

EXECUTIVE

15th September 2022

Report Title	Raunds Library (Community Managed Library Programme)
Report Author	David Watts, Executive Director for Adults, Communities and Wellbeing
Lead Member	Cllr Helen Howell - Executive Member for Sport, Leisure, Culture & Tourism

Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

None

1. Purpose of Report

- 1.1. This report is to brief the Executive on the competitive process undertaken in July 2022 to determine the best organisation to take on the community management of Raunds Library and to seek approval to enter into a lease with the organisation with a reduction of 40% on the market rent in line with all other community managed libraries in North Northamptonshire.

2. Executive Summary

- 2.1. The Community Managed Library transfer programme approved by Northamptonshire County Council (NCC) following a needs assessment in 2017 has progressed and 7 of the libraries in North Northamptonshire, which were identified as not required to fulfil the statutory duty, have successfully transferred to community organisations.

- 2.2. Following a final call for expressions of interest in May 2022, two organisations expressed an interest in taking on the running of Raunds Library as a community managed library.
- 2.3. Business cases were requested from the two organisations and a competitive process overseen by North Northamptonshire Council (NNC) procurement was undertaken in July 2022 to determine which of the two organisations would be most suitable to run the Raunds Community Managed Library.
- 2.4. The successful business plan was submitted by Creating Tomorrow Multi-Academy Trust in partnership with Raunds Community Library Trust.
- 2.5. The decision to proceed with the handover to the Creating Tomorrow Multi-Academy Trust in partnership with Raunds Community Library Trust has been taken under delegated powers approved through the Executive report dated 16th June 2022.
- 2.6. Approval is now sought from Executive to proceed in entering into a lease with Creating Tomorrow Multi-Academy Trust at a 40% reduction on the market rent for the purpose of delivering a community managed library in Raunds.

3. Recommendations

- 3.1 It is recommended that the Executive:
 - a) Approves entering into a lease for the Raunds Library property with Creating Tomorrow Multi-Academy Trust at 40% reduction on the market rent in line with the community managed libraries that transferred under NCC.
 - b) Delegates authority to the Executive Member Sport, Leisure, Culture, Tourism in conjunction with the Executive Director, Adults, Communities and Wellbeing to take any action necessary to complete the lease arrangements.
- 3.2 Reasons for Recommendations: The approval of this recommendation will enable the officers to proceed with the transfer of Raunds Library to be community managed, whilst maintaining the integrity of the Community Managed Library transfer programme as a whole and the duty of NNC to obtain best value.
- 3.3 Alternative Options Considered: The Council could choose not to enter into a lease at 40% reduction on the market rent, but this has been discounted as it would not be in keeping with the approach taken across the rest of the Community Managed libraries programme and could lead to significant reputational damage and the potential for community organisations to pull out of the process.

4. Report Background

- 4.1. In 2017, as part of the requirement for Northamptonshire County Council to manage its severe financial challenges and produce a legal budget a detailed needs analysis was carried out to identify which of the county's 36 libraries were required in order for the Council to meet its statutory duty of delivering "...a comprehensive and efficient library service..." as set out in the Public Libraries and Museums Act 1964.
- 4.2. The result was that 15 libraries were identified as being required. Three proposals were put forward for consideration and an extensive public consultation took place following this to gather input from the public about the proposed options. Plans began to progress one of the options which would see the remaining 21 non-statutory libraries offered out to local community organisations to be run as community managed libraries with support from the Council. If no group came forward with a viable business case for a particular library, then that library would close.
- 4.3. Conditions for the transfer were that the Council would continue to provide computer systems and hardware, existing and new book stock and a level of professional support to enable the library to remain part of the network of libraries countywide. For their part the group must put forward a viable business plan outlining how they intended to cover the costs of the property which houses the library and any staffing required to run the library whether paid or volunteer.
- 4.4. In recognition of the contribution that the organisations were making and the value to local communities of having local access to library facilities, the County Council agreed to offer a 40% reduction on market value rent costs to those organisations wishing to lease the library building for the purpose of running a community managed library.
- 4.5. On April 1st 2022, responsibility for library provision in North Northamptonshire moved from NCC to NNC.
- 4.6. Since 2018 the library service has been working with Raunds Community Library Trust (RCLT) towards a transfer of Raunds Library. To ensure continuity of library services from Raunds library, RCLT began to run the library with volunteers under a temporary Tenancy at Will provided by the Council, re-opening the library in October 2020 once restrictions were eased. During this time, the trust has sought funding to progress to a full transfer without success. NNC wrote to RCLT in December 2021 explaining that if a full transfer was not in place by 31st March 2022, the Tenancy at Will would be ceased and the library closed in accordance with the NCC cabinet decision
- 4.7. Following press coverage around the potential closure, an Academy Trust expressed an interest in supporting RCLT with the funding required to successfully transfer. Following further press coverage of the Academy's offer, a second Academy contacted North Northamptonshire Council expressing an interest in running a community managed library in Raunds. In accordance with legal advice as set out in paragraph 7.2 of this report Council officers sought final expressions of interest from any interested parties from 17th May 2022.

- 4.8. The two organisations who formally submitted expressions of interest were Nene Education Trust and Creating Tomorrow Multi-Academy Trust in partnership with Raunds Community Library Trust.
- 4.9. A request was made for completed business case templates to be submitted by the two organisations and the Council's procurement service recommended a fair and equitable competitive process to evaluate these in order to select the organisation which made the best case for delivering the community managed library.
- 4.10. The business cases have been professionally and individually evaluated against a set scoring matrix. Their individual scores and comments were collated by a procurement officer who then led a moderation meeting on 26th July 2022 to produce the final agreed scores for each business case.
- 4.11. The successful organisation was Creating Tomorrow Multi-Academy Trust in partnership with Raunds Community Library Trust who scored 83.70%. Nene Education Trust scored 51.09%

5. Issues and Choices

- 5.1. Supporting communities' forms part of the Corporate Plan and the Localism Act 2011 which together with subsequent Regulations have created a series of empowerment rights such as rights to nominate local assets of community value.
- 5.2. The powers granted to Council's to transfer assets to community at less than best value are found in the Local Government Act 1972 and General Disposal Consent 2003.
- 5.3. The General Disposal Consent 2003 provides for a Council to consider a transfer at less than best value where the authority considers the transfer is likely to contribute to the promotion or improvement of social wellbeing. There is a process to determine the undervalue and the Consent confirms that provided the undervalue is less than £2m the Council may authorise the transaction following a due diligence process.
- 5.4. At the Executive meeting on 19th May 2022 approval was given for the new Community Asset Transfer policy for North Northamptonshire Council. Any future process to transfer libraries into community management will be compliant with this policy.

6. Next Steps

- 6.1. Provided that the Executive is supportive of the Council entering into a lease with Creating Tomorrow Multi-Agency Trust at a reduction of 40% market value, the Heads of Terms and the Lease Agreement will be drafted.

- 6.2. As Raunds Community Library Trust are already running the library day to day within a Service Level Agreement there will be no service interruption for customers.
- 6.3. Once the lease has been signed the current Tenancy at Will in place between the Council and Raunds Community Library Trust will cease.
- 6.4. In accordance with the existing Service Level Agreement, the Council will provide ongoing support to the trusts that are delivering the community managed library to ensure they are able to deliver access to library services from Raunds Library.

7. Implications (including financial implications)

7.1. Resources, Financial and Transformation

- 7.1.1. The staffing restructure for the library's transformation was completed in 2018 and the library has been run by volunteers since then so there are no further staffing revenue savings from this proposal.
- 7.1.2. Since vesting day, the library had been managed by Raunds Library Community Trust working within a Service Level Agreement with the Library Service and a Tenancy at Will with NNC property. Under this arrangement NNC are receiving no rent for the property and are paying the costs of all utilities to the building. These are currently estimated at around £2,367 annually and are expected to rise to £3083 next year due to inflation and the rise in fuel costs.
- 7.1.3. An independent evaluation places the current market value for a lease on the Raunds Library property at £17,000 pa.
- 7.1.4. To enter into the lease at a 40% reduction (in order to recognise the caveats placed on the leaseholder that the primary use of the building must be the running of a Community Managed Library) would mean an annual lease of £10,200 pa, a reduction of £6800 pa.
- 7.1.5. The leaseholder will also be responsible for the costs of all utilities at the property which are currently borne by North Northamptonshire Council.

7.2. Legal and Governance

- 7.2.1. The lease of the library buildings qualifies as a disposal under Section 123 of the Local Government Act 1972. The Council must ensure that we dispose on terms that are the best price reasonably obtainable.
- 7.2.2. The powers granted to Council's to transfer assets to community at less than best value are found in the Local Government Act 1972 and General Disposal Consent 2003.

- 7.2.3. The General Disposal Consent 2003 provides for a Council to consider a transfer at less than best value where the authority considers the transfer is likely to contribute to the promotion or improvement of social wellbeing. The library provision will satisfy this element. There is a process to determine the undervalue and the Consent confirms that provided the undervalue is less than £2m the Council may authorise the transaction following a due diligence process.
- 7.2.4. In determining “best consideration reasonably obtainable”, the only consideration that can be made is that which has commercial or monetary value to the Council. So even though this disposal under the Community Managed Library programme has and will benefit the community, the Council has to consider the commercial aspect on its own. Of course, the Council can have regard to ethical as well as commercial considerations if for example two offers were the same, but the ethical terms were much better for one than the other.
- 7.2.5. It follows therefore that the only way the Council can evidence it is getting ‘best consideration’ is through following a proper process such as the seeking of expressions of interest and the fair and equitable evaluation process. This has been undertaken and is outlined in this report.

7.3. Relevant Policies and Plans

- 7.3.1. Maintaining a community managed library in Raunds contributes to the following priorities outlined in the Corporate Plan:
- (a) “Active, fulfilled lives” – Improved accessibility and use of leisure, culture, art and sport. Provide Enhanced support to improve mental health and wellbeing.
 - (b) “Better, brighter futures” – Ensure every child has equal access to a high standard of education. Promote better training, further education and employment opportunities for young people,
 - (c) “Safe and thriving places” – Strengthen the cultural identity of towns, villages and rural communities. Help town centres and villages respond to changing trends.
 - (d) “Connected communities” – Inform and listen to our communities, giving them a greater say in their future. Empower a thriving voluntary and community sector.
 - (e) “Modern public services” – Provide good quality and efficient services valued by our customers.

7.4. Risk

- 7.4.1. Taking a different approach to the lease offer with Raunds Library may undermine the agreements with the other Community Managed Libraries

leading to significant reputational damage and the potential for community organisations to pull out of the process.

7.4.2. Further delaying or changing the process at this stage risks the withdrawal of the offer from the successful group proposing to run the Community Managed Library in Raunds.

7.4.3. In addition, the Council is incurring property costs for Raunds Library, costs which were removed from the service budget before Vesting Day.

7.5. **Consultation**

7.5.1. A full public consultation took place in 2017/18 on the future of each of the libraries in Northamptonshire including the proposed transfer of non-statutory libraries to community management

7.5.2. A final expression of interest for Raunds Library was launched on 17th May 2022 and concluded on 31st May 2022.

7.5.3. All key stakeholders have been kept informed regarding the progress and negotiations for Raunds Library.

7.6. **Consideration by Executive Advisory Panel**

7.6.1. Any comments made by an EAP will be included in the report for Executive.

7.7. **Consideration by Scrutiny**

7.7.1. Report has not been considered by Scrutiny

7.8. **Equality Implications**

7.8.1 Full EQIAs were completed as part of the 2017/18 consultations. The provision of community managed libraries was part of the mitigations of closing a council managed library. By enabling Raunds library to remain part of the Library Network as a community managed library there will be no adverse effects on those falling into the 9 protected characteristics outlined in the Equality Act (2010).

7.9. **Climate and Environment Impact**

7.9.1. Enabling Community Managed Libraries to remain part of the library network means that those in Towns/Villages without a Statutory council managed library to access the library service and other associated services without the need to travel. This contributes to the Carbon reduction targets.

7.10. **Community Impact**

7.10.1. Libraries play an important role in Place Shaping and act as community hubs for local residents. They provide local access to a range of relevant services and help to galvanise resilient local communities.

7.10.2. By maintaining an access point in Raunds for library and other council services the local community will be able to access the support and information they need locally.

7.10.3. Community managed libraries are able to tailor their services and activities to the local and changing needs of their communities giving them more say in what their library delivers.

7.11. **Crime and Disorder Impact**

7.12.1 N/A

8. **Background Papers**

8.1 Community Managed Libraries Transfer Programme update – NNC Executive
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