

Call-In Sub-Committee AGENDA

DATE: **Monday 5 February 2018**

TIME: **6.00 pm**

VENUE: **Committee Room 5, Harrow Civic Centre, Station Road, Harrow, HA1 2XY**

MEMBERSHIP (Quorum 3)

Chair: Councillor Phillip O'Dell

Councillors:

Jeff Anderson	Richard Almond
Jo Dooley	Norman Stevenson

Reserve Members:

- | | |
|---------------------------|-------------------|
| 1. Jerry Miles | 1. Kam Chana |
| 2. Kairul Kareema Marikar | 2. Lynda Seymour |
| 3. Ms Pamela Fitzpatrick | 3. Stephen Wright |

Contact: Manize Talukdar, Democratic and Electoral Services Officer
Tel: 020 8424 1323 E-mail: manize.talukdar@harrow.gov.uk

Useful Information

Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:
<http://www.harrow.gov.uk/site/scripts/location.php>.

Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

Meeting access / special requirements.

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An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

Agenda publication date: Tuesday 30 January 2018

AGENDA - PART I

1. ATTENDANCE BY RESERVE MEMBERS

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Sub-Committee;
- (b) all other Members present.

3. APPOINTMENT OF VICE CHAIR

To appoint a Vice-Chair for the 2017/18 Municipal Year.

4. MINUTES (Pages 5 - 10)

That the minutes of the meeting held on 8 February 2016 be taken as read and signed as a correct record.

5. PROTOCOL FOR THE OPERATION OF THE CALL-IN SUB-COMMITTEE (Pages 11 - 12)

6. CALL-IN OF THE CABINET DECISION (18 JANUARY 2018) - LIBRARY MANAGEMENT CONTRACT EXTENSION (Pages 13 - 66)

- a) Notice invoking the Call-In;
- b) Minutes of the Cabinet meeting held on 18 January 2018;
- c) Report submitted to Cabinet on 18 January 2018.

AGENDA - PART II - NIL

REASONS FOR LATENESS & URGENCY

In accordance with the Local Government (Access to Information) Act 1985, this meeting is being called with less than 5 clear working days' notice by virtue of the special circumstances and grounds for urgency stated below:-

Under Committee Procedure Rule 45.6 a meeting of the Call-In Sub-Committee must be held within 7 clear working days of the receipt of a request for call-in. This meeting therefore had to be arranged at very short notice and it was not possible for the agenda to be published 5 clear working days prior to the meeting.

CALL-IN SUB-COMMITTEE

MINUTES

8 FEBRUARY 2016

Chair: * Councillor Jerry Miles

Councillors: * Richard Almond * Jo Dooley
* Jeff Anderson * Paul Osborn

In attendance: Marilyn Ashton Minute 17
(Councillors) Ramji Chauhan Minute 17
Stephen Greek Minute 17
Barry Macleod-Cullinane Minute 17

* Denotes Member present

12. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance.

13. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

14. Appointment of Vice Chair

RESOLVED: To appoint Councillor Paul Osborn as Vice-Chair of the Sub-Committee for the 2015/2016 Municipal Year.

15. Minutes

RESOLVED: That the minutes of the meeting held on 10 March 2015, be taken as read and signed as a correct record.

RESOLVED ITEMS

16. Protocol for the Operation of the Call-In Sub-Committee

The Chair drew attention to the document 'Protocol for the Operation of the Call-In Sub-Committee'. He outlined the procedure to be followed at the meeting, and the options open to the Sub-Committee at the conclusion of the process.

In accordance with Committee Procedure Rule 46.5, a notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:

- a) inadequate consultation with stakeholders prior to the decision;
- b) the absence of adequate evidence on which to base a decision;
- c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- d) the action is not proportionate to the desired outcome;
- e) a potential human rights challenge;
- f) insufficient consideration of legal and financial advice.

He informed the Sub-Committee that the grounds a), b) and d) had been cited on the Call In notice, and this had been deemed to be valid for the purposes of Call-in.

RESOLVED: That the Call-In would be determined on the basis of the following grounds:

- a) inadequate consultation with stakeholders prior to the decision;
- b) the absence of adequate evidence on which to base a decision;
- d) the action is not proportionate to the desired outcome.

17. Call-In of the Cabinet Decision (20 January 2016) - Draft Harrow Weald Conservation Areas Supplementary Planning Document

The Sub-Committee received the papers in respect of the call-in notice submitted by 6 Members of the Council in relation to the decision made by Cabinet on the Draft Harrow Weald Conservation Areas Supplementary Planning Document.

The Chair advised the Sub-Committee on the suggested order of proceedings and reminded Members of the timings allowed for submissions and questions. He invited the two representatives of the signatories to present their reasons for the call-in.

The first representative had been the Portfolio Holder in 2006 when it had been unanimously resolved that the three roads qualified for conservation area status. She acknowledged that the decision had been marginal and had met with some resistance from the Conservation Officer but stated that this did not mean that the areas did not have merit. The discussion at the Planning Policy Working Group had given the impression that the roads had no merit and had questioned their inclusion in the conservation area. She expressed the view that as some of the six criteria had been met and as there had been no change in the subsequent ten years their exclusion was flawed.

In addition, the Supplementary Planning Document (SPD), which had taken ten years to produce, was an essential piece of work to support the Council's position at planning appeals. The three areas were being excluded at the first opportunity using a misleading and misdirected report. The ability to remove areas from conservation areas was acknowledged but such a decision should be based on accurate information assessed by an unbiased person.

The second representative stated that there had been significant local concern at the decision to remove the roads from the Conservation Area as evidenced by in excess of 300 letters and a petition. He considered the decision to be unnecessary and unjustified on the grounds of lack of consultation, insufficient evidence and proportionality.

With regard to lack of consultation, the consultation letter did not state that responses would be judged against six criteria nor did it state what the criteria were but that responses would be taken into account and changes made if appropriate. Significant evidence had been provided, particularly in two responses, which supported the criteria. Although viable, the status quo was not given as an option. He considered that the onus had been on residents to justify the status quo rather than the Council stating the reasons for change and residents would not be expected to have the requisite planning knowledge. In addition, views should have been sought on the decision to change the name of the conservation area. A number of residents had asked to meet the Portfolio Holder and had not received the opportunity.

There was insufficient evidence on which to change the decision made at the Local Development Framework Panel (LDF) which had been based on the same criteria, there had been no material change to planning policies that would affect the assessment and there had been no change on the ground. As the decision had been made ten years previously the status quo was viable but no evidence had been presented. The roads had been taken out of the conservation area without their appraisal or any detailed discussion.

The decision was not proportionate as the consultation had been conducted as if from scratch, ignoring the evidence on which the previous decision had been based. An overwhelming need to outweigh the responses of residents had not been demonstrated and the decision was not proportionate or consistent with corporate policy. The advice to Cabinet that retention of the boundaries would weaken other conservation areas was disputed as the current Area had been supported in decisions by planning inspectors and appeal decisions. Had it been unsound it would have become apparent

previously and, as the first time Conservation Area status had been withdrawn, threatened the stability of conservation areas throughout Harrow.

The Deputy Leader and Portfolio Holder for Business, Planning & Regeneration supported the decision made by Cabinet and that the Call-in should be taken no further and the decision implemented citing the following:

- there was no statutory requirement to consult on the proposed designation of conservation areas or any modification of their boundaries or cancellation;
- tables 1 & 2 and pages 141-206 were specifically the area appraisal and contained all the evidence required;
- the report detailed the statutory procedure for review of a conservation area which included cancellation and outlined the criteria which had been in place since at least 1989;
- the Council response had stated that the 2006 report was unclear as to which, if any, of the criteria had been met and the case for designation was said to be marginal. The decision in 2006 had been made on the balance of probabilities with little information. The same criteria had been applied for all 27 conservation areas and the decision that was subject to the call-in had been based on a huge amount of work;
- independent views had been sought and received from Historic England and the Council for British Archaeology, both which supported the de-designation;
- the roads in question had not been included in 1989, were marginal in 2006 and this had been the first full appraisal. There was a lack of public attendance at the meeting, there being two residents, whereas the appraisal had been supported by three professional planners. He could not see any reason for additional views to be sought.

A representative of the Call-In stated that, in consulting with the public, the Council had an obligation to ensure it was in the proper way and without any suggestion of predetermination. Whilst public attendance at the meeting was low, there had been 300 written responses, a petition and attendance at previous events and their responses of residents had been given insufficient weight.

In response to questions from the Sub-Committee, the representatives of the Call-in stated that the criteria met were numbers 2, 4, 5 and perhaps 6. This had been unchanged since the 2006 decision.

The representatives of the Call-In and Members of the Sub-Committee posed questions to the Portfolio Holder who responded as follows:

Consultation had been robust and in accordance with the Council's adopted Statement of Community Involvement. The consultation had sought objective

evidence in support of the criteria and insufficient evidence had been received. The officers had responded to the matters raised in public responses.

Detailed appraisal had only been undertaken for areas that had met the criteria. There were other nice and pretty roads without listed buildings that had not been incorporated into a conservation area. Subsequent to consideration of the appraisal, the Council had recognised that the previous decision was incorrect and had re-consulted on that basis. Without a robust legal basis for maintaining conservation area status, the Council could have been open to challenge. He was unable to recall the criteria used in the original decision but noted that, other than criteria 1 and 3, the criteria were subjective.

The Call-in questioned whether the decision was biased and his view was that it was not. The decision had been based on those areas most relevant to the Planning (Listed Buildings and Conservation Areas) Act 1990, that is those of special historical interest or archaeological importance. Consideration had been given to a detailed assessment comprising 150 pages of evidence on two small conservation areas produced by a full time officer over approximately nine years. He had not been in discussion with the three professionals responsible for the report to Cabinet and had not met with members of the public as he could not take unilateral evidence that could cloud his judgement as a final decision maker.

Representatives re-iterated that in 2006 the roads were considered to meet three of the criteria and that an independent person should be commissioned to consider the assessment. With the exception of Call-in, judicial review was the only challenge available.

The Portfolio Holder responded that the report to Members represented the considered professional views of several of the Council's planning officers who knew the area well and had worked on the assessment of the borough's other conservation areas over recent years. He did not see what benefit a further independent assessment would have.

In response to a question from a Member of the Sub-Committee as to the need to address the criteria in consultation responses, the Portfolio Holder referenced the six criteria set out in the original Cabinet report, a public question to Cabinet regarding the criteria and information at public meetings. The criteria were also set out in the draft SPD itself. It had not been purely a database exercise. The Council had said that the inclusion of areas would take place subject to appropriate evidence. The points made regarding devaluation of the roads and the period of time they had already been included in a conservation area had no bearing if areas were not in fact of special interest in accordance with the legal requirements.

With regard to questions as to whether or not the status quo had been an option during the consultation, the public had not been precluded from supporting its inclusion and it did not say that the status quo was or was not an option.

(The Sub-Committee then adjourned from 8.35 pm to 9.25 pm to receive legal advice.)

The Chair announced the decision of the Sub-Committee and it was

RESOLVED: (by a majority decision) That

- (1) the challenge to the decision should be taken no further and the decision be implemented;
- (2) the Call-In Scrutiny Sub-Committee recommended that for future consultations where consultees are asked to comment against specific criteria, these criteria should be noted.

The Sub-Committee wished it to be recorded that the decision was by a majority of votes.

Councillors Jerry Miles, Jeff Anderson and Jo Dooley voted that the challenge to the decision should be taken no further and the decision be implemented. Councillors Richard Almond and Paul Osborn voted against the decision and that all three grounds should be upheld.

(Note: The meeting, having commenced at 7.00 pm, closed at 9.25 pm).

(Signed) COUNCILLOR JERRY MILES
Chair

PROTOCOL FOR THE OPERATION OF THE CALL-IN SUB-COMMITTEE

1. Call-in is the process whereby a decision of the Executive, Portfolio Holder or Officer (where the latter is taking a Key Decision) taken but not implemented, may be examined by the Overview and Scrutiny Committee prior to implementation. The Overview and Scrutiny Committee has established the Call-in Sub-Committee to carry out this role. Committee Procedure Rule 46 sets out the rules governing the call-in process.

The Process for Call-in

2. Six of the Members of the Council can call in a decision of the Executive which has been taken but not implemented. In relation to Executive decisions on education matters only, the number of Members required to call in a decision which has been made but not implemented shall be six Councillors or, in the alternative, six persons comprising representatives of the voting co-opted members and at least one political group on Overview and Scrutiny Committee. Only decisions relating to Executive functions, whether delegated or not, may be called in.

150 members of the public (defined as anyone registered on the electoral roll of the Borough) can call in a decision of the Executive, which has been taken but not implemented.

3. Decisions of the Executive will not be implemented for 5 clear working days following the publication of the decision and a decision can only be called in within this period (this does not apply to urgent decisions - Committee Procedure Rule 46 refers). The notice of the decision will state the date on which the decisions may be implemented if not called in.

4. Call-in must be by notification to the Monitoring Officer in writing or by fax:

- (i) signed by all six Members and voting co-optees requesting the call-in. A request for call-in by e-mail will require a separate e-mail from each of the six Members concerned.
- (ii) signed by all 150 members of the public registered on the electoral roll, and stating their names and addresses.

5. In accordance with Committee Procedure Rule 45.5, a notice seeking to invoke the call-in procedure must state at least one of the following grounds in support of the request for a call-in of the decision:-

- (a) inadequate consultation with stakeholders prior to the decision;
- (b) the absence of adequate evidence on which to base a decision;
- (c) the decision is contrary to the policy framework, or contrary to, or not wholly in accordance with the budget framework;
- (d) the action is not proportionate to the desired outcome;
- (e) a potential human rights challenge;
- (f) insufficient consideration of legal and financial advice.

Referral to the Call-in Sub-Committee

6. Once a notice invoking the call-in procedure has been received, the decision may not be implemented until the Chair and nominated member have considered the guidance outlined in Appendix 1 to the Committee Procedure Rules and, if required, the Call-in Sub-Committee has considered the decision. The Monitoring Officer shall in consultation with the Chair arrange a meeting of the Call-in Sub-Committee to be held within seven clear working days of the receipt of the request for call-in.

7. The Call-in Sub-Committee will consider the decision and the reasons for call-in. The Sub-Committee may invite the Executive decision-taker and a representative of those calling in the decision to provide information at the meeting.
8. The Sub-Committee may come to one of the following conclusions:-
 - (i) that the challenge to the decision should be taken no further and the decision be implemented;
 - (ii) that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework, and should therefore be referred to the Council. In such a case the Call-in sub-committee must set out the nature of its concerns for Council; or
 - (iii) that the matter should be referred back to the decision taker (i.e the Portfolio Holder or Executive, whichever took the decision) for reconsideration. In such a case the Call-in sub-committee must set out the nature of its concerns for the decision taker/Executive.

Councillor Paul Osborn
Leader of the Conservative Group
Pinner Ward

Hugh Peart
Monitoring Officer
Harrow Council
Civic 1,
1st Floor
South Wing
Room 116



25th January 2018

Dear Hugh,

We the undersigned write to notify you that we wish to call-in, in a limited fashion, the decision made at the Cabinet meeting of 18th January 2018 on **Item 8 Library Management Contract Extension**. Specifically we wish to call in **Recommendation B and D**, we are content for the other recommendations to be implemented as soon as possible. We have done this to ensure that the current service is able to continue uninterrupted but that any future decision on outsourcing would need to go back to Cabinet. If anything we are doing in this call-in puts at risk the Library service, please let us know and we will look at withdrawing the call-in.

We wish to call-in the Recommendations B and D on the following grounds as stated in **Part 4B Committee Procedure Rules**, in the Harrow Council Constitution:

45.5.1 inadequate consultation with stakeholders prior to the decision

- The tabled addendum was only circulated to members in the audience at Cabinet as the item was reached during the meeting. This gave no opportunity and insufficient time to consult, ask questions or propose amendments. Whilst this is reasonable in the case of Recommendations A and C which deal with the short term issues and aim to bring stability to the Library Service, it is unreasonable in the case of Recommendations B and D which deal with the next 5-10 years and give the power to award a new contract with no further consultation with staff or service users.

45.5.2 the absence of adequate evidence on which to base a decision

- There is no substantial evidence presented on which to base a decision.
- There is no detail of what any new contract will look like or what the costs or length of the contract would be.

45.5.4 the action is not proportionate to the desired outcome

- The recommendations delegate unnecessary and undue power. Giving the power to take a key decision, with long term implications, without any further public scrutiny.

Conservative Councillors: Working for Harrow Residents

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Recommendations B and D in contrast to A and C are incredibly broad instead of dealing with the limited and sensible aim of dealing with the current situation, they delegate powers to decide on a new external supplier for 5 years if the existing contract is novated and potentially 10 years if an entirely new contract is awarded.

45.5.6 insufficient consideration of legal and financial advice

- No legal or financial advice was presented with the tabled addendum.
- There are no details on the legal processes necessary to procure a new contract.
- There has been no Equality Impact Assessment on the potential re-procurement.
- There are no details of any cost implications of signing a new contract.

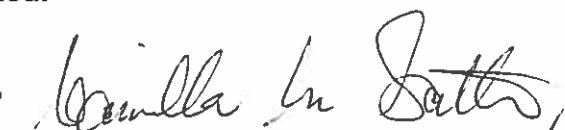
Again, we would like to emphasise that we have sought to be very narrow in what we are asking to call-in, we support the short term action taken to ensure the libraries remain open and should this call-in jeopardise any Harrow Library remaining open, we will look to withdraw this request to call-in the decision.

Your sincerely,



Councillor Paul Osborn
Leader of the Conservative Group
Pinner Ward

Signed:

-  , Cllr CAMILLA BATT,
-  , CLLR PRITESH PATEL .
-  , CLLR MINA FARMAN
-  , CLLR CHRIS MOYE
-  , CLLR NITESH KISAN .

Conservative Councillors: Working for Harrow Residents

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CABINET

18 JANUARY 2018

Record of decisions taken at the meeting held on Thursday 18 January 2018.

Present:

Chair:	* Councillor Sachin Shah		
Councillors:	* Sue Anderson	* Varsha Parmar	
	* Simon Brown	* Kiran Ramchandani	
	* Keith Ferry	* Mrs Christine Robson	
	* Glen Hearnden	* Adam Swersky	
	* Graham Henson		
In attendance:	Barry Macleod-Cullinane	Minute 650 and 657	
	Chris Mote	Minute 650	
	Janet Mote	Minute 650	
	Paul Osborn	Minute 650	

* Denotes Member present

646. Tom Whiting, Interim Chief Executive (Head of Paid Service)

On behalf of the Cabinet, the Leader of the Council welcomed Tom Whiting to his first Cabinet meeting as Interim Chief Executive (Head of Paid Service).

647. Apologies for Absence

None received.

648. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 10 – Extension of the Lease of the Cedars Youth and Community Centre

Councillor Simon Brown, a member of Cabinet, declared a non-pecuniary interest in that he was a season ticket holder of Watford Football Club. He would remain in the room whilst the matter was considered and voted upon.

649. Petitions

RESOLVED: To note that no petitions had been received.

650. Questions

Public and Councillor questions taken were responded to and any recording placed on the Council's website.

651. Key Decision Schedule - January to March 2018

RESOLVED: That the Key Decision Schedule be noted.

652. Progress on Scrutiny Projects

RESOLVED: That the report be noted.

RESOLVED ITEMS

653. Library Management Contract Extension

Upon a 'statement' by the Leader of the Council, as set out in the published tabled document, a revised recommendation – tabled document refers – was moved, duly seconded and it was

RESOLVED: That the Corporate Director of Community, following consultation with the Portfolio Holders for Community, Culture and Resident Engagement and Finance and Commercialisation, and the Director of Finance, be delegated authority to take all necessary steps to manage the liquidation process and, in particular, authority to:

- a) consider bringing the Library Services in house or to provide the Library Services through other service delivery models;
- b) novate the existing contract to a suitable alternative service provider;
- c) vary or terminate the existing contract as necessary;
- d) conduct a procurement process and award a new contract to a suitable alternative service provider;
- a) enter into any necessary negotiations and agreements to give effect to a) – d) above and the liquidation process.

Reason for Decision: To enable the securing of the most efficient and high quality Library Services in the future following the notification that Carillion Integrated Services Ltd (CIS) had gone into compulsory liquidation.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

654. Provision of Accommodation for Young Unaccompanied Asylum Seekers

Having considered the confidential appendix, it was

RESOLVED: That, following consultation with the Portfolio Holders for Children, Young People and Schools and Finance and Commercialisation,

- (1) a waiver for a direct award as per the Contract Procedure Rules (CPR) be approved;
- (2) approve the award of a five year contract until 2023 with the option to extend for a further two years to 2025 for the provision of placement accommodation for Unaccompanied Asylum Seeking Children (UASC) who were in the Council's care be awarded; the annual value of the contract being £317,467 and the total contract value for the potential seven year term being £2,222,269, not including any inflationary increase.

Reasons for Decision: The service provided essential accommodation for UASC, for which the Council had a statutory duty to provide. To secure placement stability for a large number of very vulnerable young people.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

655. Extension of the Lease of the Cedars Youth and Community Centre

RESOLVED: That

- (1) support for the further development of Cedars Youth and Community Centre in partnership with Watford Football Club Community Sports and Education Trust be confirmed;
- (2) the Corporate Director of People, following consultation with the Portfolio Holder for Children, Young People and Schools, be authorised to enter into a revised Management Agreement with Watford Football Club Community Sports and Education Trust;
- (3) the Corporate Director of Community, following consultation with the Portfolio Holder for Business, Planning and Regeneration, be authorised to:
 - i. enter into a Licence for Alterations for the extension works;
 - ii. enter into a reversionary lease agreement and / or variation of the existing lease with Watford FC Community and Sports

Education Trust for Cedars Youth and Community Centre to extend the lease to a 25 year term at a nil rent and to effect any other minor changes to the existing lease terms as were considered necessary to accommodate the proposals.

Reason for Decision: To secure further capital investment, operational capacity and capability for early support, youth and community services at Cedars Youth and Community Centre.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

656. Local Council Tax Discount Scheme for Care Leavers

The Portfolio Holder for Finance and Commercialisation moved an amendment to the recommendation set out in the report to reflect the amendment to the policy, appendix 1 to the report refers, to include care leavers up to age 25. The amendment was duly seconded and, having considered the confidential appendix, it was

RESOLVED: That the Council exercise its discretion under Section 13A (1)(c) (Local Government Finance Act 1992) to apply a new Care Leavers Discount Scheme (CLDS), as set out in appendix 1 to the report, with an amendment to permit applications by care leavers up to 25 years.

Reasons for Decision: The underlying principle of Corporate Parenting, a statutory function of the Council, was that every local authority would seek the same outcomes for children and young people in care that every good parent would want for their own children.

Research by the Children's Society had found that Council Tax debt collection was harming care leavers as they were a particularly vulnerable group for Council Tax debt. It often found that when care leavers moved into independent accommodation, they began to manage their own budget fully for the first time – this could be a challenging time for care leavers, particularly if they were falling behind on their Council Tax payments.

Creating a Care Leavers Discount Scheme would help to ensure that care leavers were eligible for Council Tax discounts. This would help to relieve some of the initial pressure and would sit alongside a number of other financial support arrangements available to care leavers.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

657. Response to the Scrutiny Review Panel Report on Regeneration Finance

The Leader of the Council reported that he recognised that this was an interim report and that the Overview and Scrutiny Committee on 27 February 2018 would be considering the final element of this Scrutiny Review. On the basis that the March 2018 Cabinet would be the last Cabinet of this Council term, he indicated that Cabinet would allow the Chair and Vice-Chair of the Scrutiny Review Group to present the final part of their recommendations at that meeting in March 2018 rather than the usual protocol of presenting at the Cabinet meeting where a response to the report was presented, which was normally 8 weeks later. The Leader added that he was proposing this as a way forward to enhance the role and impact of Scrutiny, and in the spirit of cross-party co-operation which all Councillors were committed to. He added that the Officer Response Report to the recommendations of the Review would be presented to the incoming Administration after the local election in May 2018 and that this involved a waiver of the relevant Committee Procedure Rules. He sought Cabinet approval.

The Cabinet also received representations from the Chair of the Scrutiny Review Group in line with the Cabinet/Scrutiny Protocol, who also supported the proposed presentation of the final element of the Scrutiny Review at March 2018 Cabinet, and it was

RESOLVED: That

- (1) the recommendations of the Overview and Scrutiny Committee be noted, including the actions undertaken in response to the recommendations as set out in the report;
- (2) the Chair and Vice-Chair of the Scrutiny Review Group present the final part of their recommendations at the Cabinet meeting in March 2018 and that the Officer Response Report to the recommendations be presented to the incoming Administration after the local election in May 2018.

Reason for Decision: To respond to the recommendations of the Scrutiny Review.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

[Call-in does not apply as the decision was noted.]

658. Fees and Charges 2018/19

RESOLVED: That

- (1) the Fees and Charges be implemented from April 2018, appendices 2-5 refer, except those fees and charges marked 'statutory prescribed' or 'for noting only';

- (2) the Director of Finance and relevant Corporate Directors, following consultation with the relevant Portfolio Holders, be authorised to amend fees and charges in year and agree new fees and charges.

Reason for Decision: To set fees and charges for 2018/19.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

659. Council Insurance Renewals 2018

Having considered the confidential appendix, it was

RESOLVED: That contracts for the provision of motor insurance, commercial property insurance, crime insurance, personal accident/business travel insurance and engineering inspections be awarded from 1 April 2018 to 31 March 2023, as specified and set out in the exempt Appendix 2 to the report.

Reasons for Decision: The Council was committed to the procurement of its major external insurance contracts through the Insurance London Consortium (ILC) under the terms of an agreement made in accordance with Section 101 of the Local Government Act 1972 (the 'Section 101 Agreement') which had been effective since 2010.

An open tender process was conducted in accordance with the Public Contract Regulations 2015.

A pre-defined evaluation model was constructed to fairly evaluate each tender against a set of criteria established by the ILC and their appointed insurance brokers. The bidders detailed in Appendix 2 (Part II report) achieved the highest total scores in the evaluation process.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

660. MyHarrow Account Replacement

RESOLVED: That

- (1) the progress to date on MyHarrow Account replacement be noted;
- (2) the procurement process be commenced;
- (3) the Director of Commercial, Contracts and Procurement, following consultation with the Portfolio Holder for Performance, Corporate

- Resources and Customer Services, be authorised to determine the most appropriate method of procurement;
- (4) the Interim Chief Executive (Head of Paid Service), following consultation with the Portfolio Holder for Performance, Corporate Resources and Customer Services, be authorised to award a contract to the successful tenderer following the procurement exercise.

Reasons for Decision: The Council had delivered significant savings in the past 5 years through channel migration and digitalisation. The MyHarrow Account had been an integral element of this work, and currently over 40,000 people logged-in each month.

In order to ensure that the savings achieved to date could be maintained, and that residents' expectations of digital Council services were met, there was a need to commence the procurement of a replacement for the MyHarrow Account.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

661. Strategic Performance Report - Quarter 2, 2017/18

RESOLVED: That the report be noted and the Portfolio Holders continue working with officers to achieve improvement against identified key challenges.

Reason for Decision: To be availed of performance against key measures and to identify and assign corrective action where necessary.

Alternative Options Considered and Rejected: None.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

[Call-in does not apply as the decision was noted.]

662. Calendar of Meetings

The Leader of the Council reported that due to a Holocaust Memorial event on 28 January 2019, the Corporate Parenting Panel in January 2019 needed to be moved.

RESOLVED: That the Calendar of Meetings for the Municipal Year 2018/19 be approved, subject to the Corporate Parenting Panel meeting being moved from 28 January 2019 to 31 January 2019.

Reasons for Decision: To facilitate the planning and forward commitments of both Members and officers. To allow the room booking arrangements to be put in place at the earliest opportunity.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member/Dispensation Granted: None.

663. Provision of Accommodation for Young Unaccompanied Asylum Seekers

See Minute 654.

664. Council Insurance Renewals 2018

See Minute 659.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.16 pm).

Proper Officer

Publication of decisions:	19 January 2018
Deadline for Call-in:	5.00 pm on 26 January 2018 (Please note that Call-in does not apply to all decisions). To call-in a decision please contact: Manize Talukdar on 020 8424 1323 or email manize.talukdar@harrow.gov.uk
Decisions may be implemented if not Called-in on:	27 January 2018

REPORT FOR: CABINET

Date of Meeting:	18 January 2018
Subject:	Library Management Contract Extension
Key Decision:	Yes
Responsible Officer:	Paul Walker, Corporate Director of Community
Portfolio Holder:	Councillor Sue Anderson, Portfolio Holder for Community, Culture and Resident Engagement
	Councillor Adam Swersky, Portfolio Holder for Finance and Commercialisation
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All
Enclosures:	Appendix 1: Equalities Impact Assessment Appendix 2: Contract Performance

Section 1 – Summary and Recommendations

This report sets out proposals to continue the current contract for the provision of Library Management for five years from September 2018 (as permitted by the current contract).

Recommendations:

Cabinet is requested to:

- i) Delegate authority to the Corporate Director of Community, following consultation with the Portfolio Holder for Community, Culture and Resident Engagement, the Portfolio Holder for Finance and Commercialisation, and the Director of Finance, to agree the continuation of the current contract for the provision of Library Management for a further five years from September 2018.

Reason: (For recommendations)

To allow the continuation of the contract with Carillion Integrated Services Ltd (CIS) for a further five years from September 2018 to provide a cost effective library management service that is performing satisfactorily.

Section 2 – Report

1. Introductory paragraph

The Council awarded its Library Service contract to John Laing Integrated Services Ltd (subsequently Carillion Integrated Services Ltd) for ten years from 1st September 2013.

Under the terms of the contract the Council can invoke an early termination of the contract option after the first five years of the contract but the Council will incur a termination payment cost if it does so. This report is submitted to Cabinet for approval to continue the contract for a further five years until 31st August 2023.

2. Background

2.1 Cabinet approved the award of the contract for delivery of Library Management Services to John Laing Ltd (subsequently Carillion Integrated Services Ltd) in June 2013. A joint procurement exercise on behalf of Ealing and Harrow Councils was undertaken, and the award of contract required the approval of both Councils

2.2 The contract covers the management of the following services:

- Six static libraries
- Libraries back office support services;
- Home Library Service;
- Schools Library Service

2.3 The contract term was set at 10 years, with the option of an early termination after the first 5 years at the absolute discretion of Ealing and Harrow Councils. The Service is managed day to day by Cultural Community Solutions (CCS), a Not for Profit Distribution Organisation subsidiary of CIS.

2.4 The contract includes key performance indicators for the following and service credits are due where minimum performance indicators have not been achieved:

- increased participation through usage (library throughput, library issues, and library members)
- increased participation by target groups to ensure accessibility of services for all
- development of libraries as community hubs to ensure use by non-traditional groups
- increased external grants and investment
- improved user satisfaction
- more word of mouth recommendations

- higher quality of service assessed through targets for mystery shopping exercises
- environmental sustainability through reduced utilities consumption and % of waste recycled
- social sustainability through staff satisfaction and staff/volunteer make-up representative of the ward profiles
- economic sustainability through apprenticeships, work placements and jobs for borough residents and through the use of local suppliers.

2.5 A shared contract management model across Ealing and Harrow was adopted as the most cost effective method of managing the contract.

The joint contract management team for Library Services has line management reporting into Harrow's Service Manager – Libraries, Sport and Leisure. The relationship between the two councils is detailed in an Inter-Authority agreement. Policy and decisions on strategic matters remain with each council.

2.6 There have been a number of service improvements since the start of the contract with CIS including:

- Implementation of free public access Wi-Fi in all libraries, and a refresh of the public access computers.
- Introduction of e-books, e-magazines, and additional online resources.
- The delivery of grant funded programmes following successful applications by CIS including a £45k funded programme 'Enterprising Libraries' and 'Books Beyond Words Plus' a £92k funded programme for adults with learning difficulties.
- Improved marketing including a quarterly 'What's On' guide, and a monthly e-newsletter.

3. Current Situation

3.1 The contract with CIS started on the 1st September 2013. The first five years of the contract ends on the 31st August 2018. If Ealing and Harrow wish to continue the contract for a further five years each authority must give at least six months prior written notice to CIS. The deadline for informing CIS of the decision to extend the contract is the 28th February 2018. The end date for the full ten years of the contract is 31st August 2023.

3.2 If the contract is not continued for the full ten year term, Ealing and Harrow will be liable for payment of a termination sum to reflect the difference in the ten year and five year contract price. The one-off termination sum for Harrow would be £485,120.

3.3 Officers in Ealing are also recommending that the contract with CIS is extended for the full ten year term.

4. Options considered

Option A: Early termination of the Library Contract with Carillion Integrated Services Ltd (CIS) and re-tendering of the library contract.

Whilst a re-tendering of the library contract could be undertaken the market in the UK for the management of Library Services is currently limited. In London 26 out of the 33 London Authorities are run in-house. Other than CIS, the other contractor who is currently managing multiple Library Services is Greenwich Leisure Limited (GLL). Vision Redbridge Culture and Leisure Trust manage Redbridge Libraries on behalf of the Council. In addition to the joint contract with Ealing and Harrow, CIS are also currently contracted to manage the Library Services in Croydon. GLL are currently contracted to manage Library Services in Greenwich, Wandsworth, Bromley, Dudley, and Lincolnshire. This approach would also mean that the termination sum of £485,120 would be payable to CIS.

This option is not recommended.

Option B: Early termination of the Library Contract with Carillion Integrated Services Ltd (CIS) and return of the service to Council operation.

An analysis of the costs of running the service in-house, based on the costs in 2012-13 prior to the commissioning of the service in September 2013, indicates that the cost would be greater than continuing the current contract with CIS. This option would also involve a significant one off cost for bringing all of the libraries ICT back onto the Council's Corporate Network and an on-going IT support charge. The Council would also be responsible for all facilities management costs. Under the terms of the current contract CIS is responsible for the initial £5k of repair and maintenance per item. This approach would also mean that the termination sum of £485,120 would be payable to CIS.

This option is not recommended.

Option C: Continue the Library Contract with Carillion Integrated Services Ltd (CIS) for the full ten year term. This option would enable Harrow to continue to benefit from a cost efficient delivery of library services, with a comparison with the costs of delivering in-house indicating that the costs to manage the service would be higher if the service was returned to Council operation. Harrow would benefit from the ten year price with no termination sum being due to CIS. The current market for re-tendering the contract is also limited. The performance of the contract to date has been satisfactory with CIS supporting the wider strategic objectives of the council.

This option is recommended.

5. Implications of the Recommendation

5. 1 Performance Issues

The contract with CIS includes a range of Key Performance Indicators (KPIs) with Service Credits due for non- performance. The performance of the contract is detailed in Appendix 2. Whilst the KPI targets for increasing participation (library visits, stock issues, and new members), have not been met performance on the whole for the first four years of the contract compares favourably with the national trend (national statistics not yet available for 2016-17). A performance summary is as follows:

- There has been an increase in new members on average of 4.81% annually in the first four years of the contract.
- Library visits decreased on average by 1.25% per annum during the first three years of the contract compared to a national average decrease of 3.91% (the national statistics for 2016-17 are not yet available). During the first four years of the contract visits decreased on average annually by 0.76%. There was, however, an increase of 0.56% in visits in 2016-17 compared to 2015-16.
- During the first four years of the contract stock issues decreased on average annually by 7.59% compared to a national average decrease of 7.7% in the period 2013-14 to 2015-16 (the national statistics for 2016-17 are not yet available). Stock issue statistics declined above the national average in 2013-14 and 2014-15 although there has been a significant improvement in 2015-16 and 2016-17. There has been a reduction in the stock fund from £323,000 in 2014-15 to £200,000 in 2016-17. The installation of a new Library Management System in 2013-14 also impacted on stock issue statistics.
- Appendix A also details the Service Credits that have been paid to the Council for non-compliance for four KPIs during the first four years of the contract. There has regularly been Service Credits due for increasing participation, delivery of actions in the Annual Green Travel Plan, and for Social and Economic Sustainability.

6. Risk Management Implications

Risk included on Directorate risk register?

Separate risk register in place? Yes

A risk register is in place for this project. Key risks and mitigation are as follows:

- i) CIS becomes insolvent and is not able to fulfill its contractual obligations

Mitigation

A Parent Company Guarantee is in place between CIS and Carillion PLC. Carillion PLC has announced unfavourable financial performance recently but has reiterated its continuing ability to deliver its contractual obligations. Ealing and Harrow has a contingency plan that would be put into operation if this changed.

- ii) The current Library Service budget of £1.83m is not a sufficient budget for the indexation increases that are due under the terms of the contract.

Mitigation

Some of the budget shortfall can be mitigated by a drawdown from the libraries reserve which has been set aside in the event that the contract is not continued after the end of the fifth year of the contract. A growth funding bid has been submitted for the indexation increase which is subject to a separate approval as part of the 18/19 budget process.

- iii) There is a risk that MTFS targets for the library service that were predicated on re-provision of libraries will not be achieved within the required timescales.

Mitigation

Due to delays in the re-provision of libraries including the move to the new Town Centre Library it has been requested that the saving of £209k profiled in 18/19 is re-profiled to later years. This is subject to a separate approval as part of the 18/19 budget process.

- iv) There is a reduction in performance levels during the remaining 5 years of the contract with CIS.

Mitigation

The contract includes Key Performance Indicators (KPIs) with performance payment mechanisms in place for failure to meet these KPIs.

- v) There is a requirement to change or terminate the contract before the end of the contract due to strategic decisions.

Mitigation

The contract and leases include change control mechanisms, and redevelopment and break clauses.

- vi) A future change in contractor managing the Library Service could result in there needing to be a change in Library Management System resulting in the Council incurring additional costs.

Mitigation

This report recommends extending the library contract with CIS. If CIS decided to terminate the contract early under the terms of the contract the Council could make a claim for resulting costs incurred by the Council as a result of this.

7. Legal Implications

7.1 The Public Libraries and Museums Act 1964 makes it the duty of every library authority to provide a “comprehensive and efficient library service for all persons desiring to make use thereof”. The proposals in this report would support this.

7.2 There are a number of legal powers that supported the proposal to move libraries provision to an external provider, which were as follows:

- a) Section 19 (1) of the Local Government (Miscellaneous) Provisions Act 1976: local authorities have power to provide such recreational facilities as they think fit and by virtue of section 1 of The Local Government (Contracts) Act 1997 they also have power to enter into a contract with another person in connection with the provision of those facilities.
- b) General power of competence: Section 1 of the Localism Act 2011 gives the Council power to do anything individuals may do and this includes entering into contracts for services and leasing arrangements.
- c) Power to make contributions towards others providing library facilities: Section 9(1) of the Public Libraries and Museums Act 1964: gives the Council an additional power to make contributions towards the expenses of any other person providing library facilities for members of the public.
- d) Power to provide goods and services: Section 2 of the Local Authorities (Goods and Services) Act 1970 allows local authorities to provide to other authorities and specified public bodies, goods and materials and administrative, professional and technical services on such terms as may be agreed. This is a wide power although it does not extend to services which are not administrative, technical or professional in nature.
- e) Power to provide officers: Section 113 of the Local Government Act 1972 allows an authority to place its officers at the disposal of another authority on such terms as they may agree. An officer provided under section 113 is treated for all purposes as an officer of the recipient authority for the discharge of its statutory functions. Such an officer can therefore hold statutory offices e.g. section 151 or monitoring officer and can exercise delegated authority etc. The providing authority must consult with the officer before entering into an agreement and it will probably be necessary to vary the officer's contract of employment (see below).

- f) Power to delegate: With the exception of a small number of Council-only decisions and functions outside the general rules on delegation, Council functions are either executive, which can be discharged by the executive, an executive member or an officer, or non-executive, which can be discharged by Council, a committee, or an officer. Such functions can also be delegated to another local authority (which may then discharge it through a committee or an officer), in the case of non-executive functions (s.101 Local Government Act 1972), and to another authority's executive (regulations under s.19 of the Local Government Act 2000) in the case of executive functions. The function of levying a rate can only be discharged by the authority itself. Non-executive functions may also be exercised jointly by one or more authorities and a joint committee established for the purpose or the functions delegated to an officer. Similarly, executive functions may be exercised jointly by a joint committee of executive members.
 - g) Power to grant leases or licenses: The Council has the power to dispose of property under s123 of the Local Government 1972 Act. This is subject to an obligation to obtain the best consideration that can reasonably be obtained (except for leases of seven years or less) unless the Secretary of State's consent is obtained for the disposal whether by means of a general consent or otherwise.
- 7.3 Ealing and Harrow had conducted the original tender process in accordance with principles of transparency, fairness and equal treatment as required by regulation 4 of the Public Contracts Regulations 2006 (as amended) and the EC Treaty
- 7.4 The Council complied with the requirements of The Transfer of Undertakings (Protection of Employment) Regulations 2006 when the contract was awarded as it involved a service provision change, including consultation requirements with affected staff and Unions, and the provision to the new employers of employee liability information.
- 7.5 The contract was publically advertised as a ten year contract and the contract terms expressly permit the Council to extend the initial contract five year term for a further five years.
- 7.6 If the Council does not extend the contract for a further five years it will incur a contract termination payment of £485,120.

8. Financial Implications

- 8.1 When the libraries contract was originally let in 2013, the contract payment was £2.23m per annum. This sum is subject to an indexation uplift every two years, calculated in accordance with the pay award for the staffing element and RPI increase for the non-staffing element within the contract. As part of the implementation of Library Strategy 2015-2018, the contract sum was reduced to £1.83m. Indexation uplifts were due in August 2015 and August 2017 respectively, meaning that the contract costs for the 5th year of the contract (September 17 to August 18) are approximately £1.97m.

8.2 Based on the above, the costs of the contract are £1.93m in 2017/18 and £0.82m (5 months to the end of the 5th year) in 2018/19. There is currently an annual budget of £1.83m for the libraries contract, which is not sufficient to meet the full costs of the contract due primarily to indexation uplifts. For 2017/18, the budget shortfall of £100k is being mitigated by a drawdown from the libraries reserve, which has been set aside for a one-off payment to CIS in the event that the contract is not continued after the end of its 5th year. As at 31st March 2017, the balance of the reserve stands at £250k.

8.3 The contract includes a termination clause which allows both Ealing and Harrow to decide if they wish to continue the contract with CIS for a further period of 5 years at the end of its 5th year. Under Clause 33.4, if the contract is not continued for the full ten year term, Ealing and Harrow will be liable for payment of a termination sum to reflect the difference in the ten year and five year contract price. For Harrow, this one-off termination payment is £485k. The libraries reserve, following the planned drawdown this year, will have a balance of £150k only. A funding of £335k would have to be identified, should the Council decide to implement an early exit of the contract in August 2018.

8.4 A financial analysis has been undertaken to compare the costs of options considered in this report and is summarised in the table below. There are some limitations in the analysis due to unknowns on future RPI indices and the current staffing structure/costs of the remaining libraries, and therefore key assumptions made are as follows.

- Contract indexations: Staffing 2.2% and Non Staffing 4% every 2 years
- Spend data of 2012/13 (prior to procurement) is used as baseline, adjusted for inflation of 2.5% per year, for estimating the costs of in-house provision
- On-going revenue cost for Facilities Management of £32k (subject to condition survey) and ICT of £235k (subject to final pricing from ICT contractor) respectively.

	Option A	Option B	Option C
	Early termination of the contract and re-tendering	Early termination of contract and return service to Council operation	Continue with CIS for the full term of 10 years
	£'000	£'000	£'000
Total Estimated Service costs (Year 6 - Year 10)	Not known	11,970	10,599
<i>Other adjustments:</i>			
Saving on Pension liability costs	0	-400	0
Additional NNDR income retained by Council	0	-260	0
Net Total Estimated Service costs (Year 6 - Year 10)	Not known	11,310	10,599
<i>One-off costs:</i>			
Early termination cost	485	485	0
ICT set up costs (capital)	0	989	0
Procurement resource (estimate)	75	0	0
Total one-off costs	560	1,474	0
Total Costs	Not known	12,784	10,599

8.5 It is not possible to estimate the service costs for Option A as these can only be known following the conclusion of a competitive tendering exercise. However the early contract termination payment of £485k would need to be made under this option. There would also be a one-off cost relating to procurement resource, estimated at £75k. The external market for library management is currently limited making a reduction on current contract costs by re-tendering more challenging.

8.6 The estimated total costs for Option B takes into account the following:

- saving on employer's pension liability costs for libraries TUPE staff (for which the Council currently makes an annual contribution separately to the Pension Fund to meet the shortfall). This is estimated at £400k over 5 years.
- additional NNDR income retained by the Council. CIS currently claim 80% NNDR relief due to charity status of its company delivering the library service. By returning the service to the Council, although the Library Service would have to pay the full NNDR on all properties, there would be a net gain to the Collection Fund. This is estimated at £260k over 5 years.

8.7 The financial analysis indicates that the overall estimated costs of Option C (the recommended option) would be circa £2.2m lower than Option B.

8.8 Should the Council decide to extend the current contract for a further period of 5 years, the annual contract costs are estimated as follows, subject to actual indexation uplifts.

	Estimated CIS contract costs (excl pension liability)	Service budget	Libraries reserve	Growth Budget (Note 1)	Budget Shortfall
	£'000	£'000	£'000	£'000	£'000
2018/19 (7 months)	1,151	1,008	143	0	0
2019/20	2,006	1,830	1	175	0
2020/21	2,030	1,830	0	200	0
2021/22	2,061	1,830	6	200	25
2022/23	2,084	1,830	0	200	54
2023/24 (5 months)	868	763	0	83	22

Note 1: The growth budget is subject to Full Council approval in February 2018.

8.9 The budget pressure of £143k in 18/19 could be mitigated by utilising the remaining balance of the libraries reserve as the Council would not be required to make the early exit payment to CIS. In 19/20, there will be an on-going pressure of £176k, increasing to £254k in 22/23. The 18/19 Draft Budget includes a growth budget of £175k in 19/20 and a further £25k in 20/21 for contract indexations. Subject to a separate approval, this will provide the necessary funding for the contract payments within the MTFS period. The service will continue to work with CIS to identify further efficiency savings to reduce the cost of running the library service.

8.10 In the existing MTFS, there is a saving of £209k profiled in 18/19 in relation to the relocation of Gayton Library to 51 College Road and Wealdstone Library to the new Civic Centre respectively. Due to delays, it has been requested that the saving is re-profiled to later years. This is subject to a separate approval as part of the 18/19 budget process. It should be noted that the figures in the table in Para. 8.8 do not take into account this saving.

9. Equalities implications / Public Sector Equality Duty

9.1 An Equalities Impact Assessment (EqIA) has been conducted (Appendix 1) and no negative impacts have been identified for library customers for any of the protected characteristics.

9.2 The specification of services identified the following as what 'good' will look like in equality terms:

The Contractor has:

- Equalities policies that place equality central to the way the organisation carries out all of its work including:
- Commitment to equality that is communicated effectively to all staff and volunteers and to communities where the organisation is working
- Clarity about what the organisation needs to do to address issues and barriers faced by under-represented groups in use of services, articulated in an action plan with SMART objectives
- Facility-specific action plans to maximise use by disabled people and minority and disadvantaged communities in their catchment areas, including outreach.

9.3 The following measures were put in place to ensure that the contractual equality requirements are undertaken:

- i) Quarterly contract monitoring and annual review of contract to review requirements for low participant groups;
- ii) User surveys through the contract.

10. Council Priorities

This proposal delivers the Council's vision as follows:

Working Together to Make a Difference for Harrow

- Making a difference for the vulnerable by providing a range of library services and activities for local residents and in particular older people, young people, and those with a disability.
- Making a difference for communities and families by offering a range of library services and activities for all ages to reach different communities in Harrow.

The continuation of the library contract will directly contribute to the Harrow Ambition Plan 2020. The continuation of the library contract will help to make Harrow 'Be more Business-like and Business Friendly' by providing a cost effective way of providing library services as well as by the libraries contributing to the local economy. The libraries will also 'Protect the most Vulnerable and Support Families by providing a range of services free of charge to local residents.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/> on behalf of the Chief Financial Officer
Date: 5 December 2017	
Name: Stephen Dorrian	<input checked="" type="checkbox"/> on behalf of the Monitoring Officer
Date: 22 November 2017	
Ward Councillors notified:	NO, as it impacts on all Wards
EqIA carried out:	YES
EqIA cleared by:	Dave Corby, DETG Chair, Community Directorate

Section 4 - Contact Details and Background Papers

Contact: Tim Bryan, Service Manager – Libraries, Sport and Leisure. Tel. 020 8416 8639, Email: tim.bryan@harrow.gov.uk

Background Papers:

Cabinet Report and decision Libraries and Leisure Commissioning:
Award of Contract, 6th June 2013

<http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=249&MId=62202>

Cabinet Report and decision Library Strategy, 2015-2018, 19th March 2015

<http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=249&MId=62361>

**Call-In Waived by the
Chair of Overview and
Scrutiny Committee**

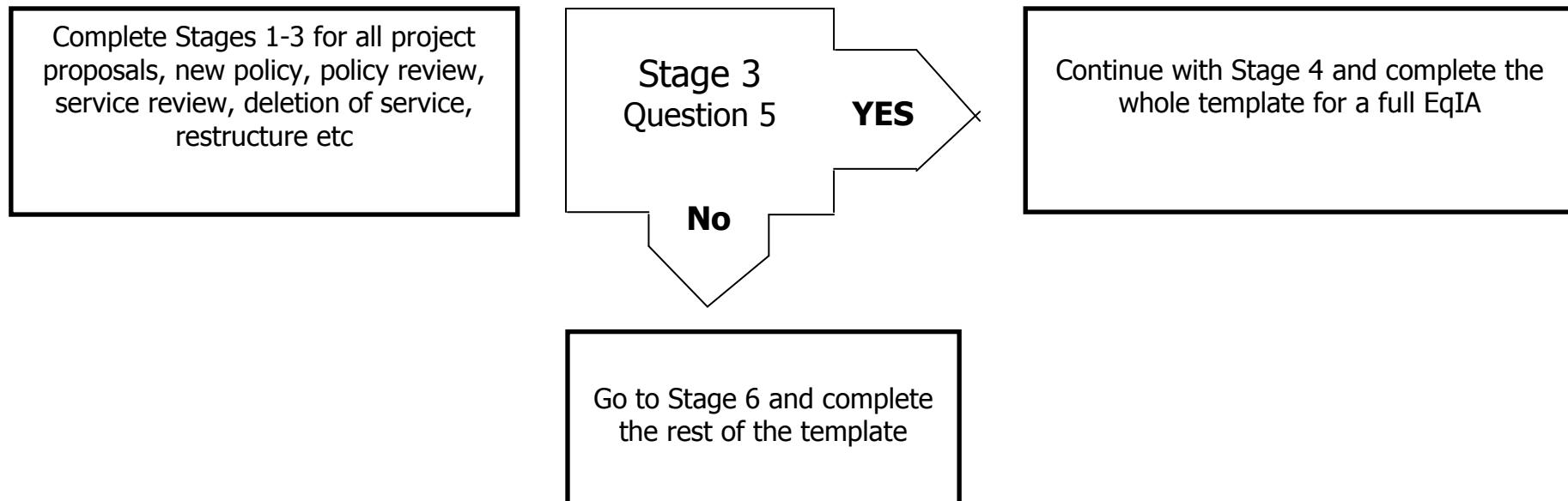
NOT APPLICABLE

[Call-in applies]

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Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process (EqIA). There is now just one Template. Lead Officers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



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- In order to complete this assessment, it is important that you have read the Corporate Guidelines on EqIAs and preferably completed the EqIA E-learning Module.
- You are also encouraged to refer to the EqIA Template with Guidance Notes to assist you in completing this template.
- SIGN OFF: All EqIAs need to be signed off by your Directorate Equality Task Groups.
- Legal will NOT accept any report without a fully completed, Quality Assured and signed off EqIA.
- The EqIA Guidance, Template and sign off process is available on the Hub under Equality and Diversity

Equality Impact Assessment (EqIA) Template

Type of Decision: Tick ✓	<input checked="" type="checkbox"/>	Cabinet	Portfolio Holder	Other (explain)	
Date decision to be taken:	18 th January 2018				
Value of savings to be made (if applicable):	n/a				
Title of Project:	Library Management Contract Extension				
Directorate / Service responsible:	Community/Environment and Culture				
Name and job title of Lead Officer:	Tim Bryan, Service Manager – Libraries, Sport and Leisure				
Name & contact details of the other persons involved in the assessment:	Scott Causer – Project Manager, Research and New Initiatives				
Date of assessment (including review dates):	19 th October 2017				
Stage 1: Overview					
<p>42</p> <p>1. What are you trying to do?</p> <p>(Explain your proposals here e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc)</p>	<p>The proposal is to continue the library contract with Carillion Integrated Services (CIS) Ltd for full 10 year term. The award of the contract for delivery of library management services to John Laing Ltd was approved by Cabinet in June 2013 with the contract commencing on the 1st September 2013. The contract also included delivery of library services for Ealing Council following a joint procurement exercise. John Laing Ltd was acquired by Carillion PLC in October 2013. Carillion took over responsibility for the library contract under the subsidiary Carillion Integrated Services (CIS) Ltd.</p> <p>CIS is responsible for the delivery of services from six static libraries (four libraries were closed in June 2015), the Home Library Service, Schools Library Service, and libraries back office support services.</p> <p>The contract with CIS includes a possible break clause after the initial 5 years of the contract which ends on the 31st August 2018. The proposal is not to activate this break clause and continue the contract for the full ten years until 31st August 2023. This is being proposed due to the performance of the contract to date and the continued cost savings provided by the contract.</p> <p>The Library Service continues to work with CIS to identify further efficiencies in the way services are delivered which could have an impact on staffing. Separate EqIAs will be</p>				

	completed if it is proposed to progress any changes.					
2. Who are the main groups / Protected Characteristics that may be affected by your proposals? (✓ all that apply)	Residents / Service Users	✓	Partners	✓	Stakeholders	✓
	Staff	✓	Age	✓	Disability	✓
	Gender Reassignment	✓	Marriage and Civil Partnership	✓	Pregnancy and Maternity	✓
	Race	✓	Religion or Belief	✓	Sex	✓
	Sexual Orientation	✓	Other			

3. Is the responsibility shared with another directorate, authority or organisation? If so:

- Who are the partners?
- Who has the overall responsibility?
- How have they been involved in the assessment?

CIS manage the library service on the Council's behalf.

Stage 2: Evidence & Data Analysis

4. What evidence is available to assess the potential impact of your proposals? This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys, press reports, letters from residents and complaints etc. Where possible include data on the nine Protected Characteristics.

(Where you have gaps (data is not available/being collated for any Protected Characteristic), you should include this as an action to address in your Improvement Action Plan at Stage 6)

Protected Characteristic	Evidence	Analysis & Impact
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Age (including carers of young/older people)

4

The resident population of Harrow according to the 2011 Census was 239,100. Census data by age for the whole borough was as follows:

Age Group	Total	Percentage
0-4 year olds	15,916	4%
5-17 year olds	38,746	16%
18-24 year olds	21,435	9%
25-49 year olds	72,703	30%
50-59 year olds	44,579	19%
60-74 year olds	29,430	12%
75-89 year olds	14,641	6%
90 years old and over	1,606	1%

A customer survey of library users under 20 years of age was undertaken in 2015. There were 501 responses. The order of age ranges (highest first) of those who responded was as follows: 5-9 years old, 10-14 years old, 0-4 years old, 15-19 years old.

A customer survey of library users aged 20 year and over was undertaken in 2016. There were 234 responses. The order of age ranges (highest first) of those who responded as follows: 25-50 years old, 50-65 years old, Over 65 years old, 19-24 years old

The breakdown by age of respondents (1,176 responses

The data indicates that library users are a wide range of ages with a higher percentage aged 5-11 years old and 36-59 years old. There is less use by those aged 15-19 years old.

The current range of library provision for all ages will still be available to customers if the library contract was to continue for a further five years.

The age break down of library staff indicates that the highest age groups of current staff are aged 55-64 and 45-54

Future changes to the way that services are delivered which has an impact on staffing could have a disproportionate impact on older staff aged from 45 and over due to the age profile of the current staff. Separate EqIAs would be completed if it is proposed to progress any changes.

in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:

Under 16 – 2.38%

16-24 – 4.76%

25-44 – 28.23%

45-64 – 31.04%

65 years and over – 25.51%

The age breakdown of active users from the Library Management System in 2016 was as follows:

AGE	Total 2016
0-4	3874
5-11	8656
12-17	4241
Total	16771
18-35	8589
36-59	9523
Total	18112
60+	5908
No DoB	85
Total	40876

The current age breakdown of library staff as at Feb 2017 is as follows:

18-24 = 9.31% , 25-34 = 15.13% , 35-44 = 18.6%, 45-54

	= 23.26% , 55-64 = 27.91%, 65-74 = 3.48%	
Disability (including carers of disabled people)	<p>The breakdown by disability of respondents (1,176 responses in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:</p> <p>Disability affecting mobility – 7.35%</p> <p>Disability affecting hearing – 1.84%</p> <p>Disability affecting vision – 0.84%</p>	<p>13.71% in total of respondents to the Library Service consultation carried out November 2014 to January 2015 said that they had a disability.</p> <p>11.11% in total of respondents to the Adult Customer Satisfaction Survey undertaken in 2016 said that they had a disability.</p> <p>In a breakdown of library staff undertaken in Feb 2017 it was not known whether any staff had a disability.</p>

	<p>Learning disability – 0.50%</p> <p>Mental ill-health disability – 1.59%</p> <p>Another form of disability – 1.59%</p> <p>In the adult customer satisfaction survey undertaken in 2016, the breakdown by disability was as follows:</p> <p>Disability affecting mobility – 3.85%</p> <p>Disability affecting vision – 2.14%</p> <p>Disability affecting hearing – 1.71%</p> <p>Mental health disability – 1.71%</p> <p>Learning disability – 0.85%</p> <p>Other disability – 0.85%</p> <p>The breakdown from the Library Management System of active users (those who have used their library card in the last 12 months – report generated in August 2014) was as follows: Mobility disability = 2%, Hearing disability = 1%, Dexterity Disability = 0.10%, Eyesight Disability = 1%, Learning Disability = 1%, Other Disability = 4%.</p> <p>In a breakdown of library staff produced in Feb 2017, out of 86 staff it was not known whether any staff had a disability.</p>	<p>Continuation of the library contract for a further five years will not have a direct impact on customers with a disability as the same service provision will be provided. Separate EqIAs would be completed if it is proposed to progress any future changes to the way services are delivered that could potentially impact on staffing.</p>
Gender Reassignment	The breakdown by gender identity of respondents (1,176	Of those who responded to this question in the Library

	<p>responses in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:</p> <p>79.08% had the same gender as they were assigned at birth.</p> <p>1.02% did not have the same gender as they were assigned at birth.</p> <p>19.9% did not respond to this question.</p> <p>In the adult customer satisfaction survey undertaken in 2016, 98% said that they had the same gender identity as that assigned at birth, and 2% said that they did not.</p> <p>Data for this protected characteristic is not available for library staff.</p>	<p>Service consultation carried out November 2014 to January 2015 the vast majority (79.08%) had the same gender as they were assigned at birth, with only 1.02% not having the same gender as they were assigned at birth.</p> <p>In the adult customer satisfaction survey undertaken in 2016, 98% had the same gender as they were assigned at birth and 2% said that they did not.</p> <p>Continuation of the library contract for a further five years will not have a direct impact on customers with a gender reassignment as the same service provision will be provided.</p> <p>Separate EqIAs would be completed if it is proposed to progress any future changes to the way services are delivered that could potentially impact on staffing.</p>
40	<p>The breakdown by marriage/civil partnership of respondents (1,176 responses in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:</p> <p>58.08% were married/widowed</p> <p>25.68% were not married/widowed</p> <p>16.24% did not respond to this question.</p> <p>Information for this protected characteristic is not available for library staff</p>	<p>Over twice as many of those who responded to this question (58.08%) were married/widowed compared to 25.68% who were not married/widowed.</p> <p>Continuation of the library contract for a further five years will not have a direct impact on customers who are married or a civil partnership, or who are not, as the same service provision will be provided.</p> <p>If there was a reduction in staffing every effort would be made to avoid compulsory redundancies, with a selection process in accordance with Carillion's normal employment policies being undertaken if compulsory redundancies were required.</p>
Pregnancy and Maternity	The breakdown by pregnancy/maternity leave of	A significant majority of those who responded to this

	<p>respondents (1,176 responses in total) to the Library Service consultation carried out in November 2014 to January 2015 were as follows:</p> <p>5.61% had been pregnant and/or on maternity leave during the past 2 years.</p> <p>65.05% had not been pregnant and/or on maternity leave during the past 2 years.</p> <p>29.34% did not respond to this question.</p>	<p>question (65.05%) had not been pregnant and/or on maternity leave during the past 2 years, compared to 5.61% who had been pregnant.</p> <p>Continuation of the library contract for a further five years will not have a direct impact on customers who are pregnant or on maternity leave, or who are not, as the same service provision will be provided.</p> <p>Separate EqIAs would be completed if it is proposed to progress any future changes to the way services are delivered that could potentially impact on staffing.</p>
49 Race	<p>The breakdown by race of respondents (1,176 responses in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:</p> <p>White or White British – 49.40%</p> <p>Asian or Asian British – 29.34%</p> <p>Black or Black British – 3.32%</p> <p>Mixed ethnic background – 1.96%</p> <p>Other ethnic background – 1.70%</p> <p>The main ethnic groups were as follows:</p> <p>39.88% - English</p> <p>21.17% - Indian</p> <p>4.25% - Other White background</p> <p>2.55% - Sri Lankan</p>	<p>Amongst library users White/White British is the largest ethnic group. The second largest ethnic group is Asian/Asian British. This is in accordance with the Census breakdown.</p> <p>Continuation of the library contract for a further five years will not impact on customers from different races. The libraries will continue to make stock available in English as well as a number of different Indic languages</p> <p>Changes to the way that services are delivered could have a disproportionate impact on staff from a white or Asian/Asian British – Indian background. Separate EqIAs would be completed if it is proposed to progress any changes.</p>

2.13% - Pakistani

1.96% - Irish

1.62% - Caribbean

1.53% - African

In the adult customer satisfaction survey undertaken in 2016 the breakdown by main race group out of the 234 who responded was as follows:

Ethnic breakdown	Total
White/White British English	86
Asian/Asian British Indian	68
Other	22
Asian/Asian British Other	12
White/White British Other	8
Asian/Asian British Chinese	7
White/White British Scottish	5
White/White British Irish	4
Asian/Asian British	4

Pakistani	
Black/Black British African	4

Census data (2011) shows the ethnic breakdown for Harrow:

Ethnic Group	Total
White British	73,826
White Other	27,165
Mixed	9,499
Asian or Asian British	101,808
Black or Black British	19,708
Arab and Other Group	7,050

The breakdown by main ethnic group of library staff as at Feb 2017 is as follows:

34.88% - White – Any Other White Background

26.74% - Asian/Asian British – Indian

9.30% - White – British

4.65% - Asian/Asian British – Any Other Asian Background

	4.65% - Black/Black British - African							
52 Religion and Belief	<p>The breakdown by religion of respondents (1,176 responses in total) to the Library Service consultation carried out in November 2014 to January 2015 was as follows:</p> <p>Christianity – 34.18%</p> <p>Hinduism – 15.73%</p> <p>Islam – 5.78%</p> <p>Judaism – 4.76%</p> <p>Jainism – 2.89%</p> <p>Buddhism – 0.85%</p> <p>Sikh – 0.51%</p> <p>Zoroastrian – 0.17%</p> <p>No religion/Atheist – 13.69%</p> <p>In the adult customer satisfaction survey undertaken in 2016 the breakdown by main religious groups out of the 234 who responded was as follows:</p> <table border="1"> <thead> <tr> <th>Ethnic breakdown</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Atheist/Agnostic</td> <td>18</td> </tr> <tr> <td>Christianity (All)</td> <td>95</td> </tr> </tbody> </table>	Ethnic breakdown	Total	Atheist/Agnostic	18	Christianity (All)	95	<p>Of those respondents to the Library Service consultation who indicated their religion, Christianity had the highest number (34.18%) followed by Hinduism (15.73%).</p> <p>In the adult customer satisfaction survey Christianity had the highest number (95), followed by Hinduism and Islam jointly (21).</p> <p>Continuation of the library contract for a further five years will not impact on customers of different religions and beliefs.</p> <p>Separate EqIAs would be completed if it is proposed to progress any future changes to the way services are delivered that could potentially impact on staffing.</p>
Ethnic breakdown	Total							
Atheist/Agnostic	18							
Christianity (All)	95							

	<table border="1"> <tr><td>denominations)</td><td></td></tr> <tr><td>Hinduism</td><td>21</td></tr> <tr><td>Islam</td><td>21</td></tr> <tr><td>Other</td><td>12</td></tr> <tr><td>Judaism</td><td>3</td></tr> <tr><td>Zoroastrian</td><td>3</td></tr> <tr><td>Jainism</td><td>5</td></tr> <tr><td>Sikh</td><td>7</td></tr> <tr><td>Buddhism</td><td>5</td></tr> </table>	denominations)		Hinduism	21	Islam	21	Other	12	Judaism	3	Zoroastrian	3	Jainism	5	Sikh	7	Buddhism	5	
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Other	12																			
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Zoroastrian	3																			
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Sikh	7																			
Buddhism	5																			
	<p>Information for this protected characteristic for library staff is not known.</p>																			
Sex / Gender	<p>The breakdown by sex of respondents (1,176 responses in total) to the Library Service consultation carried out November 2014 to January 2015 were as follows:</p> <p>Male – 31.46%</p> <p>Female – 54.68%</p>	<p>Of those who responded there were 23.22% more females than males</p> <p>Continuation of the library contract for a further five years will not impact on customers of different sex/gender.</p> <p>Changes to the way that services are delivered could have a disproportionate impact on females due to the</p>																		

	<p>In the adult survey undertaken in 2016 43% of respondents were male, and 57% female.</p> <p>In a breakdown of library staff in Feb 2017 74.42% were female, and 25.58% were male</p>	<p>gender profile of the current staff. Separate EqIAs would be completed if it was decided to progress any changes.</p>
Sexual Orientation	<p>In the Adult Customer Survey undertaken in 2016, 77.35% of those who responded were heterosexual, 5.13% were bisexual, and 0.43% were gay/lesbian</p> <p>Information for this protected characteristic for library staff is not available.</p>	<p>Continuation of the library contract for a further five years will not impact on customers of different sexual orientations.</p> <p>Separate EqIAs would be completed if it is proposed to progress any future changes to the way services are delivered that could potentially impact on staffing.</p>

Stage 3: Assessing Potential Disproportionate Impact

5. Based on the evidence you have considered so far, is there a risk that your proposals could potentially have a disproportionate adverse impact on any of the Protected Characteristics?

54	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No	√	√	√	√	√	√	√	√	√

YES - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, complete a FULL EqIA.

- **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA
- It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.
- **NO** - If you have ticked 'No' to all of the above, then go to **Stage 6**
- Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 6

Stage 4: Further Consultation / Additional Evidence

6. What further consultation have you undertaken on your proposals as a result of your analysis at **Stage 3**?

5	Who was consulted? What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? E.g. revising your proposals

Stage 5: Assessing Impact

7. What does your evidence tell you about the impact on the different Protected Characteristics? Consider whether the evidence shows potential for differential impact, if so state whether this is a positive or an adverse impact? If adverse, is it a minor or major impact?

Protected Characteristic	Positive Impact	Adverse Impact	Explain what this impact is, how likely it is to happen and the extent of impact if it was to	What measures can you take to mitigate the impact or advance equality of opportunity?

	<input checked="" type="checkbox"/>	Minor <input checked="" type="checkbox"/>	Major <input checked="" type="checkbox"/>	occur. Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 7	E.g. further consultation, research, implement equality monitoring etc (Also Include these in the Improvement Action Plan at Stage 6)
Age (including carers of young/older people)					
Disability (including carers of disabled people)					
56 Gender Reassignment					
Marriage and Civil Partnership					
Pregnancy and Maternity					
Race					.

Religion or Belief					
Sex					
Sexual orientation					
8. Cumulative Impact – Considering what else is happening within the Council and Harrow as a whole, could your proposals have a cumulative impact on a particular Protected Characteristic?	Yes		No		
If yes, which Protected Characteristics could be affected and what is the potential impact?					
9. Any Other Impact – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion? If yes, what is the potential impact and how likely is it to happen?	Yes		No		
Stage 6 – Improvement Action Plan					
List below any actions you plan to take as a result of this Impact Assessment. These should include:					
<ul style="list-style-type: none"> • Proposals to mitigate any adverse impact identified • Positive action to advance equality of opportunity • Monitoring the impact of the proposals/changes once they have been implemented 					

- Any monitoring measures which need to be introduced to ensure effective monitoring of your proposals? How often will you do this?

Area of potential adverse impact e.g. Race, Disability	Proposal to mitigate adverse impact	How will you know this has been achieved? E.g. Performance Measure / Target	Lead Officer/Team	Target Date
All protected groups particularly those low participant in services	Protection and enhancement of service and targeted provision for low participant groups – Quarterly contract monitoring and annual review of contract to review requirements for low participant groups.	Increased usage by identified groups	Tim Bryan	Sept 2018 and ongoing
Age, Race, and Sex	If changes to the delivery of services are to be progressed that would impact on staffing a consultation will be undertaken with all staff. Every effort would be made to avoid compulsory redundancies, with a selection process in accordance with Carillion's normal employment policies being undertaken if compulsory redundancies were required.	When the staff consultation has been completed and the staff changes have been made in accordance with Carillion's normal employment policies.	Carillion Integrated Services	TBC

Stage 7: Public Sector Equality Duty

- 10.** How do your proposals meet the Public Sector Equality Duty (PSED) to:
1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 2. Advance equality of opportunity between people from different groups

The library service will continue to provide services for, and which are accessible by, the whole community including all the protected characteristics. The library contractor has equalities policies that place equality central to the way the organisation carries out all its work. The contractor is required to have specific plans to maximise use by disabled people, and other

3. Foster good relations between people from different groups	minority and disadvantaged communities.
Stage 8: Recommendation	
11. Which of the following statements best describes the outcome of your EqIA (✓ tick one box only)	
Outcome 1 – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality of opportunity are being addressed.	✓
Outcome 2 – Minor Impact: Minor adjustments to remove / mitigate adverse impact or advance equality of opportunity have been identified by the EqIA and these are included in the Action Plan to be addressed.	
Outcome 3 – Major Impact: Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality of opportunity. In this case, the justification needs to be included in the EqIA and should be in line with the PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse impact and/or plans to monitor the impact. (Explain this in Q12 below)	
12. If your EqIA is assessed as outcome 3 explain your justification with full reasoning to continue with your proposals.	N/A

Stage 9 - Organisational sign Off

Q1. Which group or committee considered, reviewed and agreed the EqIA and the Improvement Action Plan?	Community Directorate Equalities Task Group to review		
Signed: (Lead officer completing EqIA)	T. Bryan	Signed: (Chair of DETG)	Dave Corby
Date:	30/09/17	Date:	10/11/2017
Date EqIA presented at Cabinet Briefing (if required)		Signature of DETG Chair (following Cabinet Briefing if relevant)	

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Appendix A: Performance of Library Contract - Harrow

	2013/14 (Sept 2013 – Aug 2014)			2014/15 (Apr 2014 to March 2015)			2015/16 (April 2015 to March 2016)			2016/17 (April 2016 to March 2017)		
	Harrow	% Change Year on Year	% National Change Year on Year	Harrow	% Change Year on Year	% National Change Year on Year	Harrow	% Change Year on Year	% National Change Year on Year	Harrow	% Change Year on Year	% National Change Year on Year
Library Visits	1,089,183	0.20%	-2.68%	1,068,579	-3.28%	-4.87%	795,806	-0.48% (comparison based on 6 libraries only)	-5.78%	799,856	0.51%	n/a**
Stock Issues	1,070,198	-15.6%*	-6.27%	996,300	-13.18%	-9.71%	786,795	1.18% (comparison based on 6 libraries only)	-7.11%	755,637	-3.96%	n/a**
New Members	14,140	3.32%	n/a	14,513	5.98%	n/a	11,580	5.76% (comparison based on 6 libraries only)	n/a	12,066	4.20%	n/a
Customer Satisfaction (Undertaken every 2 years – not in 14-15 due to library closures)	n/a	n/a	n/a	n/a	n/a	n/a	91.67% (Rated overall service as Excellent, Very Good, or Good)	n/a	n/a	n/a	n/a	n/a

*Change of Library Management System in Oct 2013 impacted on stock issues

**National comparison statistics not yet available

Service Credits (Non Compliance of KPIs) Output Measures	Description	2013/14 Service Credit Due (Yes/No)	2014/15 Service Credit Due (Yes/No)	2015/16 Service Credit Due (Yes/No)	2016/17 Service Credit Due (Yes/No)
Opening Hours	No library to be unavailable for public access during agreed Opening Hours for more than 30 minutes on more than 2 occasions in each quarter in a Contract Year	No	No	No	No
Maintenance	Delivery of at least 90% of the Service Provider's annual planned maintenance programme tasks in each quarter in a Contract Year	No	No	No	No
Environmental Conditions	No publicly accessible area in library buildings to fall below the air temperature standards set out in the Specification for more than 30 minutes on more than 2 occasions in each quarter in a Contract Year	No	No	No	No
Cleaning	Delivery of at least 90% of the Service Provider's cleaning schedule tasks to the cleaning standards set out in the relevant Method Statement in each quarter in a Contract Year	No	No	No	No

Reporting	All reports are provided in accordance with the specified requirements and frequencies in the Specification	No	No	No	No
Outcome Measures					
Increasing Participation (Footfall and Issues)	Achievement of increase in a minimum of two of: Throughput (library visits); Issues (books and other materials); Library Members	Yes	Yes	Yes	Yes
Increasing Participation by target groups	Delivery of relevant actions in annual Service Plan (to include actions relating to home/community library visits and schools)	No	No	No	No
Community Hubs	Delivery of relevant actions in annual Service Plan to ensure use of library buildings by non-traditional groups.	No	No	No	No
Increased external grants and investment	Number of grant applications submitted for external funding in accordance with annual Service Plan	No	No	No	No
Improved User Satisfaction	% overall satisfied (PLUS survey by category every two years)	No	No	No	No
More word of mouth recommendation	Net promoter survey score	No	No	No	No
Higher quality service	Achieving the average assessment grade target for Mystery Shopper	No	No	No	No

	assessment reports				
Environmental sustainability	Utilities consumption (achieve reduction in use of a minimum of two of Gas/Electricity/Water)	No	No	No	No
	Delivery of actions in annual Green Travel Plan	Yes	Yes	Yes	Yes
Social Sustainability	% of staff overall satisfied	Yes	Yes	Yes	Yes
Economic sustainability	Number of apprenticeships for Council resident	Yes	Yes	No	Yes

TABLED**Addendum****Cabinet - 18 January 2018****Library Management Contract Extension (Agenda Item 8)**

Since the publication of the report, the Council's contractor, Carillion Integrated Services Ltd has gone into compulsory liquidation and the Official Receiver has been appointed by the High Court.

The Official Receiver's priority is to ensure the continuity of public services while securing the best outcome for creditors. All employees, agents and subcontractors are being asked by the Receiver to continue to work as normal.

In the short term, Carillion will continue to provide the services and LBH will work closely with them and the Official Receiver. At the same time, the Council will continue to work towards securing the most efficient and high quality library services in to the future by considering bringing the service in-house or through a contract with another provider. In order to provide maximum flexibility for the council to achieve this aim in a short timescale (as a consequence of the liquidation process), Cabinet is requested to delegate the additional authority set out below to the Corporate Director, Community following consultation with the Portfolio Holder for Community, Culture, and Resident Engagement, the Portfolio Holder for Finance and Commercialisation, and the Director of Finance.

Recommendation in the report agenda item 8:

Delegate authority to the Corporate Director, Community, following consultation with the Portfolio Holder for Community, Culture, and Resident Engagement, the Portfolio Holder for Finance and Commercialisation, and the Director of Finance to agree the continuation of the current contract for the provision of Library Management for a further five years from September 2018.

Revised Recommendation:

Delegate authority to the Corporate Director, Community, following consultation with the Portfolio Holder for Community, Culture and Resident Engagement, the Portfolio Holder for Finance and Commercialisation, and the Director of Finance, to take all necessary steps to manage the liquidation process and in particular authority to:

- a) Consider bringing the Library Services in house or to provide the Library Services through other service delivery models
- b) Novate the existing contract to a suitable alternative service provider
- c) Vary or terminate the existing contract as necessary
- d) Conduct a procurement process and award a new contract to a suitable alternative service provider
- e) Enter into any necessary negotiations and agreements to give effect to a) – d) and the liquidation process.

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