

## **Committee: Chief Officer (key decision)**

**Date: 4 June 2018**

Wards: All

### **Subject: Libraries Fees & Charges Review 2018/19**

Lead officer: Anthony Hopkins, Head of Library, Heritage & Adult Education Service

Lead member: Councillor Nick Draper, Cabinet Member for Community & Culture

Contact officer: Anthony Hopkins, Head of Library, Heritage & Adult Education Service

#### **Recommendations:**

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1. That the proposed changes as outlined in Appendix 1 of the report are accepted.
  2. That the changes are implemented from 18 June 2018.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. An annual review of Merton libraries fees and charges is undertaken in order to ensure the charges are in line with inflation and are benchmarked against neighbouring authorities.
- 1.2. It is the recommendation of this paper and detailed in Appendix 1 that the majority of charges are frozen for 2018/19. Where charges are recommended to be increased these are to reflect increased supply costs or as a result of benchmarking analysis.

## **2 DETAILS**

- 2.1. The local authority's power to raise charges relating to library services is laid out in the Public Libraries and Museums Act 1964. It is stipulated that the lending of books and access to information must be offered free at the point of delivery to people living, working and/or studying within the borough. For other or extended services fees and charges may be imposed.
- 2.2. The purpose of imposing fees and charges is not solely related to income generation – they can act as an encouragement to ensure borrowed items are returned on time to be available to other users, and they can help to offset the cost of new services particularly where these have been introduced within existing funding. Maximising the service's funding falls within the remit of providing value for money, which is high on the council's priorities.
- 2.3. As outlined in Appendix 1 the majority of fees and charges are to be frozen for 2018/19. Online services also make it easier for customers to avoid incurring charges with services such as e-mail and text message reminders been promoted widely.
- 2.4. No changes are proposed for adult fines. Fines are not applied to Merton school pupils who are signed-up to the Merton Schools and Libraries Membership Scheme, which all schools in the borough participate in. An

increase of fines by 1p per item is proposed for children's fines that will only apply to children who are not part of the Merton Schools and Libraries Membership Scheme. This increase will assist with supporting responsible returning of stock. Children's fines were last increased in 2014.

- 2.5. An increase by 10p is proposed to reservations that require a postal notification to reflect increased postage costs. No changes are proposed for online reservations where notification is made either via e-mail or text message and this is promoted to customers as the cheapest channel.
- 2.6. Charging for the People's Network has been considered but is not proposed. Considerable capital outlay would be required to undertake this and it is likely to deter those in most need of accessing information digitally through libraries.
- 2.7. Following the introduction of a new multi-use space at Mitcham Library, part of the Merton Arts Space brand, charges for this space have been included and have been benchmarked against other similar venues including the Merton Arts Space at Wimbledon library.

### **3 ALTERNATIVE OPTIONS**

- 3.1. **Reduce fees and charges.** This would be beneficial to customers who either borrow chargeable items or return stock late and incur fines but this option would have a detrimental impact on income collected. The service relies on income from fees and charges collected and any reduction in income would lead to savings being required elsewhere.
- 3.2. **Increase fees and charges.** The service continually benchmarks its costs with other authorities to ensure that they are appropriate. There have been no significant changes in the market this year and therefore the majority of charges are proposed to be maintained.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. Satisfaction with library services is measured via the Annual Residents Survey. A detailed user survey is conducted every 3 years to gain customers views on the Library & Heritage Service. Any significant changes to service delivery are consulted on via a range of communication channels.
- 4.2. Comments, complaints and compliments from customers relating to fees and charges were considered when preparing this report.

### **5 TIMETABLE**

- 5.1. New fees and charges as recommended in this paper are to be implemented on 18 June 2018.

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. Appendix 1 sets out the new charges for 2018/19. The proposals will ensure that the service achieves a balanced budget.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The relevant legislation to the imposition of charges is the Public Libraries and Museums Act 1964 (The Act) and the Library Charges (England and Wales) Regulations 1991/2712 (The Regulations).
- 7.2. Section 7(1) of the Act imposes a duty on a library authority to make facilities for the borrowing of books and other materials available to those who live or whose place of work is within the library area of the authority or who are undergoing full-time education within that area.
- 7.3. Under Section 8(2) of the Act, the Secretary of State may by regulations specify charges libraries can make.
- 7.4. However, Section 8 (3) of the Act prohibits charging for lending any written material - (S8(7) of the Act defines written material as book, journal, pamphlet or other similar article) where the authority is lending written material to any person:
- (i) who is owed a duty by the authority under S7(1);
  - (ii) where the material is lent in the course of providing such facilities to that person on any library premises;
  - (iii) where the material is lent in a form in which it can be read without the use of any electronic or other apparatus; and
  - (iv) where that person is not a person who has required such apparatus to be used or made available to them for putting the material into such a form in order that they can borrow it.
- S8(4) of the Act prohibits charging for the use of written reference material which is readable without the use of any electronic or other apparatus or in microform. Charges can also not be made for consulting catalogues, indexes or similar articles as are maintained, in whatever form they are kept, exclusively for the purpose of the authority's public library service.
- 7.5 The Secretary of State has specified in paragraph 3 in the Library Charges (England and Wales) Regulations 1991/2712 what can be charged for. The proposed fees and charges in Appendix 1 to this report are charges permitted by the Regulations.
- 7.6 Paragraph 4(1) of the Regulations relate to the amount and incidence of the charges. Under Paragraph 4 (1) of the Regulations, the amount that can be charged is at the discretion of the authority. Paragraph 4(2) of the Regulations also enables an authority to:
- (i) make different provisions for different cases including different provision in relation to different persons, circumstances or localities; and
  - (ii) make charges in respect of each use of the library facilities made available by it, or charge an annual subscription or a deposit in respect of all or some of such facilities.
- 7.7 Paragraph 5 of the Regulations states that the authority shall display in a conspicuous place within each library premises a notice which has the charges displayed on it.

**8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. No issues identified as part of this report.

**9 CRIME AND DISORDER IMPLICATIONS**

9.1. No issues identified as part of this report.

**10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. Risks relate to the user's willingness to pay the charge and their decision on whether to use the service. Raising the charges too high will lead to a decline in use, which is counterproductive. However, a subsidised service (e.g. for British Library items) could lead to high expenditure commitments on the part of the service and costs are imposed to reflect the cost incurred by providing each service.

10.2. A risk management plan is maintained by the Library & Heritage Service. No health and safety implications have been identified in this report.

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix 1 – Proposed Fees and Charges 2018/19

**12 BACKGROUND PAPERS**

12.1. None included.