



Department for  
Digital, Culture,  
Media & Sport

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Councillor David Renard  
Leader  
Swindon Borough Council  
Civic Offices  
Euclid Street  
Swindon SN1 2JN

INT2020/08480/DC  
4 June 2020

Dear Councillor Renard,

### **Local inquiry into library provision in Swindon**

1. 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 Swindon. He has decided not to direct a local inquiry for the reasons set out below.
2. On 23 October 2019, the previous Secretary of State decided that she was not minded to direct an inquiry under the Act (“the minded to letter”), but invited further representations before taking a final decision.
3. The background and general principles which are relevant to this decision are set out in the minded to letter, which should be read in conjunction with this letter.
4. 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 SBC library service, as revised by the changes agreed by its Cabinet on 7 December 2016, there is any serious doubt or uncertainty as to whether the local authority is (or may cease to be) complying with its legal obligation to provide a comprehensive and efficient library service.
5. 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.
6. Before reaching a decision in this case the Secretary of State carefully considered and weighed relevant factors. They included:

- Whether the local authority appears to be acting in a careless or unreasonable way.
- Whether the decision is or may be outside the proper bounds of the local authority's discretion, such as a capricious decision to stop serving a particularly vulnerable group in the local community.
- Whether the local authority appears to have failed to consult affected individuals or to carry out significant research into the effects of its proposals.
- Whether the local authority has failed to explain, analyse or properly justify its proposals.
- Whether 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 Swindon

7. The library changes in Swindon approved by SBC's Cabinet on 7 December 2016 resulted in a revised statutory library service provision. In summary, the Secretary of State understands that the statutory service comprises five core static libraries - Central, Highworth, North Swindon, Park and West Swindon - a home library service and an outreach service.
8. SBC has introduced extended opening hours in all its core libraries which enables library users to access these libraries outside of staffed opening hours. This means that library users can access each of the five core libraries seven days per week from 8.00am and until 8.00pm on six days a week. The five core libraries are open for more days per week than prior to implementation of the agreed changes, and they also offer increased early morning and evening access.

#### Further representations

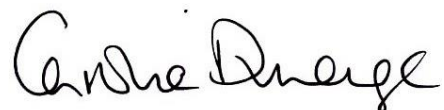
9. No further representations were received in response to the minded to letter.

#### Decision

10. 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.
11. The specific question which the Secretary of State must consider is whether the statutory library service provision, after implementation of SBC's proposals, of five core static libraries, a home library service and an outreach service is comprehensive and efficient.
12. The minded to letter set out the main criticisms, summarised below, made by the complaints, regarding the agreed changes to the library service provided by SBC. These criticisms have been carefully considered, having regard to all of the factors listed on page 2.
  - a reduction in the number of statutory core libraries from 15 to five;
  - cessation of SBC funding to the other 10 remaining libraries will result in multiple closures;
  - concerns regarding the reduction in staffed hours at Highworth library and the impact upon users of this library of limited access to its services and activities; and
  - the consultations and final decision disregarded representations made and the final Council decision was predetermined.

13. The Secretary of State notes that no further representations have been received and considers the conclusions detailed in the minded to letter remain.
14. The Secretary of State recognises that there has been a reduction in the number of static libraries and considers that SBC made changes to the original number of libraries proposed in response to consultation feedback. He also considers that SBC reasonably considered alternative options and explained and properly justified the agreed changes. He notes that SBC sought to engage directly with representative groups that could be affected by the changes and made reasonable efforts to reduce the impact upon groups of residents that may be more adversely impacted. He is also satisfied that SBC gave due regard to its statutory duty to provide a comprehensive and efficient library service. SBC has considered the location of its core libraries and increased opening hours to enable extended access to the core library network to ensure its library service remains accessible to residents on an efficient basis and deliver a comprehensive service. This is supplemented by a home library service and an outreach service.
15. The Secretary of State is satisfied that SBC's library provision offers a comprehensive and efficient service. The Secretary of State does not consider that there is any serious doubt or uncertainty that the library services provided, based on the overall model of five core static libraries, a home library service and an outreach service offers a comprehensive and efficient service to justify holding an inquiry.
16. 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.

With best wishes,



**Caroline Dinenage MP**  
Minister of State for Digital and Culture