

# Minutes



To: All Members of the Education,  
Libraries and Localism  
Cabinet Panel, Chief  
Executive, Chief Officers, All  
officers named for 'actions'

From: Legal, Democratic & Statutory Services  
Ask for: Stephanie Tarrant  
Ext: 25481

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## EDUCATION, LIBRARIES AND LOCALISM CABINET PANEL 17 APRIL 2018

### ATTENDANCE

#### MEMBERS OF THE PANEL

J Billing, A P Brewster, C Clapper, T L F Douris (*Chairman*), B A Gibson, T R Hutchings (*Vice Chairman*), M S Hearn, A Plancey, M A Watkin, S K Jarvis, J F Wyllie

#### OTHER MEMBERS IN ATTENDANCE

D A Ashley, F Button

Upon consideration of the agenda for the Education, Libraries and Localism Cabinet Panel meeting 17 April 2018 as circulated, copy annexed, conclusions were reached and are recorded below.

*Note: No declarations of interest were made at this meeting.*

#### PART I ('OPEN') BUSINESS

##### 1. MINUTES

- 1.1 The minutes (Part I and Part II) of the previous meeting held on 6 February 2018 were agreed.

##### 2. PUBLIC PETITION

- 2.1 There were no public petitions.

##### 3. 'INSPIRING LIBRARIES' – DELIVERING THE NEXT PHASE

[Officer Contact: Andrew Bignell – Head of Libraries and Heritage Services Tel: 01707 281559]

- 3.1 The Cabinet Panel considered a report which detailed the work undertaken to explore the case for adopting an alternative delivery model for Hertfordshire Libraries.

#### ACTION

#### CHAIRMAN'S INITIALS

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- 3.2 The Panel noted the work of the multi-disciplinary project group and the initial preferred option of a Public Service Mutual being the most appropriate alternative model for the delivery of library services, subject to a full business case. It was noted that the Public Service Mutual model provided the greatest scope to achieve future benefits within an affordable model. Members noted that if the Public Service Mutual qualified for charitable status then there would be immediate savings through NDR rate relief and the ability to apply for grants that the County Council was not entitled to.
- 3.3 Members noted that a Public Service Mutual would allow for better cross border working and would create an independent service that had a clear focus on libraries. It was acknowledged that the outline business case identified a number of risks that would be addressed within the Full Business Case. Whilst the County Council had not entered a Public Service Mutual before, there was a good track record of implementing alternative models e.g. Herts for Learning and Herts Catering, in addition there were examples of other Public Service Mutual models delivering library services in the country to learn from.
- 3.4 The Panel were notified that a petition had been received titled 'Don't Privatise Berkhamsted Library' which had sufficient signatures to present to Panel, however, the opportunity had not been taken at this time. It was noted that the petition focussed on the notion of selling off libraries to commercial operators for profit and it was acknowledged that this had never been the intention.
- 3.5 Members acknowledged paragraph 1.3 of the outline Business Case which stated that that under the Public Libraries and Museums Act 1964, the County Council has a statutory duty ...”to provide a comprehensive and efficient library service for all persons desiring to make use thereof”. This reinforced that regardless of the model used the obligation to provide a library service would remain with the County Council.
- 3.6 In response to a Member question in relation to charitable status, Members heard that for the Public Service Mutual to be of financial benefit charitable status would need to be achieved. It was noted that charitable status could not be applied for/awarded until the Public Service Mutual was in place and that the Public Service Mutual would need to be set up ensuring that it met the criteria to apply for charitable status.
- 3.7 Members commented on the procurement process for library services once the Public Service Mutual was set up and it was advised that procurement rules would need to be followed with

**CHAIRMAN'S  
INITIALS**

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comprehensive legal advice taken and the review of the processes adopted by other authorities using a Public Service Mutual. In response to a Member question on whether the Public Service Mutual would still be the preferred option if services had to go through a competitive tender process, it was noted that the procurement route would be determined at a future stage of the process and that a Public Sector Mutual would continue to be the preferred option.

- 3.8 Members commented on the excellent work that the library service has achieved and queried why the library service could not provide innovative solutions moving forward, given that other authorities took the step to move to a Public Service Mutual model when services were on the downturn. Members heard that library staff had implemented as many changes as possible without affecting frontline services but were now in a position where further changes were needed and unless new opportunities were explored, frontline services would see an impact. It was noted that all Hertfordshire libraries have remained open and that the Public Service Mutual was a good option to consider in order to not having to reduce frontline services.
- 3.9 The Panel acknowledged concerns around the risks related to business rates, which were under review. It was noted that the risks were fully recognised and that the reward would outweigh the risk.
- 3.10 Members commented on the £500,000 savings required to be made from Libraries and noted that it was not a compulsory amount and could be challenged. In response it was noted that if the library service could not make the savings then the savings would need to come from another service and that the best option was to consider the full business case initially.
- 3.11 The Panel noted that the Post Office in Hoddesdon had moved into the library and that ongoing changes to the way in which services were provided were positive.

### **Conclusion**

- 3.12 That the Panel recommended to Cabinet that Cabinet:
- endorses the Outline Business Case (attached as Appendix A) which has identified that the County Council should adopt a Public Service Mutual (PSM) as the preferred model for the future delivery of library services, subject to the agreement of a detailed Business Case.
  - delegates the Director of Resources to proceed to developing

the Full Business Case and detailed Business Plan to support the setting up of a Public Service Mutual for approval by Cabinet in the autumn of 2018.

It was noted that the Liberal Democrat Group Members voted against the recommendations and that Labour Group Member abstained from voting on the recommendations.

**4. ADDITIONAL SCHOOL PLACES**

[Officer contact: Gary Gant, Planning Officer (Operations), Tel: 01992 556347 / Pauline Davis, Head of School Planning, Tel: 01992 555865]

- 4.1 The Cabinet Panel reviewed a report which detailed the outcome of the public consultation on proposals for the permanent expansion of the premises of Belswains Primary School in Hemel Hempstead and St Peter’s Primary School in St Albans.
- 4.2 Members acknowledged the responses to the consultations as detailed within the report and noted that both schemes had support from the local communities and noted the Governing Bodies responses.
- 4.3 Members referred to the petition heard at the February 2018 Cabinet Panel in relation to a lack of school places in St Albans City Centre and welcomed the permanent expansion of St Peter’s Primary School in St Albans City centre.

**Conclusions**

- 4.4 Panel recommended to Cabinet that it:
  - (i) authorises the Director of Children’s Services to publish statutory notices to enlarge the premises at both St Peter’s Primary School, St Albans and Belswains Primary School, Hemel Hempstead, by the size and date below:

School name	Area	Date of expansion	Expansion by form of entry (FE)	Increase in admission number
Belswains	Hemel Hempstead	01.09.2019	1.0 f.e (to 2 f.e.)	30
St Peter’s	St. Albans	01.09.2020	1.0 f.e (to 2 f.e.)	30

**CHAIRMAN’S INITIALS**

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- (ii) agrees to the capital costs of enlarging both Belswains Primary School, Hemel Hempstead and St. Peter's Primary School, St Albans as detailed in paragraph 5.2 of the report;
- (iii) approves the application of S106 funds, as identified in Appendix 4, subject to the completion of relevant school expansion and town planning processes where necessary;

**5. FUTURE OF TOWER PRIMARY SCHOOL, WARE**

[Officer contact: Juliet Whitehead, Education Leadership Team, Tel: 01438 844880]

- 5.1 Members reviewed a report which considered the future arrangements and finances required for Tower Primary School, Ware.
- 5.2 Following an inadequate Ofsted rating in March 2017, Tower Primary School was required to either become a sponsored academy or be closed. The Ivy Learning Trust based in Enfield were approached by the Department for Education to sponsor Tower Primary School. Closure of the school was not deemed feasible for a number of reasons including the need to accommodate the current pupils at schools a significant distance away and future demand in the area.
- 5.3 The Ivy Learning Trust had been putting resources into Tower Primary School since December 2017 and a planned package was being put forward to support the sponsorship. It was noted that the Regional Schools Commissioner would need to accept the sponsorship arrangement. Members noted that the model being used was similar to those used in the past and that the proposals were being supported by the Local Member.
- 5.4 Members discussed the opportunity for the Ivy Learning Trust to rebrand the school and it was noted that it was common for sponsors to rebrand schools and was likely that if the package was accepted then the school would most probably be rebranded in some format from September 2018, with The Ivy Learning Trust looking to increase admission numbers over the coming years. Members noted that the nursery school on site was very successful.
- 5.5 Officers were commended for their work in obtaining the support of the Ivy Learning Trust and it was noted that this was the most sensible approach.
- 5.6 In response to a Member question on the next steps, Members were advised that if the package was agreed then there was a targeted conversion date of September 2018. Members were advised that the Regional Schools Commissioner Board met on a

**CHAIRMAN'S  
INITIALS**

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monthly basis and it was hoped that agreement would be given during May 2018. It was noted that the Local MP had been very supportive.

- 5.7 Members were notified of a minor change to the wording at recommendation (v).

**PART II ('CLOSED') AGENDA  
EXCLUSION OF PRESS AND PUBLIC**

- 5.8 The Panel agreed to move into Part II ('closed' session').
- 5.9 That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 5.10 Following discussion on the Part II Report and recommendation, the Panel moved back into Part I (open session) and agreed the Part I recommendations.

**Conclusions**

- 5.11 Panel recommended to Cabinet that it agrees:
- (i) that the County Council conclude an agreement with the Ivy Learning Trust Board around the sponsorship of Tower Primary School, Ware as set out in the Part II report.
  - (ii) to delegate to the Director of Children's Services, in consultation with the Executive Member for Education, Libraries and Localism, to agree the required terms and conditions required for the agreement between the County Council and Ivy Learning Trust Board with regards the sponsorship of Tower Primary School, Ware.
  - (iii) that the County Council provide Tower Primary School, Ware with £37,000 of additional capital funding to deal with outstanding building condition and ICT issues.
  - (iv) that an application for an in-year variation to the school's Published Admission Number to reduce it to 15 in September 2019 will be made to the Office of the School Adjudicator.
  - (v) that the revenue funding required as set out in the part II report be agreed by the Director of Resources, in consultation with the Director of Children's Services and the Executive Members for Resources, Property and the

**CHAIRMAN'S  
INITIALS**

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Economy and for Education, Libraries and Localism.

Panel noted that there was a target conversion date of September 2018.

**6. OTHER URGENT PART I BUSINESS**

6.1 There was no other urgent Part I Business.

**PART II ('CLOSED') AGENDA**

**1. FUTURE OF TOWER PRIMARY SCHOOL, WARE**

[Officer contact: Juliet Whitehead, Education Leadership Team,  
Tel: 01438 844880]

1.1 The decision reached on this item of business is recorded at item 5.11 above and in the separate Part II minutes.

**KATHRYN PETTITT  
CHIEF LEGAL OFFICER**

**CHAIRMAN** \_\_\_\_\_

**CHAIRMAN'S  
INITIALS**

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