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Acting Leader  
Northamptonshire County Council  
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19<sup>th</sup> March 2018

*Dear Matt*

The Chief Executive of The Library and Information Association (CILIP) has raised with me his concerns regarding the library service provision to be provided by Northamptonshire County Council (NCC).

You will be aware that it is my duty to superintend, and promote the improvement of, the public library service provided by local authorities and secure the proper discharge of the duties conferred on local authorities under the Public Libraries and Museums Act 1964 (the Act). Under the Act, I may intervene if I am of the opinion that a local authority is failing to carry out its duty under the Act to deliver a "comprehensive and efficient" library service for library users, by making a remedial order following a local inquiry. The local inquiry can be commenced either on receipt of a complaint or of my own motion.

I am aware that NCC Full Council agreed at its meeting on Wednesday 28 February to implement Option 2 of its library proposals. This means NCC would retain 15 staffed static libraries (eight large and seven medium libraries), with the remaining 21 static libraries to either close or become independent libraries (operating outside NCC's statutory service). I understand the agreed changes also include the closure of the mobile library, but with the intention to extend the current outreach "Library to You" service for library users who find it difficult to access a static library.

CILIP's representations raised concerns that the changes mean that NCC will not meet its statutory duty under the Act to provide a comprehensive and efficient library service and have asked that I investigate. CILIP claim that the closure of a significant number of static libraries and the mobile library service, together with the establishment of independent libraries outside of the statutory service means that NCC is failing to deliver its statutory duty. CILIP also claim that in making the decision NCC failed to consider the option of a community managed library service within the statutory service.

CILIP allege that NCC failed to consult on the option approved by the NCC Full Council and that Option 2 agreed by the council, noted above, was not the same option as that included in the public consultation. CILIP also raise concerns about the Equality Impact Assessment and suggest that there is a risk that NCC is in breach of its statutory duty under the Equalities Act 2010. CILIP further allege that NCC failed to take notice of financial advice provided to the council that indicated that the financial modelling used to inform decisions about changes to the library service was flawed and that the proposed service reductions would not meet the financial targets used to justify them.

The Department is treating the correspondence from CILIP as a complaint under section 10(1)(a) of the Act that NCC is failing to carry out its duties relating to the public library service imposed on it by or under the Act. It is important to note that the decision to treat the representations as a complaint under the requirements of the Act is not an assessment of whether the Council is delivering a comprehensive and efficient library service.

In order to consider the complaint fully and to decide if a local inquiry is needed to resolve any serious doubt or uncertainty as to whether the Council is complying with its statutory duties under the Act, we firstly need to collate all the relevant information regarding the changes to the library services. I am aware that my officials have spoken with representatives of First for Wellbeing regarding the Council's library changes. My officials will now wish to discuss further with relevant representatives the fuller detail that is required to assist our consideration of the complaint. With that in mind I note the letter of 7 March from the former Leader of NCC in response to the CILIP letter and I can confirm that the detail will be included in the evidence we need to gather to assist consideration of the complaint.

There is no set timetable for me to consider a complaint that a local authority may be failing to carry out its duties in accordance with the Act, and this will vary depending on the complexity of issues to be addressed and the volume of detail to be analysed. I have asked my officials to follow up with your officers to seek to make progress with consideration of the complaint.

I am also aware that the independent inspector, appointed by the Secretary of State for Housing, Communities and Local Government, submitted his report on 15 March and has concluded that NCC has failed to properly comply with its Best Value duty under the Local Government Act 1999 (the 1999 Act). The Secretary of State is currently considering whether or not to exercise his powers of intervention under section 15 of the 1999 Act. My Department is engaging with the Ministry for Housing, Communities and Local Government to determine whether any decisions taken by their Secretary of State have any implications for the consideration of this complaint.

A similar letter is being provided to CILIP, and a copy of this letter is being provided to Northamptonshire MPs.



**The Rt Hon Matt Hancock MP**