

Statement of Fact of Jane Everiss on behalf of Gloucestershire Library & Information Service

In relation to planning appeal reference - APP/B1605/W/20/3261154 – Proposed development on land adjacent to Oakhurst Rise LPA Ref. 20/00683/OUT

23rd February 2021

1. Introduction

- 1.1 My name is Jane Everiss and I am the Head of Library & Registration Services at Gloucestershire County Council ('GCC').
- 1.2 I have over 26 years experience with GCC Libraries, with 6 years as Head of Service. I am the Chair of Libraries Connected¹ South West Regional group, and sit on their Advisory Committee. The role of the Advisory Committee is to contribute to the overall management of Libraries Connected by representing the views of our members and to provide professional advice and information to guide their decision making. I am a member of the Chartered Institute of Library & Information Professionals.
- 1.3 This Statement of Fact has been prepared to assist the Planning Inspectorate in its consideration of the request made by GCC (as Library Authority) for a planning obligation towards local library provision to mitigate the impact of the appeal proposals. The Statement consolidates and expands upon key points made by GCC in its original representations to Cheltenham Borough Council (04 June 2020) and in its subsequent correspondence with the appellant's agent (explanatory note dated 22 December 2020 and e-mail response dated 21 January 2021 to further questions raised by the appellant's agent).

2. Regulatory Framework for Library Services

- 2.1 Under the provisions of the Public Libraries and Museums Act 1964, GCC is a Library Authority and has a statutory duty (as opposed to a discretionary power) to provide a comprehensive and efficient library service for all persons desiring to make use of it (**Appendix 1**). This duty applies not only to the existing population of the county, but also to new residents generated through new development which add to the demand on a specific library that those new residents can be expected to use. Thus, the duty applies to the appeal proposal.

¹ Libraries Connected is a charity that replaced the Society of Chief Librarians (SCL). They are partly funded by Arts Council England as the Sector Support Organisation for libraries. They are a membership organisation, made up of every library service in England, Wales and Northern Ireland

- 2.2 In fulfilling its duty under the PLMA, the Library Authority shall, in particular, have regard to ensuring facilities are available for the borrowing of, or reference to books and other printed matter, sufficient in number, range and quality to meet the general requirements and any special requirements of both adults and children. The Library Authority should encourage both adults and children to make full use of the library service and provide advice as to its use and make available such bibliographical and other information as may be required by persons using it.
- 2.3 Policies INF4 (Social and Community Infrastructure) and INF6 (Infrastructure Delivery) of the Joint Core Strategy support this requirement for library provision.
- 2.4 This planning obligation would allow the Library Authority to meet its statutory responsibility to the prospective new residents under the provisions of the PLMA, and would assist in achieving the underlying principles and overarching outcomes set by the Library Authority in its Library Strategy, 2012, including: *'Libraries which reflect local needs and can respond effectively to changes in demand'*.

3. Summary of the Requested Planning Obligation

- 3.1 A financial contribution of **£8,428** has been requested by the Library Authority to address the impact on local library services of new users arising from the proposed 43 new dwellings.
- 3.2 The contribution is proportionate to the size of the proposed development as it is based on GCC's established charge of £196 per dwelling for developments of 25 dwellings or more which has been consistently applied and unchallenged since its inception.
- 3.3 The contribution would be used at Charlton Kings Library as the nearest library to the appeal site:
- **Charlton Kings Library – circa 1 miles**
 - Cheltenham Library – circa 1.8 miles
 - Prestbury Library – circa 2.1 miles
 - Hesters Way Library – circa 3.6 miles
 - Up Hatherley Library – circa 3.7 miles
- 3.4 The financial contribution requested would be used towards improvements to Charlton Kings Library to increase customer access to the facilities and services that it offers. Further detail on the potential scope of these improvements and a summary of the planning obligation's compliance with the CIL Regulation 122 tests is addressed later in this Statement.

4. External Funding Streams for Library Improvement Works

4.1 For context, it should be noted that planning obligations are the Library Authority's principal source of external funding for library works and provision that are needed to meet increased demand arising from new development. With regards to alternative external funding streams, the following observations are relevant:

- As with all other Library Authorities across the country, GCC does not receive funding from Central Government to increase library services to meet demand arising from new development.
- There are currently no external grants that could be used to fund the improvements required to mitigate this development. There is also no guarantee that any grant application for a library improvement project would be successful.
- No monies from CIL to-date have been awarded to library projects anywhere across the county, and in Cheltenham Borough Council's annual Infrastructure Funding Statement (December 2020) no library projects are on the list of proposed infrastructure that can be funded by CIL to support population growth. As such, CIL cannot and should not be relied upon as a funding stream for this library project. Notwithstanding this, the investment is to directly mitigate the impact of a proposed development and therefore planning obligations can be sought provided that the CIL Regulation 122 tests are met (see Section 8 of this Statement).

5. The Existing Situation at Charlton Kings Library

5.1 Charlton Kings Library is housed within a single floored building, located within a small shopping area and shared with Charlton Kings Parish Council.

5.2 Baseline utilisation and footfall data collated and retained by the Library Authority demonstrates that Charlton Kings Library is the 6th busiest library in the County (out of 31 libraries) (**Appendix 2**), and is recognised as being an important local community asset due to the range of services that it provides (**Appendix 3**) in addition to the more traditional stock of books and reference material.

5.3 GCC's most recent population data identifies that the library's catchment area population was 10,564 in 2019. New housing development places an increased demand on the existing services offered at Charlton Kings Library. The 2011 Census identifies that the total number of dwellings in the catchment area increased by 1.3% between 2001 and 2011.

5.4 97.3% of library users come from the surrounding area, with the library receiving 80,924 visits in 2019/20 with over 84,000 items of stock being borrowed during the same period. The library has 2,158 active borrowers with 73.6% borrowing from this library exclusively. In 2019/20 395 new members joined the library. Existing pressures would be further exacerbated by additional library users generated by the appeal proposals unless its impact can be mitigated.

5.5 The physical capacity of the library has been assessed, comparing the existing size of the library space, the library catchment population and the national benchmark of 30 sqm per 1000 population (Public Libraries, Archives and New Development: A

Standard Charge Approach (May 2010) (**Appendix 4**). This floor space standard continues to be used by many other Local Authorities across England (as statutory Library Authorities) when assessing development impacts and mitigation options. Using the 2019 catchment population of 10,564 there is a requirement for 316.9 sqm of public library floor space and therefore the existing library (at 227 sqm) is already undersized.

5.6 GCC's latest stock review indicates an increased demand for stock at Charlton Kings Library and includes the following conclusions regarding use and quality of the existing stock:

- Between 2018/19 and 2019/20, the library has seen its stock borrowing increase by 5.42% across all categories.
- Particularly, children's stock borrowing increased by a total of 8.4% across all categories, with stock aimed at young children seeing a 21.9% increase over the previous year.
- 16.7% of stock is what is referred to as 'grubby' – that is to say, stock which has been loaned 40 or more times. The Library Authority's target is to only have 10% - the average across all County branches is 10.66%. This demonstrates that the stock is already well used by the current population and does mean it is highly likely to require replacing on a more frequent basis if demand continues to grow.
- In order to address the additional levels of borrowing, the number of items held in stock at Charlton Kings Library increased by 8.4% between March 2020 and February 2021.

6. Meeting additional demand from the appeal proposal

6.1 Under the PLMA, libraries have a duty to offer free access to stock and other resources as may be required by those persons wishing to make use of it. In this regard, it is important to note that residents do not use libraries within a defined period of their lives, and libraries need to be accessible to anyone at anytime of their life as and when they need to use the wide range of facilities on offer. We cannot be prescriptive about when someone moving into a catchment area of the library may need to use its resources or services, or how often.

6.2 The Library Authority also recognises the need for its facilities and services to continue to adapt and expand in order to serve an increasing population within their respective catchments and to cater for changing demand. The recent COVID pandemic has demonstrated that local communities are using different ways to access our services, with increases seen this year in e-lending stock and other electronic resources. To illustrate this point, in the period December 2019 to November 2020, the use of e-books has increased by 62% over the previous year, with e-magazines seeing a 78% increase in the same periods.

7. Improvement options considered

7.1 To accommodate additional users at Charlton Kings Library generated by the appeal proposals, a variety of different options have been considered.

- The option of using financial contributions towards physically extending the existing library has been discounted due to the physical constraints imposed by the building and the close proximity to neighbouring properties and public realm.
- Consideration has also been given to comprehensive internal building reconfiguration work, but this option has also been discounted as it is considered that the combination of feasibility, design and construction costs would be prohibitively expensive.
- Since issuing the original consultation response in June 2020, GCC has considered again the potential to increase access to services through the extension of opening hours. This option is also now discounted due to the fact the financial contribution sought would not be sufficient in isolation to achieve a sustained increase in opening hours either through investment in staffing or through investment in technology.

7.2 In light of all of these considerations it is currently anticipated that the requested financial contribution of **£8,428** would be put towards further increasing stock provision, both physical & electronic, to meet increased demand arising from the development. The internal layout would be reconfigured in order to accommodate the additional stock and shelving that would be required.

7.3 However, no further detail of the final project can be provided at this stage as the likely timescales for implementation of the development are unknown at this time, and could be several years away. It is standard practice for GCC to seek to finalise a library improvement works specification only after the financial contribution has been received, hence why flexibility has been requested in the wording of the planning obligation.

7.4 Additionally, we would expect there to be a provision in any legal agreement for the monies to be returned by GCC within five years of payment if it is not spent.

8. Compliance with the CIL Regulation 122 Tests

8.1 The requested planning obligation towards local library provision complies with the three tests set out at Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 i.e. that the planning obligation is '**necessary**', '**directly related**' and '**fairly and reasonably related in scale and kind**' to the appeal proposals. A summary of the key facets of this case are presented below:

a) **Necessary;**

8.2 The existing levels of footfall, stock issues and PC use places pressure currently on the existing services and resources offered at Charlton Kings Library (as described at Section 5 of this Statement), and this will be exacerbated by additional library users arising from this, and other, new housing development in the locality. As identified at paragraph 5.5 above, based on the national benchmark standard of 30 sqm per 1,000 population, the library is already undersized for the existing catchment population.

b) Directly-related to the development;

- 8.3 The development of up to 43 homes would generate additional residents within the locality of Charlton Kings Library. Under the PLMA, any new people within the area have the right to utilise the library service and it is incumbent on the Library Authority to provide it. As such there would be an additional need for service provision as a direct result of this proposed development.
- 8.4 Even if the Appellant argues that people could be moving from within the existing catchment, it still remains that somewhere down the chain of house moves, new people will be moving into this catchment as a direct result of this development. Further there is no mechanism of ascertaining where future occupants may come from, or if they would release capacity elsewhere.

c) Fairly and reasonably-related in scale and kind to the development

- 8.5 The contribution is based on an established per dwelling charge of £196 on developments in excess of 25 dwellings. For the 43 dwellings proposed, a sum of **£8,428** is being sought.
- 8.6 GCC's approach to planning obligations towards libraries has been tested as recently as late 2019 (APP/G1630/W/19/3229581 in respect of a development at Bishops Cleeve, decision dated 11 November 2019). In that case, the Planning Inspector concluded that the planning obligation complied with each of the CIL Regulation 122 tests. The relevant paragraphs of that decision notice are set out below:

'71. In terms of library provision, a contribution of £42,140 is necessary to accommodate the `additional need for library resources generated as a result of the development and would be used towards Bishop's Cleeve Library including capital works, extended opening hours, increased stock, computer resources and new furniture. Policy INF4 of the JCS supports this requirement. The Bishops Cleeve Library is the nearest library to the development and the contribution is based on a calculation of £196 per dwelling multiplied by the number of dwellings. I consider the provision would be fairly and reasonably related in scale and kind to the development'

- 8.7 Without this contribution the Appeal proposal would fail to mitigate against impact on community services - services that benefit from no other likely funding - and would be contrary to Policy INF4 of the JCS.

9 Declarations

I can confirm that my Statement of Fact contains information that I believe to be true and complete in my professional opinion.

I can confirm I am not instructed under any conditional fee arrangement.

I can confirm I have no conflicts of interest of any kind.

Appendix 1



Public Libraries and Museums Act 1964

CHAPTER 75

ARRANGEMENT OF SECTIONS

The public library service

Section

1. Secretary of State to superintend library service.
2. National Advisory Councils.
3. Regional councils for inter-library co-operation.
4. Library authorities and areas.
5. Joint boards.
6. Special provisions as to non-county boroughs and urban districts.
7. General duty of library authorities.
8. Restriction on charges for library facilities.
9. Contributions and grants.
10. Default powers of Secretary of State.
11. Supplemental provisions as to transfers of officers, assets and liabilities.

Museums and art galleries

12. Provision and maintenance of museums and galleries.
13. Charges for admission to museums and galleries.
14. Contributions to expenses of museums and galleries.
15. Power to establish fund for purchase of exhibits.

General

16. Inquiries.
17. Annual report.
18. Compulsory acquisition of land.
19. Byelaws.
20. Use of premises for educational or cultural events.
21. Expenses of county councils.

A

order confirms the resolution the council shall cease to be a library authority on such date as is specified in that behalf in the order.

(6) Where, under any provision of this Act other than section 5 above, the council of a non-county borough or urban district at any time ceases to be a library authority—

- (a) the library officers of the council shall by the operation of this provision be transferred to and become officers of the authority assuming the library functions of the council, that is to say, where after that time the library area of the council will be comprised in the library area of a joint board, that joint board, and in any other case the county council; and
- (b) the library assets and liabilities of the council shall, save as may be otherwise directed by the Secretary of State, be transferred by the operation of this provision to the said authority.

(7) Where the council of a non-county borough or urban district is approved by the Secretary of State under subsection (3) above he may by order make such provision as he thinks fit with respect to the transfer to the council of any library assets and liabilities of the county council or, where the county council is comprised in a joint board established under section 5 above, of the joint board, being assets and liabilities which relate, or are referable, to the library area of the approved council.

General
duty of
library
authorities.

7.—(1) It shall be the duty of every library authority to provide a comprehensive and efficient library service for all persons desiring to make use thereof, and for that purpose to employ such officers, to provide and maintain such buildings and equipment, and such books and other materials, and to do such other things, as may be requisite:

Provided that although a library authority shall have power to make facilities for the borrowing of books and other materials available to any persons it shall not by virtue of this subsection be under a duty to make such facilities available to persons other than those whose residence or place of work is within the library area of the authority or who are undergoing full-time education within that area.

(2) In fulfilling its duty under the preceding subsection, a library authority shall in particular have regard to the desirability—

- (a) of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are avail-

able for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials, sufficient in number, range and quality to meet the general requirements and any special requirements both of adults and children; and

- (b) of encouraging both adults and children to make full use of the library service, and of providing advice as to its use and of making available such bibliographical and other information as may be required by persons using it; and
- (c) of securing, in relation to any matter concerning the functions both of the library authority as such and any other authority whose functions are exercisable within the library area, that there is full co-operation between the persons engaged in carrying out those functions.

8.—(1) Except as provided by this section, no charge shall be made by a library authority (otherwise than to another library authority) for library facilities made available by the authority. Restriction on charges for library facilities.

(2) A library authority may make a charge not exceeding such amount as may be specified in that behalf by the Secretary of State—

- (a) for notifying a person that a book or other article reserved by him has become available for borrowing, or
- (b) in respect of failure to return a book or other article before the end of the period for which it was lent.

(3) A library authority may make a charge for the borrowing of any article, except that where under section 7(1) above the authority is under a duty to make facilities for borrowing available to a person the authority shall not charge that person for borrowing—

- (a) a book, journal, pamphlet or similar article, or
- (b) a reproduction made by photographic or other means of the whole or a part of any such article.

(4) A library authority may make a charge for supplying book catalogues or indexes, or any similar articles, where the articles become the property of the persons to whom they are supplied.

(5) Where facilities made available to any person by a library authority go beyond those ordinarily provided by the authority as part of the library service the authority may make a charge for the provision of those facilities.

9.—(1) A library authority may make contributions towards the expenses of another library authority or of any other person providing library facilities for members of the public. Contributions and grants.

Appendix 2

Library rankings 2019/20

| Ranking based on visits | Council Libraries | Visits 2019/20 |
|-------------------------------|-------------------|-------------------|
| 1 | Cheltenham | 310,885 |
| 2 | Gloucester | 193,519 |
| 3 | Stroud | 121,729 |
| 4 | Bishops Cleeve | 112,189 |
| 5 | Up Hatherley | 100,676 |
| 6 | Charlton Kings | 80,924 |
| 7 | Tewkesbury | 77,935 |
| 8 | Longlevens | 76,715 |
| 9 | Coleford | 73,240 |
| 10 | Cirencester | 71,976 |
| 11 | Dursley | 68,493 |
| 12 | Quedgeley | 67,813 |
| 13 | Hucclecote | 67,311 |
| 14 | Stow | 65,259 |
| 15 | Newent | 50,286 |
| 16 | Churchdown | 38,862 |
| 17 | Nailsworth | 37,497 |
| 18 | Lydney | 34,595 |
| 19 | Winchcombe | 34,320 |
| 20 | Cinderford | 32,860 |
| 21 | Prestbury | 29,950 |
| 22 | Hesters Way | 27,991 |
| 23 | Chipping Campden | 26,099 |
| 24 | Fairford | 24,433 |
| 25 | Moreton | 24,321 |
| 26 | Tuffley | 22,573 |
| 27 | Tetbury | 17,955 |
| 28 | Bourton | 15,227 |
| 29 | Wotton | 14,111 |
| 30 | Matson | 12,728 |
| 31 | Stonehouse | 12,468 |

Appendix 3

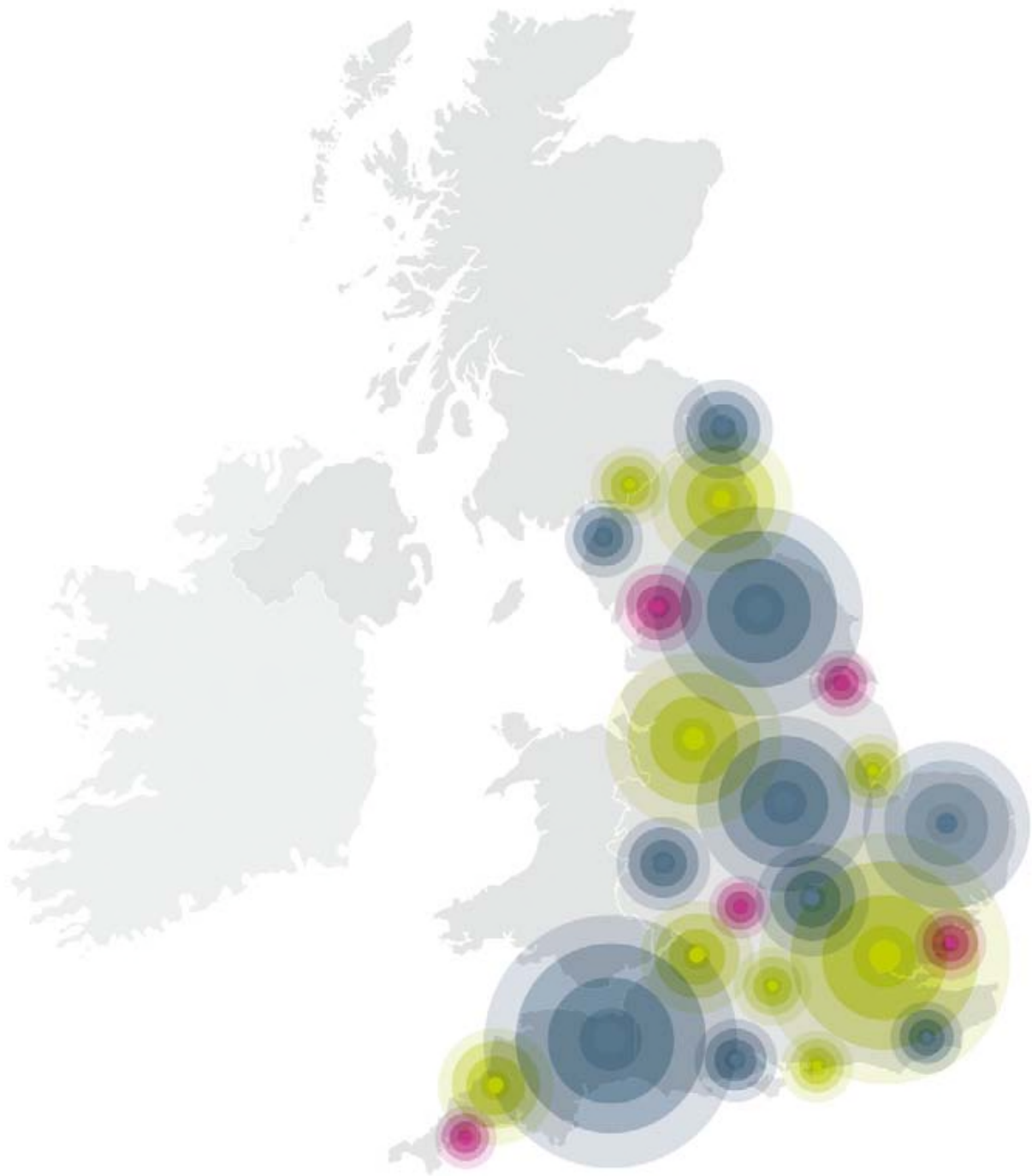
Range of services delivered at Charlton Kings Library

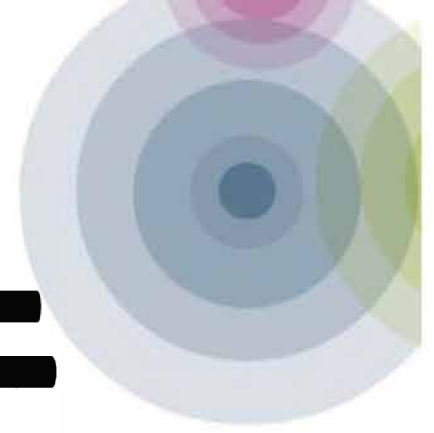
1. Concessionary bus pass assistance – to the elderly and disabled to assist with applying for passes where struggling – fixed capacity.
2. Share a Poem - reading groups open to all but aimed at those living with dementia and their carers – fixed capacity
3. Library Club – a group aimed at reducing social isolation for housebound customers who have transport provided to bring them to the library on a monthly basis – fixed capacity.
4. Knit and Natter – craft groups aimed at reducing social isolation – fixed capacity
5. Venue for Adult Education computer courses.
6. Gadget days – assistance to help people to gain the skills to use mobile devices – fixed capacity.
7. Public access computers – on hand assistance to help with ICT skills – fixed capacity.
8. Family History sessions – one to one sessions to assist with family history research – fixed capacity.
9. Local History sessions – one to one sessions to assist with local history research – fixed capacity.
10. Baby Bounce & Rhyme and Rhyme Time – sessions aimed at Babies and Toddlers and their parents/carers. Assists with reduction in social isolation and maternal mental health & wellbeing – fixed capacity.
11. Toddler Time – sessions aimed at Grandparents who look after children
12. A bilingual storytime (French and English)
13. Code club – monthly sessions to inspire children with STEM activities and challenges – fixed capacity.
14. Creative writing group – aimed at Children to help with literacy – fixed capacity.
15. School and playgroup visits – partnerships with local schools and playgroups to promote reading & literacy.
16. Chatty Wednesday – group aimed at tackling loneliness in the local area.
17. Growth Hub @ The Library – resources for businesses delivered in partnership with Gfirst LEP.
18. Business Group Morning – session aimed at bringing together local businesses for information and skills sharing.
19. Baby Hub – aimed at new parents and run in partnership with local Health Visitors offering advice, baby weighing and development checks.

Appendix 4

Public Libraries, Archives and New Development

A Standard Charge Approach
May 2010





Annex B: Derivation of the standard charge for libraries

Library space requirements

An analysis of the figures used by local planning authorities from our national survey, suggests that most of the figures currently in use, for planning obligations purposes, are in the 22-35 sq metres per 1,000 population range. There has been a tendency for the figure to rise through time, not least because libraries are acquiring more functions, often at the behest of central government.

In 2001, the DCMS consulted on a net figure of 23 sq metres of new library space per 1,000 population as a potential public library standard. Applying a gross to net floor space ratio of 100/75 to the DCMS figure, would give a gross standard equivalent of 30.66 sq metres per 1,000 population. The Roger Tym and Partners report The Costs and Funding of Growth in South East England, took 32 sq metres per 1,000 population as its figure for estimating the costs of new public library infrastructure needs for the South East and Eastern Regions over the next 20 years.



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