

CORPORATE SERVICES DEPARTMENT
Director – Caroline Holland



**Democracy Services
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

**Direct Line: 0208 545 3616
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Date: 12 June 2018

Dear Councillor

Notification of a Decision taken by the **Director of Community and Housing**

The attached **Key** decision has been taken by the **Director of Community and Housing**, with regards to the **Libraries Fees and Charges Review 201819** and will be implemented at **noon on Friday 15 June 2018** unless a call-in request is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

Democracy Services

KEY DECISION TAKEN BY AN OFFICER UNDER DELEGATED AUTHORITY

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

1. Title of report

Libraries Fees & Charges Review 2018/19

2. Reason for exemption (if any)

N/A

3. Decision maker

Hannah Doody, Director of Community & Housing

4. Date of Decision

12 June 2018

5. Date report made available to decision maker

21 May 2018

6. Decision

Recommendations agreed

7. Reason for decision

The decision ensures that fees and charges are appropriately reviewed and that they contribute towards ensuring that the Library & Heritage Service achieves a balanced budget.

8. Alternative options considered and why rejected

Options included within the report.

9. Documents relied on in addition to officer report

Appendix 1

10. Declarations of Interest

N/A

11. Signature

Signature

Hannah Doody

Date 12 June 2018

12. Publication of this decision and call in provision

Send this form and the officer report to democratic.services@merton.gov.uk for publication. Publication will take place within two days. The call-in deadline will be at Noon on the third working day following publication.

IMPORTANT – this decision should not be implemented until the call-in period has elapsed.

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:

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.

APPENDIX 1: PROPOSED FEES AND CHARGES 2018/19

	Current Charges	Proposed 18/19	Comments
OVERDUE CHARGES			
Adult books	25p per day	25p per day	No change
Magazines	25p per day	25p per day	No change
CDs, 3-week loan DVDs, videos	25p per day	25p per day	No change
Talking books (spoken word)	25p per day	25p per day	No change
Children's and teenage books / tapes (0-17)	6p per day	7p per day	Proposed change to encourage more responsible borrowing
DVDs	Full rental charge (50p - £2.50)	Full rental charge (50p - £2.50)	No change
LOST ITEMS			
Lost ticket replacement	£3	£3	No change
Stock (in print)	Replacement cost (plus 10% admin charge)	Replacement cost (plus 10% admin charge)	No change
Stock (out of print)	Replacement cost (plus 10% admin charge)	Replacement cost (plus 10% admin charge)	No change
RESERVATIONS			
Standard reservation (adults)	£1.20 (free if item available in a Merton library). 60p (web reservation, no postage)	£1.30 for postal notification , 60p for web reservation, no postage	Price increase to reflect increased postage costs
Standard reservation (children and young people under the age of 18)	No charge (limited to 2 free reservations placed at one time)	No charge (limited to 2 free reservations placed at one time)	No change
Items supplied by libraries outside Merton via Interloans System	£6.00 plus standard reservation charge	£6.00 plus standard reservation charge	No Change
Items and articles supplied via British Library	£14.30 per item plus standard reservation charge	£14.30 per item plus standard reservation charge	No change
PEOPLE'S NETWORK			
Use of computers	No charge	No charge	No change
Computer Printouts (b/w A4)	15p	15p	No change
Computer Printouts (colour A4)	50p	50p	No change
Computer printouts (b/w A3)	30p	30p	No change
Computer printouts (b/w A4)	£1	£1	No change
A4 b/w	10p	10p	No change
A3 b/w	20p	20p	
A4 colour	50p	50p	
A3 colour	£1	£1	
FAX			
Local	£1.10 for the first sheet, 60p for each extra sheet	£1.10 for the first sheet, 60p for each extra sheet	No change
Rest of UK	£1.50 for the first sheet, 75p for each extra sheet	£1.50 for the first sheet, 75p for each extra sheet	No change
Western Europe	£2.50 for the first sheet, £1.25 for each extra sheet	£2.50 for the first sheet, £1.25 for each extra sheet	No change

USA	£3 for the first sheet, £1.50 for each extra sheet	£3 for the first sheet, £1.50 for each extra sheet	No change
Rest of world	£3.50 for the first sheet, £2 for each extra sheet	£3.50 for the first sheet, £2 for each extra sheet	No change
Receiving faxes	£2 flat charge	£2 flat charge	No change
ADVERTISING			
Via internal boards	£3 per week	£3 per week	No change
SPACE HIRE			
All libraries (where hall space is available)	£22 per hour (£32 out of hours, minimum 2 hour booking) Sunday £42 per hour <i>20% concession for voluntary groups, residents' associations and statutory bodies.</i>	£22 per hour (£32 out of hours, minimum 2 hour booking) Sunday £42 per hour <i>20% concession for voluntary groups, residents' associations and statutory bodies.</i>	No change
Merton Arts Spaces	Main space (only available out of library opening hours): £70 per hour Exhibition Room 1: £22 per hour (£32 out of hours, minimum 2 hour booking); Sunday £42 per hour Exhibition Room 2: £22 per hour (£32 out of hours, minimum 2 hour booking); Sunday £42 per hour <i>20% concession for voluntary groups, residents' associations and statutory bodies.</i>	Main space Wimbledon library (only available out of library opening hours): £70 per hour Exhibition Room 1: £22 per hour (£32 out of hours, minimum 2 hour booking); Sunday £42 per hour Exhibition Room 2: £22 per hour (£32 out of hours, minimum 2 hour booking); Sunday £42 per hour Arts Space at Mitcham Library £22 per hour (£32 out of hours, minimum 2 hour booking); Sunday £42 per hour <i>20% concession for voluntary groups, residents' associations and statutory bodies.</i>	New service available at Mitcham library following successful Arts Council England grant
LOAN CHARGES			
Projector hire	£15 per session	£15 per session	No change
Microphone / PA hire	£15 per session	£15 per session	No change
CDs	£1.50	£1.50	No change
CD sets	£2.50	£2.50	No change
Talking books (spoken word)	£1.50	£1.50	No change
Language courses	£1.50	£1.50	No change
Language courses (12 week loan)	£10	£10	No change
DVDs	50p - £2.50	50p - £2.50	No change
HERITAGE AND LOCAL STUDIES CHARGES			
Enquiries under 15 minutes	Free	Free	No change

Research	£20 per half hour	£20 per half hour	No change
Photocopies	A4 10p A3 20p A4 25p (from microfilm / fiche printer) A3 50p (from microfilm / fiche printer)	A4 10p A3 20p A4 25p (from microfilm / fiche printer) A3 50p (from microfilm / fiche printer)	No change
LSC photo scanning (sent as e-mail attachment)	£6 - £15 (depending on amount and size)	£6 - £15 (depending on amount and size)	No change
Merton Memories website prints	£11.50 for 4"x6" print (plus £3.50 P&P) £14.50 for a 10"x8" print (plus £3.50 P&P) Each additional print in an order will incur a £1 postage and packaging charge.	£11.50 for 4"x6" print (plus £3.50 P&P) £14.50 for a 10"x8" print (plus £3.50 P&P) Each additional print in an order will incur a £1 postage and packaging charge.	No change
OTHER			
Pencil	10p	10p	No change
Biro (blue / black)	15p	15p	No change
A4 brown envelopes	40p	40p	No change
A4 plain paper	5p (or 20p for 5 sheets)	5p (or 20p for 5 sheets)	No change
A4 plastic sleeve	20p	20p	No change
A4 plastic sleeve with punched pocket	20p	20p	No change
COMMERCIAL SERVICES			
Promotional space	£20 per hour or £50 to £60 per day (depending upon library).	£20 per hour or £50 to £60 per day (depending upon library).	No change
Advertising on Merton Library Plasma screens	All libraries £10 per week per Powerpoint slide.	All libraries £10 per week per Powerpoint slide.	No change
Poster board and leaflet displays	£10 per week for displaying A3 posters and £7 per week for displaying A4/5 leaflets	£10 per week for displaying A3 posters and £7 per week for displaying A4/5 leaflets	No change

Concessions in charging

Visually impaired adults and over 60's: free borrowing of talking books but fines apply.

Visually impaired teens: free borrowing of talking books but fines apply.

Visually impaired children: free borrowing of children's talking books but fines apply.

Visually impaired adults: free borrowing of CD's.

Merton Council - call-in request form

1. Decision to be called in: (required)

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2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

- **EITHER** by email from a Councillor’s email account (no signature required) to democratic.services@merton.gov.uk
- **OR** as a signed paper copy to the Head of Democracy Services, 7th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on

020 8545 3864