

The Rt Hon John Whittingdale OBE MP,
Secretary of State
c/o The Ministerial Support Team
Department for Culture Media & Sport
100 Parliament Street
London SW1A 2BQ

27th October 2015

Dear Mr Whittingdale

Request for local inquiry into library provision in Southampton

I refer to Southampton City Council's plan, set out in Cabinet Reports of 18th November 2014 and 18th August 2015, to stop running five libraries and to axe the mobile service - a proposal criticised in August this year by Daniel Fitzhenry - deputy leader of the Conservative opposition - because of "insufficient acknowledgement of what the replacement service will be". I assume that details of the plan have been notified to the DCMS.

In my view this plan, if implemented, will result in the council being in breach of its obligations to:

(a) provide a library service which is "comprehensive and efficient...for all persons desiring to make use thereof" under s.7(1) of the Public Libraries Act 1964 ('the 1964 Act') as properly interpreted by orthodox criteria of statutory interpretation and under s.3 of the Human Rights Act 1998 ('the 1998 Act') having regard to the broad approach adopted by the courts to interpretation by reference to s.3; and (b) comply with Convention rights under s.6 of the 1998 Act, the particular right, here, being the right to education guaranteed by Article 2 of the First Protocol to the European Convention on Human Rights.

By this letter (copies of which will be sent to the Leader of the Council and to the CMS Select Committee) I formally request an investigation by the DCMS of the proposals and your intervention, as Secretary of State for Culture, Media and Sport, in relation thereto under s.10 of the 1964 Act by directing the carrying out of a local inquiry.

The criteria for DCMS interventions are based on an "analysis of existing and projected local need for the public library service" which "may include matters such as deprivation indices, rural/urban context, and consideration of vulnerable groups such as the unemployed, elderly, disabled, children and young people, and young families."

Source: OldCulture.gov – What We Do: Libraries

With regard to the criteria for intervention, obviously the report of Sue Charteris into proposed restructuring of library services by Wirral MBC of September ('the Wirral Report') is also of considerable significance.

I also refer you to the *Arts Council* Report: 'Health and Wellbeing Benefits of Public Libraries' and its Advice and Guidance note, both of which may be accessed on their website as well as to other research relating to health and economic benefits of libraries, in the public domain, of which the DCMS will be aware.

I believe that, in connection with other requests for intervention in relation to libraries within England, the DCMS has taken no account of libraries transferred to the community (i.e. to be run by volunteers) in assessing whether there is/will be a breach of the statutory duty. I assume that this approach will be adopted in this case.

I set out below some preliminary evidence to support my case that the proposals for the restructuring of public library provision in Southampton, referred to in the opening paragraph of this letter, are in breach of the Council's statutory duty.

1. The Libraries Affected are in Deprived Areas

Deprived areas, which have already borne the brunt of cuts to local government funding (Joseph Rowntree Foundation report – March 2015) present special problems, including health-related and educational needs ('education' here including both orthodox and digital literacy), which call out for the retention of professionally-run libraries.

I draw your attention hereunder to the fact that the areas in Southampton, where the 5 (five) public libraries earmarked for relegation to volunteer-run status or closure are located, are subject to substantial deprivation as referred to below:

The 'Most deprived' quartile is shown in **bold type**. Ranking is out of 12,660 where 1 is least deprived. The following libraries fall into areas of the 'Most deprived' quartile:

Source: The Church Urban Fund Parish Profiles (Poverty Look Up Tool
<https://www.cuf.org.uk/poverty-england/poverty-look-tool>)

Millbrook Library SO16 9LY – IMD Ranking: **11919 out of 12,660**

Thornhill Library SO19 6DF – IMD Ranking: **11875 out of 12,660**

Weston Library SO14 7LW – IMD Ranking **11428 out of 12,660**

Burgess Road Library SO16 3HF – IMD Ranking **10466 out of 12,660**

Cobbett Road Library SO18 1HL – IMD Ranking **9650 out of 12,660**

I also respectfully draw your attention to a BBC report from March 2012 which highlighted the poverty of families in the Southampton suburb of Weston. Please note that Weston Library features in the above list.

Source: BBC News: March 2012

<http://www.bbc.co.uk/news/uk-england-hampshire-17235415>

According to current Indices, the suburb of Weston is now surpassed in its high level of deprivation by two of the other 4 (four) areas targeted by the council's proposals. All five libraries, however, share the same unhappy distinction.

I also refer you and the city council to relevant research as to the viability and suitability of volunteer-run libraries in general and particularly in deprived areas:

- (i) The Big Society Audit 2013 – Civil Exchange;
- (ii) Whose Society? -- Civil Exchange 2015;
- (iii) Scottish Libraries and Information Council Report on the use of volunteers and volunteer-run libraries, 2015; and
- (iv) Save The Children - Ready to Read, England, June 2015.

2. Mobile Library Service

It is self-evident that the value of Southampton's mobile library service may be measured in terms of its accessibility to certain groups comprising those who may be less mobile due to age or disability, families with small children, those without transport and those of lower economic means who have no alternative access to library provision.

The mobile library visits some 30 nurseries in which around 1500 children are enrolled.

3. Precedent

It is clear from the Wirral Report that two of the 15 libraries marked for closure by Wirral council served "two of the most disadvantaged communities in the UK". The Culture Minister, then on the Opposition benches, called the proposed closures "cost-driven vandalism". Please note that Southampton has targeted not two disadvantaged communities, as was the case in The Wirral, but **five**.

The Welsh government recently recognised the particular need for libraries in deprived areas by making available £2.7m of Welsh government funding to help ensure they are accessible to all. *Source:* BBC News Wales - Help for museum and library access in Wales: 17th April 2015. Southampton's deprived areas merit similar consideration.

4. Consultation - Southampton

The arguments against the adequacy of Southampton's consultation include the public perception that the survey questionnaire was designed to give the results the council wanted in order to proceed with its intended plan. Residents contend that the consultation was biased and, therefore, unfair. Details of their complaints may be found in a letter to the editor of *The Daily Echo* published on 29th August 2015:

http://www.dailyecho.co.uk/yoursay/letters/13634918.Council_consultation_on_libraries_closure_was_not_fair/

It is also widely perceived that the council has had inadequate regard to the public sector equality duty, to which I refer in my point 8 – 'Statements from vulnerable categories of users' - below.

5. Human Rights Act 1998

Access to public libraries is a basic human right. The children in Southampton and others requiring access to education (e.g. those seeking to acquire digital literacy) need their libraries to remain open in their local areas.

I request you to investigate the issue of whether, as I suggest is the case, Article 2 of the First Protocol to the Convention (Right to Education) would be breached by implementation of the Council's proposals

6. Orthodox and Digital Literacy

The proposed changes in library provision in Southampton are not only relevant to orthodox literacy, the Right to Education and the professional delivery of the Reading Agency's programmes, all of which are currently enjoying cross-Party support in Westminster, but also to the government's ambition to increase digital participation.

Given that many economically disadvantaged people cannot consider purchasing a computer, much less paying for expensive internet access or buying a mobile phone and accompanying plan, they will rely on using the public computers in their local library. I note that the DCMS 'Taking Part Survey' reported that "People in the least deprived areas (48.7%) have almost double the digital participation rate of people in the most deprived areas (24.5%)". This will apply to **all five** areas under Southampton's proposals for Libraries.

7. Statement from teacher, Mrs Anneliese Walker

"As a recently retired teacher working for Southampton City Council, I am dismayed ..." | "Within easy walking distance of my valuable local library are nine schools, catering for all Key Stages...."

Source: Statement from Mrs Anneliese Walker – 7th October 2015, a copy of which is attached/enclosed.

7.1 The threatened libraries' proximity to schools

There are, to the best of my knowledge, more than twenty schools located near the threatened libraries. Those near the 3 (three) smaller libraries are as follows:

Schools near Weston Library:

Valentine Primary; Weston Park Primary; Oasis Academy; and Chamberlayne College for the Arts

Schools near Thornhill Library:

Kanes Hill Primary; Thornhill Primary; Springwell School; and Woodlands Community College

Schools near Millbrook Library:

Mansel Park Primary; Newlands Primary; Redbridge Primary; Redbridge Community School; and Great Oaks School

The schools in proximity to the 2 (two) larger libraries are as follows:

Schools near Cobbett Road Library:

Glenfield Infants; Townhill Infants; Bitterne Manor Primary; St Denys Primary; Bitterne Park Primary; Beechwood Junior School; Bitterne Park Secondary; Charlton House School; The Gregg School; and St Mary's College

Schools near Burgess Road Library:

Bassett Green Primary; St George Catholic School; and Cantell School

8. Statements from vulnerable categories of users

The requirement that library services should be accessible to all who wish to use them is included within s.7 of the 1964 Act. The council's proposals are inconsistent with this duty and indeed with compliance with the public sector equality duty under s.149 of the Equality Act 2010 to which the DCMS must have regard when deciding whether to intervene.

Campaigners with local knowledge of Southampton have sought Statements from vulnerable categories of users, including the elderly, disabled, visually impaired, mothers of young children, foster carers and the economically disadvantaged. I direct you to a selection of their statements, as follows:

STATEMENTS

Jo (foster carer)

As foster carers, we are encouraged to instil a love of books and support children's school work. We regularly visit Cobbett Road Library with our CLA and, during his time with us, he has progressed from having little interest or attention for books to enjoying and concentrating through whole stories. He is well-known in the library and it gives him a real sense of belonging to a community. If we didn't have a library so close by, I don't think we could have provided the same experience.

Rose aged 10

Cobbett Road Library is close to where I live, others are too far away, up big hills. I will be able to walk there by myself soon, my older sister already does. It doesn't feel like just a library, it is where I meet my friends and learn and it feels magical there. I love using the library, the staff help me pick new books and it wouldn't be the same without them. We also use the library every other week for our home education group.

Sheltered housing reading group... B Jacob and P A Cooper

We are residents of a sheltered housing complex in Southampton. We are all elderly, some of us are disabled and partially sighted.

For the past 15 years we have been members of a reading group held each month in our lounge.

There are 18 members, we discuss books, although we no longer have a 'book of the month' to read' as the council can no longer afford to buy 5 Large Print books of the same title. However, we still discuss books we have enjoyed, we have quizzes, tea and a chat, a very pleasant afternoon. We look forward to it.

All this will end if Cobbett Road Library closes. This is the base from which the books are borrowed and where the staff are so helpful to the person who runs it for us each month.

We are a disadvantaged group and will miss this service. Please reconsider your decision to close this library.

Doreen Le Huquet aged 82. Doreen is very involved in helping the Friends Group after years as a librarian, and she regularly uses the library with her disabled husband.

The loss of Cobbett Road Library and the other libraries would have a major impact on my own and others' quality of life. We explore them for information, culture, education, recreation and social contacts.

On a personal level I would particularly deplore the loss of a monthly reading group that I've been running since 1999 – its membership varying between 12 and 15 individuals. Also the loss of our weekly tai chi lessons which have contributed to reducing my high blood pressure and coping with osteoporosis, whilst helping many others of all ages with health problems as well. A variety of other supportive and social occasions are held in this library and, crucially, it is one that I can reach on foot.

Ruth aged 94. Ruth lives on the Flowers Estate (a deprived area) & visits the library independently every week to change her books

"The library is essential for us older people. We don't need much in life but where would I be without my books? Where would I go to change them if the library is not nearby? Tell them we need need need the library. It is essential, especially here - there isn't really much more to say"

David aged 77

As a pensioner with no experience of computers, I've had chance to learn to use them with help from the lovely staff. I am grateful for the library staff and other friendly people there. I love ordering DVD's as well as the books, I have used Cobbett Road Library my entire life.

Dorothy Adams aged 87

If the library closes it would be a great loss of social life for me. It is hard sometimes to see people when you are in your late 80's. I go to the art group there, which has run for many years, and I go to the Friends of the library meetings and help run events there. I love the books on art which I would never have access to otherwise.

Gwyneth

I rely very heavily on Cobbett Road library as I am now 71 years old and am having increasing problems with mobility. I have arthritis in my spine and constant sciatica. I am able to walk as far as this library as it is very close to my house. I have been a member of this library since 1951 and have a close connection to it and the librarians who work there. The personal service I receive there is extremely valuable to all of us.

Rachel aged 42

Cobbett Road Library has been a lifeline for me. Fifteen years ago when I was seriously ill for a long time, and was new to the area, it was the only place I could manage to walk to. The staff were so friendly and I joined a book group and started to feel part of the community. My health improved and when I had children I brought them to rhyme time, story time and toddler group, then later on to the home education group which runs fortnightly with 5 to 15 families attending. When the library faced closure in 2007 the community came together and Friends of Cobbett Road Library was formed. I am secretary of the group, we run activities and events, organise evening talks, garden the borders and do whatever we can to support the library. Many of our group are aged 70 to 80, others work full-time, so none of us are able to offer to run a library as a community. Our area is not affluent, and many vulnerable people use our library. It costs £50,000 a year to run, including all staff and building costs and will be an enormous loss to our whole community if it closes.

Robin Bluemel aged 24

As a child moving to Bitterne Park the local library was an instant attraction to me. My love of books was kindled from an early age with memories of Shirley Library and the city wide reading competitions standing boldly in my mind. The framed certificate from one such competition still takes prominent place on my wall and I wouldn't be a fraction of the person I am today without these memories. Moving to Bitterne aged 11 I instantly took to Cobbett Road Library as a source of books for reading and studying, a great place to meet other local children and a great place to access computer resources and the internet. Coming from a low income background we had no internet and often no computer during my childhood and being able to access these things locally and free of charge was a vital lifeline for me. I would spend hours upon hours here during my teenage years, studying for my SATS and my GCSEs and do not believe I would have been able to achieve the grades I did (B's for Maths, Statistics, English and English Literature and C's for 6 other subjects, including separate sciences) without this vital resource.

This library was not just a vital aid to my education, but to my entire teenage years and growing up. I made friends here with local children I am still close friends with today and forged relationships that developed and changed and taught me more about the world. This library also provided me with all the fiction and non-fiction books a growing child could

possibly need, I broadened my imagination reading fantasies and opened my mind to diversity reading hard hitting powerful books by authors such as Malorie Blackman.

As a young adult man I have visited this library both to take out books but also to attend discussions with local MP's and Councillors. I have attended clean up and gardening days here and even coffee mornings and cake sales. I believe this library is an outstanding and vital backbone of the local community with immeasurable importance to the young, the old, the rich, the poor and everybody alike. I cannot believe the future of this library is being brought into question when I think of the countless and priceless benefits being provided as part of the hugely diverse range of services. I think the loss of this library would leave a scar deep into the fabric of this community and we would feel the loss for countless generations.

Tim

I cannot remember a time when I did not use libraries, and I have used Cobbett Road Library since moving to Southampton in 1977. All my children benefitted from this excellent local facility, and share my despair that the Council want to cease funding its staffing and service. The Library has helped all of the family in our lives - in my own case particularly during a period of unemployment. The changes to take effect in 2016 will have a significant impact on the young, the elderly, the disadvantaged and the vulnerable of our community. To take just one example, this summer over 100 local children took part in the Summer Reading Challenge at Cobbett Road Library. This nationally-promoted scheme has been running in various forms for decades, and is an effective way of reducing the "summer slide" which affects the educational progress of too many children. If Cobbett Road and other libraries in Southampton are allowed to close, that summer slide will be more significant, with long-term effects on the lives of many, and the economic health of the City.

Anonymous family

'My daughters use the library all the time. The eldest who is at secondary school, uses it to do her homework, they do not have broadband at home.'

The youngest daughter smiled when I said about the library. She said she goes there often, to use the computer, to play games etc and that she was going tomorrow.

They said they were there a lot over the summer.

This is one family whose parents are struggling with addictions. The children have nowhere else to go when it is tricky at home.

Suzanne Baker

For me I know several children from very vulnerable settings who use the library a lot. It is a safe place to play and learn. It is the only place they can walk to each day after school when it is open and do their homework and play.

I have been to the library to get books myself, and it is a place to meet others and helps build local community. I attended a craft event for the children over the summer, I walked round with my god child and we made a dinosaur with other children there. It was packed.

Rachel

Burgess Road library is a wonderful community resource, not just for books, but space for people to read, or use the computers, or visit the toy library. We especially value the friendly and helpful library staff; Fran and Cath. We have used the library ever since we moved here (to the flowers estate) over 10 years ago and it serves the local community in a wonderful way. When the children were little we used to come to the rhyme time sessions, we have also made use of the toy library, and now they are older we borrow books regularly. It is the staff that make a huge difference in making it the welcoming place that it is.

Rohan aged 9

"Burgess Road Library is awesome because it has loads of my favourite books and Fran and Cath recommend new books that I like"

Akash W

Thinking of the Burgess Road Library, which has been built up over time, one fell swoop from the City Council will take it back to the middle ages. And the residents, especially the younger generation, will lose out – lose out on the unexpected wonders in print they may come across, lose out on making new friends, lose out on the expertise of the library staff (Fran & Cath for instance) imparting their knowledge and lose out on the opportunity to escape the electronic screens in a community setting.

9. Public Health Objectives

I have previously referred the Secretary of State to the relevant *Arts Council* Report, but I have no doubt that the DCMS will be aware of the considerable research relating to health benefits of public libraries.

In particular, important aspects of public policy, such as the achievement of the public health-related objectives of the NHS's Give Year Forward View – which will depend for its effectiveness and financial viability on the reduction of avoidable illnesses – are materially connected with the development of literacy and development of readiness for school. Careful consideration must be given by the DCMS and the council as to whether the proposed restructuring of our library service will have a negative impact on the achievement of such objectives. I suggest that the DCMS should consult with Public Health England generally and with regard to the council's proposals.

10. International Agreements

International agreements and charters on libraries and literacy seem wholly relevant to my claims. These include but are not limited to:

- (i) International Literacy - Resolution adopted by the UN General Assembly (1989)
- (ii) The UNESCO Public Library Manifesto
- (iii) Persepolis Declaration (1975)
- (iv) Alexandria Proclamation (2005)

11. My Request to the Secretary of State

I ask you to direct a Local Inquiry on the grounds that Southampton's proposals for its Library Service will result in a service which does not comply with Section s.7 of the 1964 Act (interpreted as referred to above). I also contend that on the evidence there is a duty to intervene under s.10 of the 1964 Act (interpreted as aforesaid) and under s.6 of the 1998 Act. I also suggest consideration of proffering assistance to the Deprived Areas I have cited because these are in imminent danger of losing their statutory library service, at least partly due to the cuts in central government funding to Southampton Council, although such cuts cannot, in law, justify a breach of the duty under s.7.

In conclusion, I confirm that I reserve right to supplement or otherwise revise these submissions in relation to any 'minded to' letter, future Local Inquiry or legal proceedings.

Yours sincerely,

Rachel Hickman

Enc: Statement from teacher, Mrs Anneliese Walker