions of the Lead Petitioner and Ward Members;
- Cabinet Member and relevant officers (Assistant Director Customer Services and Libraries and Head of Libraries) respond to the issues raised by the Lead Petitioner, Ward Members and Committee Members;
- Committee Members to ask any further questions of the Cabinet Member and relevant officers; and
- Committee to agree any comments/recommendations to be made to Cabinet Member for Customer Access & Partnerships and Assistant Director Customer Services & Libraries.

9.6 Total signatures are taken from a combination of a paper petition (1,954 signatures) and e-petition (569 signatures) is 2,523 (as of 17 July 2012). The text submitted with the 2,523 signature petition is attached at Appendix A.

10. LIST OF BACKGROUND PAPERS

10.1 None.

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| Cleared by Finance (Officer's initials) | JN/MC |
| Cleared by Legal (Officer's initials) | PD |