

Committee: Chief Officer (key decision)

Date: 31 May 2022

Wards: All

Subject: Library & Heritage Service Fees & Charges Review 2022/23

Lead officer: John Morgan – Director of Community & Housing

Lead member: Councillor Brenda Fraser - Cabinet Member for Culture, Leisure & Skills

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 13 June 2022.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. An annual review of Merton libraries fees and charges is undertaken 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of this paper and detailed in Appendix 1 that some fees and charges are increased; some are reduced, and some services withdrawn. Where charges are recommended to be increased these are to reflect increased supply costs or because of benchmarking analysis. Where services are to be withdrawn this is to reflect the changing technological environment we work in and subsequent lack of demand. (e.g., withdrawal of postal services). Some charges are also proposed to be reduced to also reflect the bench marking work undertaken and to further increase usage amongst children and young people of libraries.

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.

- 2.3. As outlined in Appendix 1 some fees and charges are proposed to be increased in 2022/23 and some decreased or withdrawn.
- 2.4. One of the proposals is to withdraw fines for children and young people as the vast majority of children and young people attend Merton schools and as part of the Schools and Libraries Membership Scheme, they do not pay fines. Very little in the way of fines are collected and this amendment is in place so that children, regardless of where they go to school, are treated equally.
- 2.5. Another proposal is to change hireable spaces to variable rates to reflect the size and facilities available for hire based on a recent review and to reflect benchmarking with neighbouring authorities along with increased operating costs. The proposal is to either reduce or maintain fees in the east of the borough to make the spaces more affordable and to offer multiple room discounts. We also propose to apply discounts for multiple bookings as well as continuing concessions for voluntary groups, residents' associations, and statutory bodies.
- 2.6. The postal service for overdue notifications has been withdrawn and is no longer available but the library system platform (LSP) including a new library website is supporting customers to avoid paying overdue charges. Additional measures to reduce customers paying overdue charges include pre-overdue notifications that can be sent via e-mail or text message. The new libraries customer app gives customers more choice to renew items and complete other transactions.

3 ALTERNATIVE OPTIONS

- 3.1. **Maintain fees and charges.** This would be beneficial to customers where price increases are proposed but would have a detrimental impact on the libraries budget due to increased operating costs. Some charges are also proposed to be reduced in this year's proposals and where this is applicable customers will benefit. The proposals included ensure a balanced budget whilst also addressing access issues amongst certain groups.

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. No complaints relating to this were received in the last year.

5 TIMETABLE

- 5.1. New fees and charges, as recommended in this paper, are to be implemented from 13 June 2022. Public communication will be undertaken prior to the charges going live to raise awareness amongst the community.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Appendix 1 sets out the new charges for 2022/23. The proposals will ensure that the service achieves a balanced budget whilst maintaining fees and charges at a comparable level to other boroughs. The proposals also seek to increase usage of libraries and their hireable spaces.

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 2022/23

12 BACKGROUND PAPERS

12.1. None included.