

Item No: 1	Classification: Open	Date: April 30 2007	Meeting Name: Overview & Scrutiny Committee
Report Title:		Call-in: Relocation of Reference Library (Executive Member for Culture, Leisure & Sport April 4 2007)	
Ward(s) or Group affected:		All	
From:		Head of Overview & Scrutiny	

RECOMMENDATION

1. That overview & scrutiny committee considers a call-in request relating to the decision taken by the Executive Member for Culture, Leisure & Sport on April 4 2007 in respect of the relocation of Newington Reference Library.

BACKGROUND INFORMATION

2. On April 4 2007 the Executive Member for Culture, Leisure & Sport considered a report on the relocation of Newington Reference Library (attached as an appendix). The Executive Member agreed:
 - a) That as an interim arrangement, the ground floor of Newington Library is refurbished, with extra space opened up for public use and additional study spaces provided, that the reference service is relocated to this space and that the service is accessible to all.
 - b) That newspaper provision is expanded at Brandon, East Street and John Harvard libraries to improve provision there and to reduce pressure on space at Newington.
 - c) That additional study space is identified at John Harvard Library to accommodate large numbers of people from SE1, requiring study space.
 - d) That proposals for improving and modernising the information service are noted.
 - e) That work being undertaken by officers to investigate options for the future use of Walworth Town Hall and Newington Library as a single unit, including how to make best use of all space available and to extend and improve services, is noted, and that officers report back to the Executive Member for Culture, Leisure and Sport on their findings.
3. On April 18 2007 the Chair of Overview & Scrutiny Committee - Councillor Fiona Colley - and three members of the Committee (Councillors Barrie Hargrove, Dominic Thorncroft and John Friary) requested call-in of the decisions on the following grounds:

Proportionality

4. "Members question whether spending approximately £100k on an interim arrangement which will result in a service that many users consider to be worse than the current service is proportionate to the desired outcome of making the library DDA compliant.
5. The residents' campaign group has made a number of alternative suggestions which whilst not long term solutions may be appropriate for this interim period. It is not clear from the report whether these suggestions have been fully explored for instance installation of a Stannah Stairiser or providing a quick reference library and book ordering service downstairs while retaining use of additional study space upstairs. Furthermore the local MP suggested in January that the relocation should be suspended until after the potential for use of the library and the old town hall as one unit was resolved.
6. It is not clear from the report whether these proposals and others have been fully explored and if so why they have been rejected in favour of the relocation.

Clarity of aims and desired outcomes

7. Although the decision states that this is an interim arrangement and that further options will be investigated the decision lacks clarity as it fails to set a timetable for this work and for taking the final decision
8. Members understand various possible timescales are being suggested in exchanges of emails and letters between politicians, officers and residents, but the formal decision is silent on this. The lack of a binding timetable in the formal decision is a serious flaw and undermines public confidence in the claim that this really is an interim arrangement.
9. As recently as December 2006, local councillors and others were given the impression that the strategy with Fusion would go ahead, and that as Camberwell is most in need of investment, significant funds from this arrangement would be ear marked for Camberwell.

Possible alternative courses of action

10. A number of alternative proposals have been put forward by the residents' campaign group and local representatives such as those listed (at paragraph 5). The inclusion of a clear timetable for a final decision to be taken should also form part of the decision."

KEY ISSUES FOR CONSIDERATION

11. Requests for call-in should normally only be made if there is evidence that the decision was not taken in accordance with the principles of decision making as set out in the Constitution:
 - Proportionality (i.e. the action must be proportionate to the outcome);

- Due consultation and the taking of professional advice from Officers;
- Respect for human rights;
- Presumption in favour of openness;
- Clarity of aims and desired outcomes;
- The link between strategy and implementation must be maintained;

Decision-making generally should have reference to the policy framework and be in accordance with the budget.

12. The Overview and Scrutiny Procedure Rules require the Committee to consider any call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget. Advice should be sought from appropriate Chief Officers including the Monitoring Officer and the Chief Finance Officer.
13. If, having considered the decision and all relevant advice, the Overview & Scrutiny Committee is still concerned about it, then it may either:
 - refer it back to the decision-making body *[or officer to whom responsibility for that decision was delegated]* for reconsideration, setting out in writing the nature of its concerns; or
 - refer the matter to Council Assembly if the decision is deemed to be outside the policy and budget framework.
14. The Executive Member with relevant portfolio responsibilities has been advised of this meeting.

LEGAL & FINANCIAL IMPLICATIONS

15. Rule 18.6 of the Overview and Scrutiny Procedure Rules requires a call-in to be requested by the Chair or Vice-Chair of the Overview and Scrutiny Committee plus three members of the Committee; the call-in request has been validly made in accordance with this rule.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Executive Member Decisions – reports & decisions	Town Hall, Peckham Road, London SE5 8UB	Karen Coert Constitutional Team 020 7525 4395

Audit Trail

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Peter Roberts, Scrutiny Project Manager	
Version	Final	
Dated	20/04/2007	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	-
Executive Member	No	