

KENT COUNTY COUNCIL

GROWTH ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

MINUTES of a meeting of the Growth Economic Development and Communities Cabinet Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 20 May 2015.

PRESENT: Mr M A Wickham (Chairman), Mr S Holden (Vice-Chairman), Mr M Baldock, Mr A H T Bowles, Mr D L Brazier, Miss S J Carey, Mr I S Chittenden, Mr G Lymer, Mr B E MacDowall, Mrs E D Rowbotham, Mr C Simkins and Mr R Truelove

ALSO PRESENT: Mr P M Hill, OBE

IN ATTENDANCE: Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr J Pearson (Project Manager), Ms A Slaven (Interim Director Preventative Services), Miss T A Grayell (Democratic Services Officer) and Mr A Saul (Democratic Services Officer)

UNRESTRICTED ITEMS

80. Apologies and Substitutes
(Item A2)

Apologies were received from Mr Clark and Mr McKenna.

Mr Chittenden was present as a substitute for Mr Clark and Mr MacDowall was present as a substitute for Mr McKenna.

81. Declarations of Interest by Members in items on the Agenda
(Item A3)

There were no declarations of interest.

Mr MacDowall advised that he had previously met and discussed the petition with Mr Stainton.

82. Minutes of the meeting held on 14 April 2015
(Item A4)

RESOLVED that the minutes of the meeting held on 20 May 2015 are correctly recorded and they be signed by the Chairman. There were no matters arising.

83. Save our Public Libraries - Petition Scheme Debate
(Item A5)

1. The Chairman invited Mr Richard Stainton, the petition organiser, to address the Committee on the above petition. Mr Stainton presented the petition statement, which had been published with the agenda for the meeting. The petition statement

concluded by asking the Committee to demonstrate that it had listened by making a series of recommendations, as follows;

- i. that the petition statements be adopted by KCC as criteria against which any proposal be evaluated;
- ii. that as libraries are local to every KCC councillor, any final proposal be subject to a public agenda debate in full council;
- iii. that use of reserves (or reductions in continuing payments into reserves) be considered to avoid cuts to the library service; and
- iv. that no 'privatisation' of Kent's much-valued public library service be undertaken prior to it being 'tested' in 2017 election manifestos.

2. The Chairman then invited the Committee to debate the petition. During debate the following concerns were raised and views expressed;

- a) that there was no statutory obligation to keep 99 Libraries open and, as such, there could be enormous scope for closure;
- b) that change in this Service would be necessary to manage the decline in the use of Libraries and, should the Libraries, Registration and Archive Services have to draw on reserves, it would be irrefutable evidence that it would not be fit for purpose; and
- c) that the consultation was not a fair representation of the people of Kent and needed to be more comprehensive.

3. Following the petition debate, Mr Hill, the Cabinet Member for Community Services, reassured the Committee and Mr Stainton that the proposal was, in his view, the best way to protect the County's Library service. He responded to points raised in the petition by confirming the following, were Kent's libraries to become a Charitable Trust:

- a) Kent's libraries would remain free and open;
- b) even if Kent's Libraries, Registration and Archive Services were to become a Trust they would meet the petitions operational demands. The service would continue to employ professional librarians with volunteers providing additional support; and
- c) were the Trust to be established the Cabinet Member for Community Services would still be democratically accountable for the service.

4. In response to questions and concerns raised in the petition debate, Mr Hill informed the Committee of the following:

- a) he was confident following the consultation that he could take account of all the points raised;
- b) the Trust would operate through a contract with Kent County Council, which could be terminated;
- c) Library Trust status would not be irreversible; and
- d) the Trust would be unable to close any library or make any significant change to the service without the approval of Kent County Council.

5. Mr Hill then responded to the four recommendations set out in the Petition Statement by confirming the following:

- a) there was no problem with this first recommendation;
- b) any proposal would be subject to the Councils' normal process of full public debate at the relevant Cabinet Committee as stated in the Councils' Constitution. A single service matter would go to the appropriate Cabinet Committee as opposed to the full County Council;
- c) advice from the Director of Finance and Procurement had confirmed that the use of reserves for ongoing revenue commitments for any specific service was inappropriate, specifically for the Kent County Council to meet its budgetary requirements in future; and
- d) there were no proposals to privatise Kent's Libraries, Registration and Archive Services.

6. Mr Baldock proposed and Mrs Rowbotham seconded that the consultation be repeated, prior to new legislation being introduced, to ensure a more comprehensive response from the public.

Lost, 5 votes to 6.

7. The Committee agreed to note the petition and thanked the petitioners for bringing this to its attention.

84. Decision on proposed model of delivery for Library, Registration and Archives Services
(Item B1)

1. Mr Hill introduced the report, which set out a proposed charitable trust model of delivery for the Library, Registration and Archive Services. Reassurance was given that there were no proposals to reduce library branches. He explained that he had been in conversation with the General Registration Office (GRO) who has concluded that primary legislation will be required before Registration staff can be transferred to a Trust. The GRO could not give a timescale but does acknowledge that the current legislation is not fit for purpose. It was emphasised that this transformation was part of a phased journey. He described the model proposed in the report as a continuum to modify the service in house and move to a Trust model when Government legislation allows.

2. Mr Pearson presented a series of slides which clarified the consultation process, consultation results and registration service implications, as well as the next advised steps in the transformation process.

3. Mr Hill, Ms Slaven and Mr Pearson responded to questions and comments from member, including the following:-

- a. whether or not a new consultation would be required closer to the date would depend on the timing of the required new legislation. Mr Hill confirmed that he would follow the advice of the Director of Governance and Law on this matter and that if a significant length of time had passed before this then a second consultation, would be likely to be necessary;
- b. reassurance was given that the buildings would be leased to the Trust and that Kent County Council would retain ownership of them;

- c. in response to concerns raised with regard to the future of Kent's archives, Mr Hill explained there were two types of archives to take into account; those archives held by Kent County Council would remain in Kent County Council ownership and be made available by the Trust, while those deposited by others, would require negotiation with the owners to decide how they would operate alongside new model;
 - d. there was no intention to change the current mobile libraries service as this was a vital service and the Libraries, Registration and Archives Services were fully committed to widening public access to them;
 - e. if a Trust model were to be adopted, the Library, Registration and Archives Service would transfer all of its employees directly over to the Trust, via TUPE, and voluntary workers would not undertake any task that should be completed by paid staff. It was also stated that it would be up to the Trust to determine its own relationship with the unions. Reassurance was given that, as a Trust, it would be within its interest to maintain a good relationship with the unions; and
 - f. a view was expressed that, in considering the report, the Cabinet Committee must take into account the number of the electorate which did not make use of the Library service.
4. The report's recommendation was put to vote and was carried;

7 votes to 4.

The following Members asked that their dissention be recorded;

Mr M Baldock, Mr B MacDowall, Mr R Truelove and Mrs E Rowbotham

5. RESOLVED that;
- a) the decision proposed to be taken by the Cabinet Member for Community Services, to retain the service in-house until such a time as the Registration Service can be externalised and form part of an integrated Libraries, Registration and Archives Trust, be endorsed;
 - b) at that time a new decision would be required, and in parallel the in-house service would be internally commissioned against an agreed specification and deliver the required Medium Term Financial Plan (MTFP) savings. The County Council would push for the necessary legislative change to enable the full benefits of an integrated Libraries, Registration and Archives service in an externalised model to be realised.

Chairman..... Date