

Comprehensive and efficient service

This Annex contains additional information to that provided in the body of the report (mostly section 2) about a comprehensive and efficient service under the Public Libraries and Museums Act 1964 and the Secretary of State's intervention, particularly the Wirral Inquiry in 2009 (Charteris report). The Secretary of State may intervene if there is clear evidence of a local authority failing to meet its statutory duties.

1 Wirral Inquiry

Recent challenge to the 1964 Act came in 2009 when the Secretary of State for Culture, Media and Sport intervened in Wirral as a result of the Council's proposals to close 13 libraries, based on an asset management programme. In undertaking detailed needs assessments, in the form of a community profile for each library catchment area, the summaries of which are contained in this report and more detail is provided on the Council's web site, Officers in Sefton have taken account of the requirements that emerged from the Wirral judgement, which were: *(Sefton's response is shown in brackets and italics)*

- The Council was in breach of its statutory duties because it failed to make an assessment of local needs therefore it could not identify reasonable options to meet needs
(covered by community profiles, public engagement with users and non users including further consultation prior to any final decision);
- The requirements for older and disabled people, unemployed and those living in deprived areas not taken into account.
(covered by the gathering of usage data, socio-economic data which will be used to consider impacts and mitigating actions such as improved opening hours and alternative service models prior to any final decision) ;
- The Council was not able to demonstrate it had regard for meeting general requirements of children
(covered by the mapping of services and activities and to be considered further as part of the mitigation actions prior to any final decision;.
- The Council took a decision to close 11 libraries in the absence of a strategic plan for or review of the Library Service
(Cabinet have supported and approved the library review and its terms of reference);
- The decision was made without a clear understanding of the extent and range of services which are core, not add on
(covered by the mapping of services and activities);

- There was a further breach in relation to needs of deprived communities
(*community profiles, public engagement with users and non users and the next stage of public consultation*);
- The Council displayed a “lack of logic” around closure decisions
(*the options for the Cabinet’s consideration are based on data and strategy*).

The Wirral judgement also highlighted inconsistencies in the standard applied to travel times and acceptable distances to the nearest alternative library, in addition to potential access problems caused by increased travel costs for vulnerable groups. Accessibility by car and public transport, and the current usage patterns of borrowers, have been key elements in the development of options.

2 Recent decisions

Various complaints have been made to the Department for Culture, Media and Sport (DCMS) in relation to library closures concerning a number of local authorities in England. DCMS officials have met with council officers from Gloucestershire, Somerset, Isle of Wight, Lewisham, Brent, Doncaster and Bolton local authorities in response to a raised level of feedback and correspondence on their proposed libraries provision.

The Secretary of State has written to Brent, Bolton, Isle of Wight and Lewisham that he is not minded to intervene. The new Secretary of State wrote a letter to Brent confirming the final decision. Further representations on this decision can be made until 31st October for the other authorities. Doncaster is still awaiting a letter. Gloucestershire and Somerset withdrew their original plans following a legal challenge.

3 Select Committee on Library Closures

A Culture, Media and Sport Select Committee on Library Closures was established in 2012.

It invited written submissions and requested views on the following issues:

- What constitutes a comprehensive and efficient library service for the 21st century?
- The extent to which planned library closures are compatible with the requirements of the Libraries and Museums Act 1964 and the Charteris Report?
- The impact library closures have on local communities?
- The effectiveness of the Secretary of State’s powers of intervention under the Public Libraries and Museums Act 1964?

The written evidence has been published and the Committee heard oral evidence in February and March. No report has yet been published.