

MINUTES OF THE MEETING Overview and Scrutiny Committee HELD ON Monday, 6th January, 2025, Times Not Specified

PRESENT:

Councillors: Matt White (Chair), Alexandra Worrell, Pippa Connor (Vice-Chair), Makbule Gunes and Lester Buxton

ALSO ATTENDING:

Councillor Emily Arkell – Cabinet Member for Culture, Communities & Leisure, Councillor Zena Brabazon, Jess Crowe – Director of Culture, Strategy & Engagement, Kenneth Tharp – Assistant Director for Culture and Creativity, Haydee Nunez Da Souza – Head of Legal Services, Jessica Russell - Participation Delivery Lead, Stephen Bramah-Calvert - Head of Leaders Office, Ayshe Simsek – Head of Democratic Services and Scrutiny, Chris Liasi – Committees and Governance Officer.

12. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

The Chair outlined the process for the meeting and attendees noted this information.

13. APOLOGIES FOR ABSENCE

There were none.

14. URGENT BUSINESS

There were no new items of urgent business, but it was noted that supplementary packs were received which had the relevant documents for consideration for the call-in item 6.

15. DECLARATIONS OF INTEREST

There were no declarations of interest.

16. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

Bob Harris and Annette Pennington attended the call in and made representations to the Committee on the decision agreed by Cabinet. The following was noted:

- Appreciation was expressed for the opportunity to present their deputation, acknowledging the Council's challenging financial situation. They

highlighted the importance of the Council continuing to press the government for adequate funding. They also requested that the Council explore income generation for libraries and potential savings, referencing a paper submitted by Highgate and Shepherds Hill the previous year with suggestions on cost reductions.

- The speaker emphasised that libraries in the east of the borough should be prioritized and that all libraries should serve as community hubs. They noted the revised proposals, including the reprieve for Muswell Hill and Hornsey libraries and a 26% reduction in overall cuts to hours. However, they voiced concern over significant cuts to libraries like Stroud Green, Alexandra Park, and Highgate, with opening hours nearly halved, and the closure of Wood Green's Sunday service.
- The lack of meaningful consultation was criticised and the limited time to review the new proposals. It was suggested that if libraries had extended hours, they could better serve the borough during the 2027 Year of Culture, contributing to wider participation and long-term goodwill.
- In conclusion it was requested that the proposal be referred back to the Cabinet for further consultation and emphasized the desire for cooperation between the groups and the Council to reach a mutually acceptable agreement.

The following was noted in response to questions from members:

- The initial consultation with the Council and its officers was queried, it was expressed that it had not been meaningful. They noted a lack of engagement, mentioning that while there was some initial contact, the promised meetings never materialized, and many library groups were only invited to drop-in sessions sporadically. The speaker emphasized that the consultation had been minimal and that the third option, now being proposed, had not been discussed or consulted on.
- In response to questions about Option 3, Bob Harris clarified that while they did not view it as completely different from the previous options, they felt that there was a perception within the Council that they had been fully consulted, which they disagreed with. They believed that the consultation process could have been more thorough, especially considering the unique needs of each library.
- When asked about finding a compromise, Bob Harris suggested that they would prefer no cuts but acknowledged the reality of the situation and the necessity of finding ways to balance the budget. They proposed exploring income generation strategies, particularly for libraries that had been recently refurbished, and noted that many of the suggestions made by the Friends groups had not received feedback from the Council. While recognizing the financial pressures on housing and social services, they argued that libraries should remain a priority. They stressed the value libraries provide

as free, accessible spaces that contribute to the community's well-being, citing their role in education, health, and social care. They expressed hope that the upcoming Year of Culture could showcase libraries' potential as community hubs and advocated for a more inclusive approach to local services.

Councillor Arkell responded to the deputation; the following was noted:

- Councillor Arkell disagreed with points particularly in relation to the consultation process. They pointed out a contradiction in the claims made, highlighting a discrepancy about whether a consultation meeting had occurred. The speaker then outlined the extensive consultation process regarding library opening hours, which took place between August 29th and October 10th. This consultation aimed to gather evidence on how residents used libraries, focusing on hours and services.
- Feedback indicated a preference for lunchtime openings, consistent hours, and prioritization of evening and Sunday hours, all of which were incorporated into Option 3. Despite delays caused by election timing, the consultation was inclusive, transparent, and responsive to residents' input. The consultation had been initially planned for earlier in the year but was postponed avoiding clashing with the summer holidays and elections. A total of 1,362 responses were received, including both online and hard-copy submissions, all of which were manually entered and made publicly available.
- Throughout the process, the Council engaged with four key groups and individual Friends groups. Invitations were sent to all groups, and efforts to promote the consultation included social media outreach, newsletters, and targeted community events. Hard copies of consultation documents were made available in libraries, and materials were translated where necessary.
- The consultation followed the Department for Digital, Culture, Media and Sport's guidelines, ensuring it was informative and meaningful. It was emphasised that no complaints were received regarding insufficient time for responses, and no extension requests were made. After reviewing the consultation feedback, the Cabinet discussed the matter thoroughly before approving the recommendations, with a detailed report published on the Council website.

17. CALL IN REVIEW OF LIBRARIES OPERATING HOURS CABINET DECISION

Cllr Rosetti presented her call-in and the following was noted in her presentation:

- Before making any changes to library opening hours, it was emphasised that a comprehensive strategy should be in place to ensure the decision aligned with the policy framework and followed proper procedures for major decisions. It was argued that referencing the library service in broader documents or frameworks was not a substitute for having a dedicated library strategy, and warned against disregarding this position, as it could set a dangerous precedent.
- A detailed strategy was seen as necessary to guide decision-making, addressing key aspects such as the service's purpose, its intended audience, and the rationale behind the changes. For example, the consultation grouped libraries in ways that could impact accessibility for certain residents, such as those who might find it more convenient to use one library over another.
- Concerns were expressed that reducing library hours without a clear strategy suggested a lack of planning for the future of library services, both in terms of outcomes and potential alternative revenue streams. The introduction of community recycling stations within libraries were cited as one example, questioning how reduced hours would affect initiatives like this and other potential revenue sources, such as charges for using library spaces.
- The lack of a coherent strategy was seen as detrimental to the service and the community, with decisions impacting the most vulnerable users without proper consideration of the needs and benefits. Concerns were also raised about the absence of co-production in the process, as mentioned in the Cabinet meeting minutes, which contradicted the Council's approved arts and culture strategy. The premature release of a press statement before the Cabinet meeting further suggested that the decision was already predetermined.
- It was urged that a strategic view was essential before reducing library hours, as it would allow for a clearer understanding of how best to utilize libraries to benefit both the community and taxpayers. They concluded by stressing that such important decisions should not be made without a library services strategy in place, as mandated by the Council's Constitution and best practice in policymaking.

There were questions from the Committee on the call-in and Councillor Rossetti responded as follows:

- Councillor Rosetti explained that the decision was not in line with the policy framework because a library strategy should have been in place before such decisions were made. While certain principles related to libraries were mentioned in the arts and culture framework, they did not replace a

dedicated library strategy. This strategy was clearly outlined in the Council's Constitution.

It was noted that a library strategy had been recommended in a 2019 peer review, and while acknowledging the impact of COVID, emphasised that there had been sufficient time to develop such a strategy by 2025. The absence of a library strategy before making decisions like this meant that the Council lacked a clear policy framework to guide the process.

- It was argued that had a library strategy been in place, it could have identified potential revenue streams that were not considered when reducing hours. The consultation could have informed a different outcome. Instead, the strategy would now be developed after the decision to reduce library hours by almost 40%.
- Councillor Rosetti believed that the announcement made a week before the Cabinet meeting likely influenced the decision-making process. It was argued that such an announcement should not have been made in advance, as it may have created a predetermined outcome. The decision should have been made after fully considering all deputations and arguments during the Cabinet meeting.
- In response to questions about the absence of a library strategy, Councillor Rosetti pointed out that the strategy had been included in the Council's Constitution for many years. Despite the 2019 peer review recommending a library strategy, the Council had failed to implement it, despite acknowledging its importance. It was stated the library strategy should have been developed before decisions on service reductions, as it would have provided a clear framework for decision-making, including potential revenue streams.
- Concerns were also highlighted about how the consultation was conducted. While documents referenced principles like inclusivity and creativity, they lacked specifics on how these goals would be achieved, underscoring the need for a detailed strategy. It was noted that the consultation metrics were misleading, as they relied on average occupation figures and did not account for the diversity of library users. It was stated the reduced hours affected libraries with high use.
- On the issue of co-production, it was pointed out that the arts and culture strategy advocated for collaboration and co-production with residents. However, it was argued that the consultation process did not meet these standards, as it resembled a statutory consultation rather than genuine co-design. It was believed that a co-designed approach, as outlined in the Council's own policies, would have led to more meaningful engagement with residents.
- The lack of a library strategy was criticised before the consultation, asserting that the strategy should have guided the consultation process and helped shape the proposed options.

Councillor Arkell responded to the call-in, and the following was noted:

- The councillor expressed pride and strong support for the nine libraries in Harringay, highlighting that, unlike many other local authorities, they had managed to avoid library closures. Despite significant financial pressures, particularly from rising social care and housing costs, the council had invested nearly £5 million in upgrading libraries and making them more accessible. Since 2010, many libraries had closed across the country without replacement, but none in Harringay had been affected. The councillor emphasised the challenge of maintaining long library opening hours, which were becoming unsustainable due to low footfall and occupancy rates but assured that the council was still meeting its statutory responsibilities.
- On December 10th, the Cabinet approved proposals to adjust library services, with the aim of making changes in the most equitable way possible. This included reducing library opening hours based on a detailed needs assessment and a public consultation held from August to October 2024. The consultation received 1,360 responses, and additional engagement meetings were held with library groups, schools, and local organizations. The councillor stated that the feedback from these consultations had informed the Cabinet's decisions, and the chosen option (Option 3) had longer opened hours than the alternatives that were initially proposed.
- The councillor reassured residents that the council had followed proper consultation processes, considering individual library footfall data, equity in service delivery, and legal advice. The consultation process was deemed compliant with both internal guidelines and national regulations. They also clarified that the requirement for an annual library plan, which had been removed in 2003, no longer applied, and the council was updating its constitution accordingly.
- Despite changes to library hours, the councillor stressed that the council was committed to modernizing the service, exploring new income-generating methods, and adapting to changing community needs. They emphasized continued investment in library infrastructure and the ongoing offering of programs like the Library Late Programme and the Crouch End Festival. The councillor reassured the community that the library service would remain vibrant and accessible, with a new library strategy being developed to guide its future.
- In conclusion, the councillor expressed confidence that the December 10th decision was well-informed, reasonable, and in line with the financial realities and community input. They affirmed that the decision should be upheld, as it was made with careful consideration of all factors

The following was noted in response to questions from the Committee on the call-in response.

- During the meeting, the representatives expressed concerns about the consultation process. Bob Harris noted that meaningful consultation with council officers had been lacking for months. They recalled that an earlier submission had highlighted these issues, and that no consultation had taken place regarding the new "Option 3" proposed. They were only informed of this option just before the Cabinet meeting, leading to feelings of inadequate engagement.
- Annette Pennington, added that consultation periods often clashed with holidays, making them even less effective. She also clarified that Stroud Green library served both Stroud Green and Harringay wards, not just one.
- Regarding the new proposal (Option 3), It was emphasised that they had not been sufficiently consulted on this option and felt the process could have been improved. They highlighted a lack of meaningful communication from the council officers, such as a promised meeting with council officers for their branch library, which never materialized. Furthermore, drop-in sessions were poorly communicated, sometimes inviting them without sufficient notice.
- In response, a councillor suggested the possibility of further consultation on Option 3 and proposed the idea of co-design or co-production with the community. They asked whether the group would welcome a more collaborative process moving forward, especially considering the upcoming library strategy. The group responded positively, agreeing that consultation on Option 3 was essential, but also welcomed the idea of a longer-term co-design process.
- It was acknowledged that while the consultation process was not co-designed or co-produced with the community, their feedback had still been considered in shaping the options presented. They also clarified that they had engaged with various library groups throughout the process.
- Regarding the library strategy, the officer confirmed that it would begin after the current consultation process and was scheduled for completion in six months, with a draft strategy potentially presented in July. They stressed that while the library strategy was not yet in place, they had been following principles of equity and equality in shaping library service changes.
- The discussion also touched on the financial implications of further delays in consultation, particularly regarding staffing and budget cuts. It was emphasized that the council had been holding vacancies to avoid redundancies, but the service was already stretched thin due to reduced staffing.

- It was assured that while delays in the library strategy could be problematic, they were committed to working with residents and stakeholders to develop a sustainable and inclusive library service. The focus was on balancing strategic planning with the realities of financial constraints, while ensuring libraries remain accessible and aligned with community needs.
- Concern was raised about the speed at which the library strategy would be implemented. They raised the issue of ensuring that all relevant groups, especially those not typically involved in meetings like Friends Groups, were adequately included in the co-production and co-design process. They were worried about populations such as disability groups and others with special needs potentially being overlooked. They stressed the importance of a comprehensive approach that captured the needs of all library users, particularly those who might not be directly represented in more formal groups or consultations.
- In response to a question regarding the legalities of consultation, Haydee Nunes De Souza explained the legal framework surrounding consultations, which had been established through case law in the 1980s. She outlined four key elements required for a consultation to be lawful: 1) proposals must be at a sufficiently early stage to be influenced by the consultation, 2) proposals must be presented in detail, allowing respondents to provide meaningful input, 3) there is no set time frame for consultations, as it depends on the issue at hand, and 4) the consultation results must be carefully considered, with evidence showing that feedback was taken into account when revising the proposals. She emphasized that the council's adoption of Option 3 reflected feedback from the consultation, making it a lawful and legitimate decision.
- The issue of predetermination was raised, with Haydee Nunes De Souza further explaining that predetermination, which refers to making a decision before considering the consultation outcome, was not present in this case. She stated that there was no evidence to suggest that the decision was influenced by prior external factors, including a press release that was later retracted.
- Regarding the consultation process, some members raised concerns about the language used in the consultation documents. Specifically, Councillor Connor pointed out that the language may not have clearly indicated that an additional option (Option 3) could emerge from the feedback. However, the council maintained that the consultation documents were clear that the proposals were subject to change based on public feedback.
- The discussion then shifted to the issue of the press release, which was inadvertently released prematurely. Jess Crowe clarified that press releases are often drafted in advance of cabinet meetings, but in this case, the press release was issued earlier than planned. Unfortunately, the wording was not updated to reflect that the decision had not yet been made, leading to the

perception of predetermination. The mistake was acknowledged, and the press release was quickly amended once the issue was raised by the opposition group

Head of Legal Services:

- Haydee Nunes De Souza explained that the report was in line with the Constitution, which required the 151 officer and Chief Financial Officer to advise the Overview and Scrutiny Committee on whether the decision under review was within the budget and policy framework. The report confirmed that the decision was indeed within the framework, and she highlighted specific sections of the report for the committee's consideration, particularly emphasising that the committee was expected to make its own determination on whether the decision adhered to the budget and policy framework.
- It was pointed out that the legal requirement for an annual library plan had been removed years ago, and while the plan remained in the Constitution, it would be updated to reflect this change. The decision made on December 10th 2024 did not contradict any documents within the policy framework, and the advice was that the decision complied with both the budget and policy frameworks.
- Francis Palopoli representing the Chief Finance Officer, supported the Head of Legal Services summary, stating that the decision was in line with the budget framework, the Council's budget, and policy procedures.

At 8:23pm, the Overview and Scrutiny Committee **AGREED** to exclude the press and public to consider the exempt background information and further deliberate on the call-in decision.

The committee reached a decision regarding the call-in after considering all relevant information. The Committee agreed that the decision fell within the policy and budget framework, and this was confirmed unanimously by the members.

The committee also reviewed the deputation from the public, questions from the call-in lead, and officer reports, ultimately deciding that no further action was necessary.

The Committee returned after consideration of the exempt information and deliberations and

RESOLVED

1. To agree that the 10th of December Cabinet decision on Review of Library Operating Hours was inside the Budget and Policy Framework.
2. That no further action is to be taken, meaning that the key decision could be implemented immediately. This was following a vote and all 5 members unanimous on this decision.

The reasons provided for resolution 2, were taken, following consideration of the deputation, attached reports, and information shared at the meeting. The Committee considered the 8 main points of the call in and responded as follows when coming to their decision.

18. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

CHAIR: Councillor Matt White

Signed by Chair

Date