

## Minutes of the Corporate Overview and Scrutiny Committee Meeting held on 6 January 2022

Present: Colin Greatorex (Chairman)

### Attendance

Tina Clements	Bob Spencer
Jeremy Oates	Samantha Thompson
Kath Perry, MBE	Conor Wileman (Vice-Chairman (Overview))

**Also in attendance:** Councillors Syed Hussain, Keith Flunder, Philip White, Victoria Wilson.

Officers: Janine Cox, Wayne Mortiboys, Catharine Mann, John Tradewell and Chris Ebberley.

**Apologies:** Charlotte Atkins, Gill Heath, Jeremy Pert, Bernard Peters and Mike Worthington

### PART ONE

#### 26. Declarations of Interest

Councillor Peters had declared an interest in advance of the meeting as he was a Cabinet Member at East Staffordshire Borough Council. He did not attend or take part in the meeting.

Councillor Philip White and Victoria Wilson both declared that they were members of the Burton Town Deal Partnership Board.

#### 27. Minutes of the meetings held on 7 September 2021, 5 October 2021 and 16 November 2021

**RESOLVED:** That the minutes of the meetings held on the 7 September 2021, 5 October 2021, and 16 November 2021 be approved as a correct record and signed by the Chairman.

#### 28. Consideration of the Call In of the Cabinet Decision - Burton Town Deal - Proposed Library Move

The Chairman explained the call-in procedure to the Committee and the order of speakers.

The Decision and reasons for the Call in were detailed in the report. In advance of the meeting a detailed written response to the reasons for the

call in had been circulated to members. Both the reasons for the call in and the detailed response are attached to these minutes for information.

Councillor S Hussain as the Lead Member for the call in, expressed concern that the people who had responded to the consultation exercise and had opposed the move (77%), had been ignored. It was felt that the results of the consultation had not been listened to. Cllr Hussain felt that there was no evidence that the move would increase library usage. There was also concern that the Market traders would suffer if the move took place. He felt that options 2 and 3, as considered by the Cabinet and which didn't propose moving the library were favourable and had also been the preferred options for users. He also questioned the financial shortfall of the proposed scheme and how this would be funded.

Councillor Tina Clement, as Chairman of the Prosperous Overview and Scrutiny Committee expressed concern that the majority of the consultation responses had not been taken into account and questioned the purpose of consultation if it was ignored. She also expressed concern the item had not been considered at Overview and Scrutiny committee before a decision was taken.

Councillor Philip White, Deputy Leader and Cabinet member for Economy and Skills, explained that one of the responsibilities of the County Council was to support and work alongside the Districts/Boroughs/Partners in Economic development and regeneration. It was explained that there had been a number of Town Deal development projects that joined together to deliver the regeneration of Burton. Due to their separated evaluation processes and different time scales it could appear difficult to see the benefit of the schemes and what they would deliver for the town in their entirety.

The transformation programme would be led by East Staffordshire Borough Council and it was at their request that the County Council had put in motion the consideration of the Library move which would facilitate the rest of their development plans. The development of the Waterfront was key to how they develop that part of the town and make it more desirable to residents.

He also reminded members that the item had been in the for Forward plan for some time and could have been considered by Overview and Scrutiny during that time if requested.

Councillor Wilson, Cabinet Member for Communities and Culture, addressed the Committee. She felt that the reasons and plans for the proposed move had been clear and had included an extensive consultation and engagement programme. The purpose of the proposal was to generate greater footfall into the marketplace and to generate business interest in a currently underused part of the town centre and ensure a long term future for the

market hall. There was a strong track record in the County of providing excellent Library services.

In support of the Cabinet Members, officers responded to each of the issues raised within the call in (detail attached).

A Member highlighted that the consultation exercise had been conducted during a pandemic and couldn't have been as wide ranging as that normally carried out.

The written response to the call in was welcomed but members felt that there had not been enough time to read and digest it. It was explained that this was due to the holiday period and the Cabinet member being out of the county until the day before the meeting.

It was requested that the Cabinet should reconsider the decision and suggested that the library should stay in its current location and compliment the development of the Waterfront building into a 'Washlands Visitor Center', (project D). The Committee was informed that if it stayed in the building, it would lose some of the space to the Plaza and the building would have to be extended.

The Cabinet member reminded the Committee that the decisions on how to develop the Town had been made following months of careful consideration by the Town Development Board.

The following information was gained by the Committee:

- An extension to the 'Washlands visitor centre' was not a viable option and would require the Government to change its bid criteria.
- The deadline for the government submission was the 24 March 2022.
- The decision taken by the Council related to the Library and the development proposals were within the remit of East Staffordshire Borough Council.
- Cabinet Members felt that there had been an opportunity to consider the proposals prior to Cabinet decision.
- It was felt that the important point was that the services offered were what the public wanted and were accessible not necessarily the building they are located in.
- The proposed relocation site was a short walk away for the current location.

Councillor Wileman moved a motion, seconded by Councillor Clement:

1. That the matter be referred back to Cabinet for further consideration including the option of the library remaining in the Washlands visitor centre, with the extensions as discussed at the meeting and

consideration of concerns raised in reasons 2 and 3 of the call in regarding footfall and MTFS savings.

2. That due consideration be given to the opinions of the objectors.
3. That a meeting be held with local councillors to discuss the comparison exercise (results of 1 above) before the Cabinet makes its final decision.

Following a vote by the Committee this motion was lost.

Councillor Clements - For  
Councillor Oates - Against  
Councillor Perry - Against  
Councillor Spencer - Against  
Councillor Thompson- Against  
Councillor C Wileman - For

Councillor Oates moved a motion, seconded by Councillor Spencer, that the Committee agree the Cabinet decision be implemented as set out in the original decision notice.

This motion was agreed.

Councillor Clements - Against  
Councillor Oates - For  
Councillor Perry - For  
Councillor Spencer - For  
Councillor Thompson- For  
Councillor C Wileman - Against

**RESOLVED** – that the Corporate Overview and Scrutiny Committee agree for the Cabinet decision to be implemented as set out in the original decision notice.

The Chairman thanked all those involved in the meeting for their fair and robust discussion.

## APPENDIX TO THE MINUTES

### Burton Town Deal – Proposed Library Move

Decision made: 15 December 2021

**Decision** – (a) Subject to confirmation from Government and the Town Board that a Town Fund allocation of £6,991,549, or greater, is awarded following submission of the necessary Business Case, and that the identified shortfall of £1,036,382 can be resourced from either the Town Board or other external funding; Cabinet agrees to re-locate Burton Library and consolidate other County offices into the Market Hall and Crossley House with a maximum capital investment from the County Council of £1,067,000.

(b) Cabinet delegates authority to negotiate with East Staffordshire Borough Council, secure their ongoing support and deal with all aspects of any property transactions necessary to implement (a) above to the Property Sub Committee

(c) Cabinet delegates authority to submit the Final Business Case to East Staffordshire Borough Council to the Director of Corporate Services in consultation with the County Treasurer

#### **Reasons for call in**

- 1. Inadequate consideration given to the principle finding of the public consultation, which confirmed 77% of respondents did not agree with the proposed library move.**

In summer 2021, SCC carried out a community engagement and consultation exercise about the proposed library move. Out of 1,161 respondents, 77% did not agree with the proposed library move. 48% of those who were regular library users stated that they would not continue to use the library if it was moved into Burton Market Hall. The Cabinet report also confirmed that

*"the strength of objection is highest amongst respondents who said they were regular library users or living within the eight Burton wards."*

We would like to point out that unlike a petition where you might simply add your name online to a particular cause, this consultation asked many questions with options for adding free text – 781 respondents added detailed free text according to the Cabinet report. The process would have taken the average person 15-20 minutes to complete. 1,161 responses is therefore a significant number and warrants serious and careful consideration.

The strength of this objection should in our view have triggered SCC and its Burton Town Deal partners to reflect on the current proposal and consider alternative ideas for library location and potential uses for Burton Market Hall. Instead, SCC and partners gave no consideration whatsoever to alternative ideas and continued to pursue the proposed library move against the wishes of Burton residents, which has culminated in SCC Cabinet making the decision to proceed with the proposed library move on 15 December 2021.

We call on SCC Cabinet to urgently work with its Burton Town Deal partners to consider alternative ideas which keep the library in its current location.

***Response to reason 1:***

*The eight-week consultation was a vital part of the decision-making process, and the purpose of this was so that we could be clear about the community's views and respond appropriately. We carefully considered the feedback of around 1,500 people who responded either via the questionnaire or at one of the face-to-face opportunities.*

*This represents around 1.6% of the population of the town. Just over three-quarters of those who responded were opposed to the scheme and we have carefully considered the reasons they gave for doing so.*

*All free text comments, plus the comments made at the focus groups, pop-up events, drop-in sessions and the public meeting have been analysed by "theme".*

*These free text "themes" are presented in full at Appendix 6 of the Cabinet report. The key reasons for opposing the move are as follows:*

- a. Happy with the current library offer / location*
- a. Concerned over lack of facilities / parking / access*
- b. Concerned what will happen to market and market traders*
- c. No need for change / waste of money*
- d. Spend the money on the Market Hall*
- e. Concerned what will replace the library*

*We recognise that many respondents did not see the need to relocate the library at the time of the consultation, however this was prior to the Borough Council releasing details of their proposals for the redevelopment of the waterfront.*

*Respondents to the survey expressed concern about a lack of facilities and parking. If the relocation does take place, Burton Library will be smaller than the existing library, however it will remain one of the largest libraries in*

*Staffordshire. The range of services will be maintained but will be delivered in a more modern setting and the entire library offer will be located on the ground floor which will improve access. There are more than 40 parking spaces in the immediate vicinity of the Market Hall and these will be reviewed to increase access to disabled parking, short term parking and spaces for parents with children.*

*Concern was also expressed about the market and market traders and what would replace the library. Appendix 4a and 4b of the report set out ESBC's proposals for the existing library site and "the relocation of remaining small number of market hall traders" which will help protect those small business interests. This information was not available during the public consultation.*

*Respondents were asked to rank which elements of the library offer they valued the most. These are as follows:*

- f. Range & availability of books*
- g. Information & advice*
- h. Parking*
- i. Café facilities*
- j. Helpfulness of staff*

*If the library is relocated, the range and availability of less frequently borrowed books may reduce slightly. However, it should be noted that this has happened within recently relocated libraries and book loans have still risen. It is important to note that popular titles are available on demand often in greater quantities and that less popular titles are available via request.*

*No changes to the Burton library staffing establishment are planned and therefore access to information and advice or the availability of helpful staff will not be impacted if the library is relocated.*

*Following the consultation an analysis of existing parking opportunities within the vicinity of the current library site and the Market Hall has been completed. This evidences that spaces immediately adjacent to the existing library are greater than at the Market Hall but both sites have a substantial number of parking spaces in their immediate vicinity. However, the Market Hall has more spaces within a 250-metre walk than the existing library and is also closer to local bus stops. Availability of dedicated disabled spaces and parent and child spaces will need to be increased in the immediate environs of the Market Hall if the relocation proceeds. These spaces are predominantly provided through on-street parking which is managed by SCC and therefore within the SCC's span of control.*

*It should also be noted that the car parking adjacent to the existing library is due to be pedestrianised as part of the Project D proposals set out by the*

*Borough Council, so this could not be relied upon if we were to retain our current library site.*

*A commercial café has been part of the SCC's plans and would be located at the front of the Market Hall, facing Market Place. This will provide an opportunity to increase footfall and enhance the café culture of the Market Place by creating an informal space within the library for people to meet.*

*We would like to reassure you that the reasons for opposing the move have been fully considered. A full Community Impact Assessment (CIA) has been completed and is attached at Appendix 8 of the report.*

*The CIA sets out the benefits and risks of the proposal, making recommendations to ensure that any impacts are mitigated where possible.*

*We want to continue to deliver an excellent library offer for the Burton community. Library staff will continue to work with partners to engage with groups and individuals to promote the library offer and encourage people of all ages shape the internal design to ensure that the library building remains a safe welcoming space within Burton town centre.*

*Alternative ideas for the use of the Market Hall are a matter for East Staffordshire Borough Council to consider as the current owners of the Market Hall and the accountable body for the Town Funds. They will need to give serious consideration of the alternative proposals to use the Market Hall as a Food Hall and decide whether those proposals are more favourable than the SCC proposals. The decision before SCC Cabinet on 15<sup>th</sup> December related to whether SCC wishes to pursue a re-location of the library if the opportunity comes to fruition and if a set of specific conditions are met. At their meeting on 23<sup>rd</sup> December the Town Deal Board reviewed a document created by ESBC which outlined why the Market Hall would be inappropriate as a Food Hall but explaining how a purpose-built food hall, with appropriate ventilation, delivery access, parking etc could be incorporated into the Project D proposals – subject to commercial interest.*

**2. The Cabinet Decision to proceed with the move of Burton Library into Burton Market Hall was decided without giving sufficient consideration to the alternative option of retaining and refurbishing the current Burton Library building.**

The Cabinet decided in a Part 2 meeting in August 2020 to agree in principle to the proposed library move subject to meeting four criteria. The criteria were set to ensure that the proposed library move would bring about economic benefits to Burton and not expose SCC to any obvious financial risk. When we analyse at least three of these criteria below, the alternative option of retaining and refurbishing the current library is likely to outperform the proposed library move, yet there has been no public debate on this issue



and no real consideration of this in the Cabinet Report – the only option that is seriously considered is the proposed library move. Taking each relevant criteria in turn:

**a) *The proposal delivers the relevant Property MTFS revenue savings***

The financial analysis presented at Appendix 9 of the Cabinet Report contains various options. Option 8a and 8b are essentially the proposed library move. Options 2 and 3 retain the library in its current location.

On face value, options 8a and 8b appear to be the better options in respect of generating MTFS revenue savings, however options 8a and 8b include:

- £1,067,000 “Investment Funding” from SCC which is already committed by SCC.
- £6,991,549 Stronger Towns Fund funding.

If you were to include the £1 million Investment Funding as part of option 2 or 3, this would significantly reduce overall borrowing and thus the costs of borrowing, meaning options 2 and 3 may generate increased MTFS revenue savings compared with what is shown in Appendix 9.

In addition, we believe that some of the Stronger Towns Funding could be repurposed for refurbishing the current library building, especially if the library building was to become part of Project D (another Stronger Towns Fund Board project) and therefore this could entirely remove any borrowing and associated costs from the project and mean options 2 and 3 would be clear winners in terms of generation of MTFS savings. We have not seen any financial analysis which compares the two ideas in the way explained above.

***Response to 2a) The proposal delivers the relevant Property MTFS revenue savings***

*Corporate Overview and Scrutiny Committee members are reminded of the Cabinet recommendations when considering the points raised through the call in.*

*(a) Subject to confirmation from Government and the Town Board that a Town Fund allocation of £6,991,549, or greater, is awarded following submission of the necessary Business Case, and that the identified shortfall of £1,036,382 can be resourced from either the Town Board or other external funding; Cabinet agrees to re-locate Burton Library and consolidate other County offices into the Market Hall and Crossley House with a maximum capital investment from the County Council of £1,067,000.*

*The Full Business Case analysis shows that the option of moving the library to the Market Hall and Crossley House **is** the most cost-effective option in achieving the stated aims of the Property MTFs revenue savings providing an additional £1,036,382 of external funding can be secured.*

*As stated in the Cabinet report, The difference between the annual revenue costs of the "do nothing" option (option 1) and moving to the Market Hall and Crossley House (Option 8) is estimated at £91,000 per year if the funding shortfall can be met with additional external funding (shown as option 8b in Appendix 9).*

*This does compare favourably with the option of consolidating some of the SCC's services within the existing library site (option 2). The difference between option 2 and option 8b represents a difference to Staffordshire's taxpayers of £65,000 per year. However, the analysis set out in paragraph 55 of the report does highlight that the cost of borrowing would erode the difference between option 2 and 8 to only £17,000 per year if the County Council were to have to borrow the un-funded gap (shown as option 8a in Appendix 9) which is why the Cabinet recommendations moved at the meeting caveated the recommendation with the need to secure additional external funding.*

*There are no guarantees however that if the county council were to proceed with option 2 that The Town Deal Board and ESBC as the accountable body would agree to renegotiate with the government to invest in the current library building.*

***b) The proposal can be shown to increase town centre footfall and vitality***

The Cabinet Report did not compare town centre footfall projections expected from the proposed library move to projections if the library was to remain and be refurbished in its current location. If we then consider as per the consultation results that 48% of current library users will not use Burton library if it moves into Burton Market Hall, we are perplexed as to why SCC would decide to run the risk that library usage may decline overall never mind that the project will cost over £9 million and have a serious impact on SCC resources and capacity.

***Response to 2b) The proposal can be shown to increase town centre footfall and vitality***

*At present the full impact is on town centre footfall is unknown as it will depend on how ESBC choose to deal with the relocation of their current tenants of the Market Hall and the decisions taken by the affected traders.*

*East Staffordshire Borough Council, as you are aware, has indicated an intention to support the affected traders to relocate. The Business Case*

*assumes that they will be relocated elsewhere within the town centre and therefore this footfall will not be lost to the town.*

*The public consultation has evidenced that of the 1,161 responses only 37% visited the market stalls regularly (regularly defined as at least once per month). The proposals for the new library and enterprise hub include a café and public toilets. These two existing facilities within the Market Hall were the second and third most popular reasons for visiting the venue, at 30% and 26% respectively.*

*It is anticipated therefore that this footfall will not be "lost" or "displaced elsewhere" but will remain within the Market Hall. In addition to the retained footfall, the library, has an anticipated uplift of 40% which has been seen elsewhere in Staffordshire when the library offer is modernised plus the footfall to the public sector hub and Registration Services.*

*A calculation of the anticipated footfall that will be generated by the County Council's proposals for the Library and Enterprise Hub are provided at Appendix 3 of the report. These indicate an additional footfall of 189,471 per year on the Market Place area of the town centre, an uplift of 83% on the current Market Hall footfall.*

*Lichfield achieved an increase +97% in first year after re-opening. The calculation for Burton has made assumption that there would be a 40% uplift which takes account of some local opposition from registered library members who might choose not to visit a new library if it were to be re-located into the Market Hall.*

**c) The proposal facilitates broader regeneration activities on the existing library site.**

If Burton Library move goes ahead, ESBC will secure the library site for redevelopment. On 13 December 2021, ESBC recently released their vision of the library site and surrounding area by Burton's waterfront, otherwise known as Project D. This vision to date includes cladding the current library building and repurposing it as a Washlands Visitor Centre.

The current library building is far too big for a Washlands Visitor Centre and ESBC acknowledge this by stating that they will need to consider additional uses for the building such as a conference centre and the inclusion of bike hire facilities. This begs the question as to why leaving the library in the current library building and adding a Washlands Visitor Centre is not seriously being considered. This would provide the additional use that the building needs and could create a "cultural quarter" by the river if ESBC go ahead with their idea of creating a heritage centre close by too. Incorporating the library into Project D could contribute to the

broader regeneration activities envisaged but again no serious consideration of this idea appears to have been given.

Overall, we believe that Cabinet should look again at the benefits of retaining the library in its current position and work with ESBC to finalise exciting proposals for Project D. Moving the library is not the “key” to unlocking ambitious plans, in fact leaving it where it is could make Project D a more viable proposition and create an exciting cultural quarter for Burton.

***Response to 2c) The proposal facilitates broader regeneration activities on the existing library site***

*This would be achieved through the delivery of an associated Burton Town Deal Board project led by ESBC. This project (project D) is progressing in parallel to the development of the library project.*

*ESBC released details of their proposals in early December – their vision is to create a Washlands Visitor Centre. This will provide a gateway to an improved Washlands Park and associated café / restaurant and bike hire facility.*

*A letter from the Leader of East Staffordshire Borough Council outlining how “the use of the library area is fundamental to our plans both as the Borough Council but also as a wider Towns Fund partnership looking to deliver on the whole vision of the Burton Town Investment Plan” is included at Appendix 4 of the report. Also included in Appendix 4 is the analysis of the latest Project D proposals, as referenced in Cllr Goodfellow’s letter, which highlights the creation of a Washlands Visitor Centre on the site of the existing library as being the third highest ranking of nine proposals considered through the latest public consultation exercise.*

*The Market Hall is in very close proximity to the proposed Washlands redevelopment. It will be essential therefore that SCC continue to work with ESBC to ensure a clear linkage between both sites to strengthen the cultural offer within the town centre.*

*The library service already delivers children’s and promotional activities outdoors on the Washlands and it is anticipated that this will continue if the library is relocated.*

*The only way that a Visitor Centre could be incorporated into the existing library offer, without compromising it, would be to extend the existing library building.*

*Incorporating a new Washlands Visitor Centre as a significant extension on the side of the existing library building would also constitute a “new*

*project” in the eyes of the Government and would not meet the terms of their original “in principle” funding offer. It would also fail to achieve the footfall uplift in the Market Place and the improvement of the Market Hall, a building of significant historical interest. The Town Investment Plan presented to Government already focuses strongly on the “hidden heritage” within the town. There is no guarantee that this level of deviation would be approved at this late stage by Government. This level of speculation would add significant risk to the Town Board’s proposals .*

- 3. Burton library in its current location is one of the most frequently used libraries across Staffordshire. This speaks for itself. Moving Burton library into Burton Market Hall will mean the library loses its prime location overlooking the green expanse of the Washlands and lose proximity to a large and generally quiet car park. This may mean fewer residents use the library service as shown in the responses to the public consultation.**

Concerns over the effect of the move on Burton library service have been cast aside due to wider regeneration goals, however moving a library and offices into a traditional Market Hall and events space doesn’t particularly strike us as exciting or imaginative and therefore we would like to ask the Cabinet to re-consider in consultation with local members whether overall this move is actually worth it, and in doing so have due regard to ESBC’s vision for the current library site which was only released on 13 December 2021 – two days before the SCC Cabinet Decision.

### ***Response to reason 3:***

*The comments regarding parking and the response to the public consultation have been covered in the responses to previous points.*

*Historically Staffordshire’s library network was established before the 1974 review of local government and provision therefore differs across the county. Some of our static libraries were established by Rural and Urban District councils which has left a Hub and spoke model in parts of the county.*

*For example, Cannock Library has 6 libraries within a 5-mile radius; Newcastle has 3 libraries and Lichfield has 2.*

*While the Burton area does have an extensive mobile library service which visits Anslow, Branston, Stretton, Rolleston and Tutbury, the closest static Staffordshire library to Burton is Barton Library which is 6.3 miles.*

*Library use in Burton Library is concentrated on one central library and is not diluted across multiple community libraries which accounts in part for the high level of visits.*

*Also contributing to the high Burton Library visitor numbers is the popular café and 2 large meeting rooms, which prior to COVID were hired extensively. A café offer and meeting room provision will remain if the library is relocated to the Market Hall.*

*We believe that libraries can be a fundamental part of High Street regeneration. As you are aware, over the last six years Staffordshire County Council has demonstrated their commitment to modernising our library offer in relocating three libraries into new buildings.*

*Stafford Library moved into our corporate building – July 2015. Newcastle Library was relocated into a community hub with the Borough Council, Police, Families First and Aspire Housing - July 2018. Lichfield Library moved into a former church sharing space with a community arts organisation and Tourist Information Centre – December 2018. All three library buildings are smaller than the buildings that were vacated, however if Burton Library does relocate into the Market Hall, Burton would still be the second largest Staffordshire Library.*

*The rationale behind all three relocations was to bring increased footfall into more centrally located library spaces and key areas of town centres. During its first year of operation the new Lichfield library saw a 97% increase in footfall, 85% increase in new membership and a 19% increase in stock issues.*

*The learning from the Lichfield relocation inspired confidence in rejuvenating historic buildings and the success of the Lichfield Library relocation influenced our decision to consider the proposal to relocate Burton Library.*

*Burton Market Hall is a beautiful building benefiting from considerable space and natural lighting which we feel will provide a similarly engaging library space to Lichfield and will continue our success in reimagining and preserving significant heritage buildings as libraries.*

**Chairman**