
Granting the Leasehold of the Stratfield Mortimer Library Building to Stratfield Mortimer Parish Council

Committee considering report:	Executive on 16 January 2020
Portfolio Member:	Councillor Rick Jones
Date Portfolio Member agreed report:	26 November 2019
Report Author:	Paul James
Forward Plan Ref:	EX3865

1. Purpose of the Report

- 1.1 To seek approval for Stratfield Mortimer Parish Council's (SMPC's) request for the Council to grant a 99 year lease of the Stratfield Mortimer Library building so they can increase community use of the building alongside the Council's library service.

2. Recommendations

- 2.1 To work with SMPC to negotiate a 99 lease of the building to the parish council and a Joint User Agreement so that:
- SMPC is responsible for the cost of the maintenance and upkeep of the building delivering a saving to be reinvested in the library service to improve resilience.
 - The Council maintains its statutory responsibility for delivering a library service - set out in a Joint User Agreement between the Council and SMPC.
 - SMPC are able to continue using the building as their parish council office without paying rent to the Council.
 - SMPC are able to develop the use of the building for community purposes – for example, as Hungerford Town Council has done since taking over the Hungerford library building.
 - SMPC are able to invest in the building to increase the community facilities available – for example, a meeting room, a publicly accessible toilet facility, storage.
 - The Council and SMPC continue to work together to increase the use of the library service and other community activities in the building for the benefit of residents.
- 2.2 For Legal, Property and Library Services to work with SMPC to agree the Heads of Terms of the lease and Joint User Agreement by April 2020 or as soon as is possible thereafter.
- 2.3 That Property Services identify a value for the asset using the Depreciated Replacement cost methodology.

3. Implications

- 3.1 **Financial:** Leasing the building to SMPC delivers a modest saving to the Library Service of about £4000 per annum to be reinvested in the service to improve resilience. However, there is no overall revenue budget saving for the Council because of the loss of the annual rateable value charge. The capital cost of maintenance and repair passes to the parish council. The Council undertook a major refurbishment of the building 5 years ago and it is in good condition with no major works outstanding. There may be some minor repairs and maintenance to complete in order to transfer the asset to SMPC. This will be investigated as part of the project.
- 3.2 **Policy:** The proposal helps to achieve the following strategic aims and priorities:
The Council's vision and priorities for improvement: Working together to make West Berkshire an even greater place in which to live, work and learn. Ensure sustainable services through innovation and partnership. Support everyone to reach their full potential. Ensure our vulnerable children and adults achieve better outcomes.
The Health & Well-Being Boards' strategic objectives: Everyone can fulfil their potential. Health & Well-being of everyone is prioritised.
- 3.3 **Personnel:** The Library Service will continue to provide one full-time member of staff at Stratfield Mortimer Library and be responsible for library volunteers.
- 3.4 **Legal:** The proposal requires the negotiation of a 99 year lease to SMPC.
- 3.5 **Risk Management:** The proposal reduces the financial risk to the Council of maintaining the building in the long-term. Good partnership relationships can be maintained through a library working group including community representatives, SMPC and the Library Service. SMPC are able to fund their commitment through their precept and income generation.
- 3.6 **Property:** A value will be estimated for the asset by Property Services using the Depreciated Replacement cost methodology.
- 3.7 **Other:** The proposal strengthens the partnership between the Council and SMPC to increase the usage of library services and other community events and activities for the benefit of residents.

4. Other options considered

- 4.1 Continuing with the current arrangements; including the ongoing cost of maintaining the building and limiting community access to 19 hours per week.

Executive Summary

5. Introduction / Background

- 5.1 The Council conducted a review of the library service in 2016 which resulted in a 44% / £690,000 reduction in budget and staffing from financial year 2017-18. The new library service began on 3rd July 2017. From that date we have operated 7 libraries (Wash Common was closed and is now run as a community library separately from the Library Service), the Mobile and At Home services. Staff are supported by about 250 volunteers. Hungerford Library building was leased to Hungerford Town Council who set up a community charity to operate the building as a community hub.
- 5.2 The principles of the library service are as follows:
- The Council provides the statutory library service as required under the Public Libraries and Museums Act 1964.
 - Partnerships with town and parish councils, library support groups and library volunteers are vital to increase community involvement and ensure the service meets local needs.
 - The service model is based upon an assessment of community needs.
 - The extent of the service is limited by the resources available.
 - Library services can be delivered in a number of ways and locations – Council buildings, a range of other venues, mobile and at home services, online.
 - New ideas and flexibility to do things differently are key to making libraries more sustainable.
 - The service needs to deliver core services consistently while branch libraries can develop differently from each other to reflect the communities they serve.
- 5.3 The Stratfield Mortimer library building is under used. Assuming that many community centre buildings can be open at least 12 hours a day - the library is only open 19 hours a week and occasionally for parish council meetings.
- 5.4 SMPC have their office to the rear of the building and current pay £3250 a year rent and a voluntary contribution to the Library Service of £3750. This would cease when they lease the building. The cost to SMPC of them taking on the running costs of the building is about the same as they pay in rent and voluntary contributions.
- 5.5 The building underwent a major refurbishment 5 years ago and is in good condition. It is a purpose built library building built by the Council on land donated in a bequest from the estate of a local resident. It was a condition of that bequest that the land be used to provide a library.
- 5.6 SMPC has proposed that they take on the responsibility of the building – including the cost of maintaining it - so that the library service continues there and so they can develop other community events and activities for the benefit of their residents.
- 5.7 No value has been sought for the asset at this stage. Property Services can seek a value using the Depreciated Replacement cost methodology, an accountancy tool where the cost of the building is depreciated over time. This methodology was used to identify a value for Hungerford Library building when it was transferred to the town council.

6. Proposals

- 6.1 To adopt the recommendations to transfer the asset to the parish council by means of a 99 year lease with a Joint User Agreement to enable the Council's library service to operate within the building.
- 6.2 To reinvest any revenue budget saving for the Library Service in the service to improve resilience.
- 6.3 SMPC propose to carry out a local public consultation on their proposal in January 2020.
- 6.4 That the Council's Legal and Property Services work with the Library Service and SMPC to negotiate and manage the transfer of the asset and the development of a Joint User Agreement.
- 6.5 That Property Services identify a value for the asset using the Depreciated Replacement cost methodology, an accountancy tool where the cost of the building is depreciated over time.

7. Conclusions

- 7.1 There will be a further review of the Library Service in early 2020. This will look again at the Needs Assessment undertaken in 2016 and propose options that continue to meet residents' needs. For example, Burghfield Library is 2.8 miles from Stratfield Mortimer library and having two libraries in such comparatively close proximity may not be the best way to meet needs across a large rural district.
- 7.2 Transferring branch library buildings to the care of the local community meets many of the Council's and Public Health's aims, objectives and priorities and has been tested with the transfer of the Hungerford library building to the town council two years ago.
- 7.3 The proposal reduces risk for the Council - for example, by removing the revenue and capital costs and risks of maintaining the asset in the long-term. The revenue cost savings for the Library Service are small (about £4000p.a.) and there is no revenue saving to the council as a whole as SMPC can apply for 100% rate relief.
- 7.4 The expenditure for SMPC is about the same as they currently pay in rent and voluntary contributions.
- 7.5 The model is more sustainable because the council transfers the ongoing costs of maintaining the building to SMPC while they have the means to increase income from the asset through community events and activities outside library service opening hours, their precept and other funding not available to the Council.
- 7.6 The proposal builds a stronger partnership between the council and the parish council and the local community. This is key to increasing library usage, community use of the asset and therefore making the library service more sustainable for the foreseeable future.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Background information: Costs and benefits / Library usage data

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Economy and Environment
Service:	PP&C
Team:	Culture and Libraries
Lead Officer:	Paul James
Title of Project/System:	Transfer of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.
Date of Assessment:	5 th November 2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	NO
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	NO
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	NO
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	NO
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	NO
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	NO
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	NO

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the Council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Transfer of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.
Summary of relevant legislation:	The Council has a statutory responsibility to provide a library service (Libraries and Museums Act 1964)
Does the proposed decision conflict with any of the Council's key strategy priorities?	No. The strategy supports the delivery of key strategies and priorities.
Name of assessor:	Paul James
Date of assessment:	5 th November 2019

Is this a:		Is this:	
Policy	No	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	No
Function	yes	Is changing	No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	The proposal aims to increase community use of Stratfield Mortimer Library for library and other community purposes for residents and visitors.
Objectives:	Increase access to library and community activities and services. Improve health and well-being and attainment for all.
Outcomes:	The library building is used to its full potential for library services and community events and activities. Any savings are to be reinvested in the service to improve resilience.
Benefits:	Ensure sustainable services through innovation and partnership. Support everyone to reach their full potential. Ensure our vulnerable children and adults achieve better outcomes.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this
Age	Improved access to library services and community events and activities for all.	See report
Disability	Improved access to library services and community events and activities for all.	See report
Gender Reassignment	Improved access to library services and community events and activities for all.	See report
Marriage and Civil Partnership	Improved access to library services and community events and activities for all.	See report
Pregnancy and Maternity	Improved access to library services and community events and activities for all.	See report
Race	Improved access to library services and community events and activities for all.	See report
Religion or Belief	Improved access to library services and community events and activities for all.	See report
Sex	Improved access to library services and community events and activities for all.	See report
Sexual Orientation	Improved access to library services and community events and activities for all.	See report
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The proposal aims to increase access to library and community events and activities for all.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The proposal aims to increase access to library and community events and activities for all.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No.
Owner of Stage Two assessment:	Paul James
Timescale for Stage Two assessment:	5 th November 2019

Name: Paul James

Date: 5th November 2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

APPENDIX C: Granting the leasehold of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.

1. Introduction/Background

1.1 See Summary Report.

2. Costs and benefits for WBC and SMPC

2.1 The proposal transfers responsibility for the maintenance and repair of the building to SMPC with the following cost, income and investment implications for the council and SMPC:

	Library Service Budget 2019-20		SMPC	Proposal		Note
Expenditure		WBC	SMPC	WBC	SMPC	
Staff	Library staff total cost	18000	0	18000	0	
Premises	Energy, repairs, phones etc	9600	0	800	8200	
	Rates	4000	0	0	0	note 1
Other	Marketing/promotion	300	0	200	0	
	Office rental SMPC	0	3250	0	0	
	Voluntary contrib SMPC	0	3750	0	0	
	Total costs	31900	7000	19000	8200	
Income						
Fees & charges	Library fines, sales	1000	0	1000	0	
Activities	Events, venue hire	0	0	0	1000	note 2
Rent	Office rental SMPC	3250	0	0	0	
Parish Contrib	Voluntary contrib SMPC	3750	0	0	0	
	Total income	8000	0	1000	1000	
	net cost to council	23900		18000		
	net cost to SMPC		7000		7200	

Note 1	Assumes SMPC get 100% rate relief
Note 2	Estimate of activity and venue hire income for SMPC Year 1

In summary, the revenue cost savings for the Library Service are small and will be reinvested in the library service to improve resilience. However there is no revenue saving for the council overall as SMPC will be able to apply for 100% rate relief. The expenditure for SMPC is similar to what they currently pay in rent and an annual voluntary contribution. The model is more sustainable than the current position because the council transfers the ongoing costs of maintaining the building to SMPC while they have the means to increase

income from the asset through community events and activities, their precept and other funding not available to the Council.

3. Library usage 2018-19 compared to 2017-18

	2017-18	2018-19
Visitors to the library	12594	13872
Loans / renewals of stock	14332	14646
Active borrowers	775	659
New borrowers	125	144
Stock reservations placed	688	622
Public PC usage (hours)	304	274
No. of visits to public PCs	576	456
Weekly staff hours	20.5	20.5
No. of volunteers	22	23
Volunteer hours	557	758
Weekly opening hours	19	19
Summer Reading Challenge participants	120	132

In summary, a council only service (i.e. not run in partnership with a parish council) limits the building to being open 19 hours a week and it is a reasonable assumption – as in the case of Hungerford Library which is now open about 70 hours a week – that the proposal will increase the use of the building for library and other community activities.

4. Conclusion

4.1 See Summary Report.

5. Consultation and Engagement to date

- 5.1 Stratfield Mortimer Parish Council
- 5.2 WBC Executive Portfolio Member for Culture.
- 5.3 Devolution Working Group
- 5.4 Asset Management Group
- 5.5 Corporate Board.

Wards affected: Stratfield Mortimer parish

Officer details:

Name: Paul James
Job Title: Culture & Libraries Manager
Tel No: 01635 519 075
E-mail Address: paul.james@westberks.gov.uk
