

Item No. 12.	Classification: Open	Date: 22 January 2019	Meeting Name: Cabinet
Report title:		New Library and Heritage Centre for Walworth	
Ward:		North Walworth	
Cabinet Members:		Councillor Johnson Situ, Growth, Development and Planning and Councillor Rebecca Lury, Deputy Leader and Culture, Leisure, Equalities and Communities	

FOREWORD – COUNCILLOR JOHNSON SITU, CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING AND COUNCILLOR REBECCA LURY, DEPUTY LEADER AND CABINET MEMBER FOR CULTURE, LEISURE, EQUALITIES AND COMMUNITIES

At a time of financial pressure on local government, we are delighted to recommend this report for delivery of a new library and heritage centre for Walworth.

As part of our commitment to a fairer future for all, the council has committed to delivering a library on the Walworth Road following the fire at Walworth Town Hall in March 2013, which also led to the closure of Newington library. At the same time, the Cuming Collection was damaged and the bulk put into storage, alongside a tour of items from the collection commencing around the borough.

Whilst there has been a temporary library provision in the recently closed Artworks development, our ambition was always to provide a new, permanent home for a library and heritage centre.

The new library and heritage centre, which will be situated in a prominent place on the Walworth Road, is the most recent addition to illustrate the council's commitment to ensuring growth and redevelopment works for all. The new library will also ensure that Walworth remains a destination, complementing the recently opened new Walworth Square, and sitting alongside the Walworth Town Hall, for which separate plans are being taken forward.

We have made a commitment to keeping all of our libraries open when our residents need them, and our libraries and heritage spaces play a hugely important role in our communities throughout Southwark. They provide reading opportunities, community group meeting facilities, computers and internet access and council services – all in one place. Southwark has a rich and long history, which we want to ensure is celebrated throughout the Borough. That is why we are not talking just about a new library for Walworth but about a heritage hub. We hope there will be the opportunity to showcase some of the Cuming Collection and to celebrate our great heritage in the Borough.

Work to fit out the new library and heritage centre will begin at pace, and we will be working closely with the community and local schools to ensure that we deliver the best space for the residents of Walworth and for the whole borough.

RECOMMENDATIONS

That Cabinet:

1. Confirms that pursuant to s120 Local Government Act 1972 and s7 Public Libraries and Museums Act 1964 and subject to planning matters set out in paragraphs 18 and 19 of this report being resolved, the council takes a lease of ground floor accommodation on the land shown edged red on the plan at Appendix A.
2. Confirms that the lease will be in accordance with the principal terms set out in full in paragraph 6 of the closed version of this report and substantially in paragraph 15 of this report.
3. Delegates to the director of regeneration authority to agree the details of the proposed lease.
4. Delegates to the director of leisure authority to agree and commission the fit out specification and works to deliver a new library and heritage centre.
5. Approves a capital budget set out in the closed version of this report to fund the acquisition of the lease of the premises and its subsequently fit out for library and heritage centre purposes.

BACKGROUND INFORMATION

6. The former Newington Library at Walworth was adversely affected by the major fire at Walworth Town Hall in March 2013 forcing it to close. As an interim measure, a temporary library was provided the following year within the meanwhile "Artworks" scheme at the corner of Walworth and Elephant Roads. The Artworks site is now required by Lend Lease for development so the temporary library ceased operation at the end of last year leaving a void in service provision for the locality.
7. The Cuming museum and borough heritage collections were similarly adversely affected. Fortunately, over 98% of objects on display at the time of the fire were recovered and the bulk of the collection is unaffected. A large scale conservation project to recover the affected collections was successfully completed in 2014. While the majority of the collections are in storage the heritage service has continued to use alternative venues across the borough for exhibitions and run an events and education programme. Since the beginning of 2016 much of the museum collection has been made available digitally through an improved heritage website <http://heritage.southwark.gov.uk>
8. On 28 November 2018 council assembly approved the current Council Plan. This sets a number of commitments to our community including A Vibrant Future; one of the undertakings to meet this commitment is to Build a new library on the Walworth Road.

KEY ISSUES FOR CONSIDERATION

9. The closure of the temporary library, due to the closure of Artworks, will inevitably result in a loss of continuity of service. To mitigate this, officers have

considered a number of options to secure the earliest provision of a new library. This includes looking at a number of sites on the Walworth Road. As cabinet will appreciate, Walworth Road is a densely developed historic area on which the council has very limited property ownership, and none of which is suitable for a new library. Officers considered acquiring one or more land ownerships either by agreement, or by compulsion to form a site that can be developed for a new library. However, it was deemed that this would be very time consuming and cause displacement to existing occupiers. Other sites are very limited but the subject site provides a potential opportunity of early delivery of the new library undertaking in the Council Plan.

10. As part of the Elephant Park regeneration, Lend Lease is currently completing building upon the subject land known as Block H3. This has planning consent for housing and retail on the ground floor. Lend Lease has been approached and is willing, in principle, to grant the council a lease of two adjacent units that are completed to a shell and core standard. If the council take the lease, the full partition wall between the units will be substantially removed by Lend Lease. Photographs of the proposed units is shown at Appendix B to the report. The main photograph shows the units from their front the other two show their position relative to Heygate and Wansey Streets.
11. Use of the two units as a library and heritage centre will require planning consent and if this is granted the lease can be completed and the units can then be fitted out to meet the council's standards. This process may take around a year but this is significantly quicker than would be the case if the council sought to purchase, assemble and build on another site.
12. The proposed accommodation to be leased provides a gross internal area of 576m². This is more than twice as large as the former temporary library. The proposed library and heritage space will be contained on a single (ground) floor that will maximise space usage and user experience. The fact that it is not rectangular will give the space interest to users and will be ideal for its dual function as a heritage centre and library.
13. The proposed space will have prominence to Walworth Road for users and benefit from excellent bus services as well as being within a short walk of the Elephant and Castle transport interchange. It is also closely situated to the former Newington Library and Town Hall. Being part of a retail parade will heighten its convenience for potential users. In addition, the proposed library and heritage centre will attract potential custom to the parade.
14. As previously mentioned, the area to be leased will not be fitted out. Should cabinet approve the proposed lease, the director of leisure will arrange for this following usual procurement protocol. In doing so, she will reflect the needs of the diverse users in relation to layout, partitioning, services, fittings and furnishings whilst having regard to budgetary constraints.

Principal proposed lease terms

15.
 - a) A lease of 250 years at a fixed rent of a peppercorn per annum.
 - b) The council to pay a premium for the lease the details of which are set out in the closed version of this report.

- c) The council to be responsible for the repair and maintenance of the internal parts of the leased area.
- d) The landlord to keep in good repair the exterior of the premises.
- e) The landlord to manage and keep in good repair the common parts of the overall block.
- f) The landlord to insure the premises against fire and other usual building risks.
- g) The council to pay an annual service charge to cover the landlord's reasonable costs in discharging its obligations under d), e) and f).
- h) The council to be responsible for business rates levied on the premises.
- i) The council will be permitted to under-let the premises at the market rent subject to the landlord's consent.
- j) The council will be permitted to transfer the lease subject to the landlord's consent.
- k) In the event of the council seeking to transfer the lease or underletting the premises the landlord will be able to purchase the council's lease at market value.
- l) The premises to be used as a library and heritage centre including ancillary uses thereto or any other use the landlord may consent to.

Commentary on principal proposed lease terms

16. a) This gives the council the right to occupy for a very long time without effectively paying an annual rent.
- b) This represents the capital value the landlord will forgo in not receiving a rent for 250 years and includes an allowance for fitting out works equal to two years rent.
- c) A standard lease obligation; the council will be in control of the interior of the property.
- d) – g) Standard lease provisions for premises in multiple occupation.
- h) Business rates are levied on the occupation of property so an occupier it is reasonable for the council to meet these.
- i) – j) Whilst there is no intention for the council not to require the premises for occupation 250 years is a very long time and these provisions preserve the council's ability to divest itself of the property should it choose to sometime in the future.
- k) If the landlord opts to exercise this option the council relieves itself of responsibility for the property and receives market value and avoids marketing expenses and void periods.

17. Cabinet will note that although no annual rent will be effectively payable the council will however still have occupational costs in the form of business rates, an annual service charge, utility charges and an obligation to maintain the interior of the premises.

Planning implications

18. Paragraph 10 advises that because the premises have consent for retail use a planning consent will be needed to change the use to library and heritage purposes. Should cabinet approve the proposed lease, the council will seek such consent but until it is obtained the council is unable to commit to the lease since it may not be able to put the premises to its intended use.
19. Likewise, Lend Lease may be required to seek a variation of its planning consent because the Elephant Park Masterplan requires a specified minimum provision of retail space. The conversion of two units to a library and heritage centre envisaged in this report may result in that minimum requirement being breached. Should this be the case, it will be necessary for Lend Lease to seek a variation to its overall consent in which case the grant of the lease cannot follow until that is obtained.

Rationale for recommendations

20.
 - a) To maximise the opportunity for library services in the Walworth area.
 - b) To deliver on a commitment within the new Council Plan.
 - c) To provide the machinery to complete the lease that will provide the premises for a new library and heritage centre in Walworth.
 - d) To transform the completed new premises from a shell finish to a modern, attractive library to meets the needs of the local population whilst not exceeding budgetary constraints.

Community impact statement

21. The new Council Plan was the subject of extensive community consultation. The recommendations herein directly deliver upon an undertaking to build a new library on the Walworth Road that forms part of the Vibrant Future commitment set out in the Plan.
22. The Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:
 - a) eliminate discrimination:
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
23. Relevant protected characteristics for the purposes of the Equality Act are:
 - Age

- Civil partnership
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex and sexual orientation.

24. In considering the recommendations herein the cabinet must have due regard to the possible effects them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
25. The break in library service resulting from the closure at the end of last year is considered to adversely all parts of the community including those with protected characteristics. The proposal in this report mitigates the length of loss of continuity of the service so is therefore beneficial to all the community including those with protected characteristics.

Financial implications

26. The acquisition of the proposed lease and subsequent fit out costs will incur substantial capital expenditure and is considered in detail in the closed version of the report.
27. When occupation of the premises commences, the council will, as set out in paragraph 16 incur ongoing annual revenue costs that will be met from existing budgets. These costs will be mitigated from revenue savings arising from last year's closure of the temporary library at Artworks.
28. Negotiating the lease, seeking consent for a change of use and specifying and the commissioning the fit out works will incur revenue but these can be met from existing budgetary provision.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director Environment and Leisure

29. This report seeks approval for Southwark Council to enter into a long term lease to provide a permanent library and heritage centre on the Walworth Road. The report summarises the history of a library in this area and the reason why the temporary Newington Library had to close in December 2018.
30. Officers have explored the limited local opportunities to provide a much needed permanent library in this area and in the opinion of the strategic director of environment and leisure this site is the only viable solution at this time. The new library will provide a children's reading area, wide range going book stock and

other materials, study space, access to free Wi-Fi and enable drop in sessions and activities to activate both the library and its immediate area.

31. The library will also contain an area for heritage and educational visits to once again enable the permanent display of artefacts from the Cuming Museum and other Southwark collections. Officers will programme changing displays and activities and displays to exemplify Southwark's rich and varied heritage.
32. The new heritage service will be fully integrated into the library but retain a dedicated space for displays. The Cuming Museum was able to display only a small percentage of the overall collection at any one time. The new Library and heritage centre will be designed to maximise display and educational opportunities, however again only a small percentage of the collection will be able to be displayed with the rest stored in a safe location. However, apart from the artefacts on display focus will be given to increasing the current level of loans to suitable bodies to ensure that as much of the collection as possible is on public display.

Director of Law and Democracy

33. Section 7 of the Public Libraries and Museums Act 1964 places a duty on library authorities to "provide a comprehensive and efficient library service for all persons desiring to make use thereof".
34. Section 120 of the Local Government Act 1972 provides that a principal council may acquire by agreement any land, whether situated inside or outside their area, for the purposes of any of their functions under the 1972 Act or any other enactment or for the benefit, improvement or development of their area.
35. The council has powers under the 1972 Act to acquire land by way of a long lease in order to carry out its functions under the 1964 Act to provide a library service.

Strategic Director of Finance and Governance [FC18/027]

36. Set out in closed version of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Cabinet report of 16 July 2013	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
Link (please copy and paste into your browser): http://modern.gov.southwark.gov.uk/documents/s39355/Report%20Walworth%20Town%20Hall%20A%20Strategic%20Vision%20for%20the%20Rebuilt%20Town%20Hall.pdf		
Council Cabinet report of 18 March 2014	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
Link (please copy and paste into your browser): http://modern.gov.southwark.gov.uk/documents/s45088/Report%20Walworth%20Town%20Hall%20-%20Agreeing%20the%20Way%20Forward.pdf		
Council Plan 2018/9 – 2021/22	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
Link (please copy and paste into your browser): http://modern.gov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
21 August 2017 Planning Approval for Reserved matters Plot H3 Elephant Park	160 Tooley Street London SE1 2QH	Patrick McGreal 020 7525 5626
Link (please copy and paste into your browser): http://planbuild.southwark.gov.uk/documents/?casereference=16/AP/1705&system=DC		

APPENDICES

Appendix	Title
Appendix A	Plan of proposed new library location
Appendix B	Photographs of proposed new library

AUDIT TRAIL

Cabinet Members	Councillor Johnson Situ, Growth, Development and Planning and Councillor Rebecca Lury, Deputy Leader and Culture, Leisure, Equalities and Communities	
Lead Officer	Kevin Fenton, Strategic Director Place and Wellbeing	
Report Author	Patrick McGreal, Regeneration-North	
Version	Final	
Dated	10 January 2019	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES/CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director Environment and Leisure	Yes	Yes
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	In closed version
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	10 January 2019	