



Department for
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County Councillor Geoff Driver CBE
Leader of Lancashire County Council
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Dear Councillor Driver,

Local inquiry into library provision in Lancashire

The Secretary of State has considered whether to intervene by directing an inquiry under the Public Libraries and Museums Act 1964 ("the Act") into the changes in the library provision in Lancashire. He has decided not to direct a local inquiry for the reasons set out below.

On 11 April 2017, the then Secretary of State decided that she was minded to order an inquiry under the Act ("the minded to letter"), but invited further representations before taking a final decision. The letter also indicated that further specific information was needed, from Lancashire County Council (LCC), to inform the final decision.

As explained in the minded to letter, it is the duty of the Secretary of State 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 Act. A wide range of approaches are open to the local authority when deciding how to provide a comprehensive and efficient library service. It is not the function of the Secretary of State to substitute his opinion for that of the democratically accountable local authority. The question which the Secretary of State must consider is whether the LCC library service is comprehensive and efficient.

The Secretary of State may intervene by directing a local inquiry following a complaint that a local authority has failed to carry out its duties under the Act, or of his own motion. His approach in deciding whether to direct an inquiry has been to ask himself whether, having regard to the duties on him and the local authority, there is good reason in all the circumstances for him to direct an inquiry at the present time.

In taking that decision, the Secretary of State has given consideration to a number of factors. They include:

- Whether there is any serious doubt or uncertainty as to whether LCC is (or may cease to be) complying with its legal obligation to provide a comprehensive and efficient library service.
- Whether LCC appears to be acting in a careless or unreasonable way.
- Whether the decision is or may be outside the proper bounds of LCC's discretion, such as a capricious decision to stop serving a particularly vulnerable group in the local community.
- Whether LCC appears to have failed to consult affected individuals or to carry out significant research into the effects of its proposals.
- Whether LCC has failed to explain, analyse or properly justify its proposals.
- Whether the local proposals are likely to lead to a breach of national library policy.
- The advantages of local decision making by expert and democratically accountable local representatives.
- Whether there is any further good reason why a local inquiry should be ordered.

Library changes in Lancashire

The library changes in Lancashire originally approved by LCC's Cabinet on 8 September 2016 involved the reduction in the number of Council run static libraries from 73 to 44 (39 fixed library sites and 5 satellite sites), but with the retention of a mobile library service consisting of six vehicles, home library service, virtual library service and the provision of a schools and prisons library service.

Since the minded to letter there have been a number of changes that have impacted the previously agreed plans for the library service. This has included the election of a new Council administration which indicated it was committed to reviewing the library service as well as re-opening previously closed libraries. In addition, LCC has also completed and implemented a review of library opening hours, along with the introduction of a number of other initiatives to develop the library service in Lancashire. As a result of these actions the Secretary of State understands this has resulted in a revised statutory service in Lancashire at the end of January 2019 comprising of:

- 59 static libraries;
- mobile library service consisting of six vehicles;
- home library service;
- virtual library service; and
- the provision of a schools and prisons library service.

He further understands that LCC intend re-opening a further four static libraries in the near future, as part of the statutory service and that LCC is undertaking on-going discussions about the future re-opening of two other static libraries, again as part of the statutory service.

The LCC statutory service is complemented by a number of independent community libraries developed in partnership with local community groups, delivery library services, outside of the statutory service. These libraries are in receipt of a support package from LCC including a £5,000 set up grant and a £1,000 annual grant, together with on-going library professional support from a permanent LCC Community Library Manager. As at the end of January 2019, three libraries were open as independent community libraries with LCC undertaking on-going work to open two further independent community libraries in the near future.

The Secretary of State therefore understands that the outcome of these actions means that at the end of January 2019, there are 62 static libraries open in Lancashire, with four more due to re-open shortly and discussions on-going to re-open four further libraries. This would mean that only three static libraries being permanently closed compared to the 29 anticipated in the original agreed proposal.

Further representations

Seventeen representations were received from local residents in response to the minded to letter. No new issues were raised, although the representations did comment on the closure of four other libraries in the county that were additional to those referred to in the original complaint.

LCC also responded indicating that since receipt of the minded to letter a new Leader and administration had been elected. LCC also confirmed the Council was reconsidering the previously agreed library changes and indicated they required time to complete a review and decide how the library service best served Lancashire residents. Since then LCC has provided additional information in response to requests for further clarification from DCMS that has provided the Secretary of State with an update regarding the review of the library service, progress with the re-opening of static libraries and confirmation of the revised statutory library service in Lancashire.

LCC full Council met on 20 July 2017 and agreed to re-open libraries previously closed, to further the proposals for development of independent community libraries and agreed additional funding to meet building works and running costs of re-opening closed libraries.

Decision

The Secretary of State's duty is one of superintendence and not every alteration in library provision will justify a costly local inquiry and the uncertainty that it brings. In the present case, the Secretary of State's view is that an inquiry is not appropriate.

The specific question which the Secretary of State must consider is whether the statutory library service at the end of January 2019 is comprehensive and efficient. For the purposes of his assessment as to whether to order a local inquiry, the Secretary of State has based his view solely on the Council run static libraries, a mobile library service consisting of six vehicles, a home library service, virtual library service and the provision of a schools and prisons library service. The independent community libraries have not been taken into account.

As set out in the minded to letter, the criticisms made by the complainants regarding the library service provided by LCC have been carefully considered, having regard to the those factors considered as particularly relevant to this matter. The Secretary of State notes the further representations received, as well as the clarification provided by LCC.

The Secretary of State notes the LCC Council decision of July 2017 to re-open libraries previously closed, to further the proposals for development of independent community libraries and to provide additional funding to meet building works and running costs of re-opening closed libraries.

The Secretary of State recognises that there has been a reduction in the number of static statutory libraries, but that LCC has reopened the vast majority of static libraries that had previously been identified for closure, as part of the statutory service. He considers that LCC's decision to reopen libraries has increased the number of static libraries open to residents, has reduced travelling times for library users and improved accessibility for all. He notes that this change provides a positive impact particularly on older and younger people, as well as those with disabilities who may rely on public transport to access library services.

The Secretary of State notes library opening hours review undertaken by LCC aimed to introduce greater consistency of access to libraries across the county and provide better geographical coverage of late opening hours across the county. He further notes the outcome of the review resulted in an increase in the total weekly opening hours of the static libraries. He also recognises that the opening hours for re-opened static libraries took account of the size of community being served by the library, as well as the opening hours of other libraries in the locality.

The Secretary of State understands that LCC will be undertaking a formal review of their mobile and home library service, in the coming months. He notes that LCC are keen to ensure that these services fully meet the needs of children, older people and vulnerable adults who may not be able to access library services council run static libraries. He also understands that LCC are also procuring two new replacement mobile vehicles and are to begin a rolling programme of mobile vehicle replacement.

The Secretary of State is also aware of other initiatives introduced or planned by LCC to improve the library service for Lancashire residents. This includes an increase in the value of the Book Fund, as well as a review of the public network computer system later in 2019. The intention is to ensure the network is fit for purpose and delivers digital support to local residents ensuring that Lancashire is providing a workforce skilled for the future and is digitally inclusive.

Conclusion


The library proposals agreed at the Council meeting of September 2016 were not taken forward by the new administration following the Council election of May 2017. The new Council administration has sought to reverse the previously agreed decision to close libraries. Over the last couple of years LCC has re-opened the vast majority of those libraries identified for closure as part of the original proposals and by doing so has improved the accessibility to its static libraries, for all users, but in particular older and younger people, as well as those with disabilities who may rely on public transport to access library services. LCC has and continues to provide support to assist the

establishment of independent community libraries, including financial assistance, as well as support from a permanent Community Library Manager, together with. Three independent libraries have already been established, with the potential for another two pending.

In view of the decision by the new LCC administration not to proceed with library service proposals agreed in September 2016, including the closure of 29 libraries, and their decision to reopen the vast majority of previously closed static libraries, as part of the statutory service, along with the introduction of a number of other initiatives to develop a comprehensive and efficient library service for Lancashire residents, the Secretary of State considers there is no good reason to order an inquiry.

The Secretary of State is satisfied that LCC's library provision offers a comprehensive and efficient service. This is based on the overall model of 59 static libraries, a mobile library service consisting of six vehicles, a home library service, virtual library service, the provision of a schools and prisons library service, and the re-opening of further static libraries in the near future. The Secretary of State does not consider that there is any serious doubt or uncertainty relating to the library services provided by LCC to justify holding an inquiry.

The Secretary of State does not believe there to be any other good reason why an inquiry should be ordered. However, he recognises that the duties under the Act are ongoing, and will continue to monitor the Council's compliance with its duty to provide a comprehensive and efficient library service in the same way as with any other library authority.

Yours Sincerely,


Michael Ellis MP
Minister for Arts, Heritage and Tourism