Re: Budget Consultation 2024-25 – Libraries

BACKGROUND

The Library Campaign (TLC) is the registered national charity whose aims and objectives are to advance the lifelong education of the public by the promotion, support, assistance and improvement of public libraries through the activities of friends and user groups.

We are very surprised to note that the consultation apparently makes no provision for comments from organisations, community groups etc, who would doubtless make an extremely useful contribution.

TLC notes the consultation on the Council's proposals for its budget 2024-25 and, in particular, its proposals for revisions to its library service set out in paras S19 – 21 (at pp.7 – 8) of the consultation document, upon which, and upon the consultation process, it submits its comments below. As a background to those comments, TLC assumes that the Council is aware of the following:

- The statutory duty imposed upon the Council as library authority under s.7(1) of the Public Libraries and Museums Act 1964 ('the 1964 Act'), namely that "It shall be the duty of every library authority to provide a comprehensive and efficient library service for all persons desiring to make use thereof, . . ." and of the provisions of s.10 (1) of the Act in relation to enforcement of that duty as well as other legislation which may be relevant (e.g. the Equality Act 2010 ('the 2010 Act') and the public sector equality duty);
- The principles with regard to the conduct of public consultation (often referred to as the 'Gunning' or 'Sedley' principles) set out in R(Moseley) -v- Haringey LBC (2014) UKSC 56, which can be summarised as follows:

(i) consultation must take place when the proposals are at a formative stage;
(ii) the proposer must give sufficient reasons for the proposals to permit of intelligent consideration and response;
(iii) adequate time must be given for consideration and response, and
(iv) the product of the consultation must be conscientiously taken into account in the finalisation of the proposals.

SUBMISSION

TLC's view is that the Council's decision to go out to consultation over the Christmas period and with so tight a deadline for responses (Sunday 14th January) is a blatant disregard of principle (iii) above. Because so many (too many, it is suggested) cuts are front-loaded to 2024-25, the scope for proper consultation is restricted. The consultation process could and should have started in Summer 2023, particularly as the Council would benefit from its regular contact with well-informed library users.

Moreover, with regard to the proposals which are floated in the consultation document, inadequate reasons are given to enable proper consideration (in breach of principle (ii)) and TLC would wish to see the reasoning fleshed out when firmer proposals are in being. This may mean a further consultation.

As things stand, the fact that the proposals are to be placed before the Council's cabinet on 6th February indicates that principles (i) and (iv) are being disregarded. The council will understand that the adequacy of any consultation process will be one of the matters to which the DCMS will have regard in connection with any complaint under s.10 of the 1964 Act.

The absence of an Equalities Impact Assessment is noted. This is a serious omission.

By way of further background, a search of the deprivation indices provided by the Church Urban Fund reveals significant areas of great-to-relative deprivation within the borough. This particularly affects the Wood Green, Coombe Croft, Marcus Garvey, Hornsey, St Ann's and Stroud Green &

Harringay libraries. The importance of deprivation in relation to the continuance in being of libraries which are capable of fulfilling the statutory duty imposed under s.7(1) is clear from the report of the Inquiry into Wirral libraries of September 2009. Furthermore, there is significant evidence that volunteer-run libraries are not appropriate as a model for the running of libraries in deprived areas - https://www.publiclibrariesnews.com/campaigning/volunteer-run-libraries/cons

While TLC is sympathetic to the financial problems which face the Council, along with other local authorities, lack of resources, though it may be relevant to how it discharges the statutory duty under s.7(1), cannot justify a failure to discharge the duty – R-v-East Sussex CC ex p. Tandy (1998) AC 714.

GENERAL OBSERVATIONS ON CUTS

TLC's general observations on the proposed cuts are set out in this paragraph, though more detailed observations are set out further below.

The library budget is currently £4.2m, itself less than adequate for a borough the size of Haringey. The proposed cuts (over the years 2024-25/2025-26 and 2026-27) would reduce the budget by 31% to £2.86m, which is definitely inadequate for the provision of a service compliant with the statutory duty.

The methods by which the Council proposes to achieve such savings (ending provision of hard copy magazines and newspapers; reduction of opening hours; making libraries self-service with reduced standards of operation, insofar as users will have to swipe in; volunteers to replace professional staff; toilet facilities removed where there are no staff; premises to be monitored remotely by CCTV and shared with other services and organisations) are contrary to the duties under s.7(2) "(a) of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are available for the borrowing of, or reference to, books and other printed matter…" and "(b) of encouraging both adults and children to make full use of the library service, and of providing advice as to its use and of making available such bibliographical and other information as may be required by persons using it…".

Rather they set the Council's library service on the path of terminal decline because they will discourage such persons as the elderly, those with disabilities (i.e. some of those with protected characteristics under the 2010 Act) or those with young children from using the service. Unaccompanied children must either be denied access to the library during unstaffed hours, or left without safeguarding if admitted.

DETAILED OBSERVATIONS ON SOME ASPECTS OF THE PROPOSALS

In general, libraries are being asked to bear too high a proportion of the overall budget cuts, especially given their function as a frontline people-facing service of particular importance to protected groups under the 2010 Act.

By way of illustration, the initial cost of in-sourcing the leisure service is put at £946,000 in 2024-25 and ELE plans multiple capital borrowings totalling £7,436,000 in 2024-25 to 2028-29. Leisure activity is undeniably beneficial but is less available to several protected groups. In this connection, it is proper to ask why Culture, Strategy and Engagement (CSE - with responsibility for libraries) is borrowing to fund £433,000 on various expenses for the leisure department (ERE – Environment and Resident Experience).

Inadequate regard is being had to the fact that by being available to give advice, information and help with digital interfaces, libraries also function as back-up to a large range of other council services, including early years, education, social services and housing. Cutting libraries staff would put intolerable pressure on these services.

With regard to the 'community library service option', this model has a poor record in terms of library functions; requires permanent support from the Council-run service; and has large and

unpredictable up-front costs. It would also be effectively outsourcing part of the CSE service at a time when the Council is making savings by bringing in-house other services (e.g. mental health, leisure) and seemingly thinks it is worthwhile to pay large sums to do so.

The details of potential reduced opening hours - where, when - are unknown. This is very important information.

There is a high upfront cost for installing self-service. And it should be noted that not all library premises have the straightforward visibility layout required, which has security implications (e.g. at Wood Green, Marcus Garvey).

It is also unclear what self-service means. It is implied that it would govern access to the premises, at least at certain times. This would deny access altogether to those not registered as members. Libraries are among very few public spaces that are warm, safe, informally accessible and where help and advice can be found. It is predictable that vulnerable people will suffer, and will present preventable problems to other services.

Currently there are areas that would make better areas for savings: e.g. lights that can't be switched off, premises over-heating, the need to convert to LED lighting. The local, detailed knowledge of Friends groups could certainly supply further practical ideas.

Has there been a proportionate reduction in the corporate re-charge?

There seems to be lavish provision overall for digital infrastructure, which, in the absence of detailed analysis, it might be thought could be trimmed with less damage than trimming a frontline service:
e.g. the cost increase for digital infrastructure - £1,150,000 in 2024-25.
e.g. numerous planned capital borrowings from 2024-25 through to 2028-29.

CONCLUSION

If the Council proceeds with the cuts which it is proposing, TLC will have no hesitation about lodging a complaint with the DCMS under s.10 of the 1964 Act and pursuing appropriate remedies with reference to the 2010 Act.

Yours faithfully
Laura Swaffield
Chair, The Library Campaign

The Library Campaign - supporting friends and users of libraries

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