

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	<b>2217</b>
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<b>Subject:</b>	<b>Launch and ongoing delivery of Nottingham (East Midlands) Performing Arts Library Service</b>
<b>Total Value:</b>	<b>£16,730 Net Income (Type: Revenue)</b>
<b>Decision Being Taken:</b>	<ol style="list-style-type: none"><li><b>1) To approve the launch and delivery of a new Nottingham (East Midlands) Performing Arts Library Service from January 2016 as set out in Appendix 1</b></li><li><b>2) To approve the relocation of the stock and operation of the service from Central Library to a dedicated space at the rear of Radford and Lenton Community Library</b></li><li><b>3) To delegate authority to the Director of Sport and Culture to negotiate and secure the transfer of Leicester City Performing Arts service to Nottingham under appropriate terms and discuss the future potential other authorities within the East Midlands for further expansion of the service (subject to further approval).</b></li><li><b>4) To implement a new pricing structure for the Performing Arts Library service from January 2016 as set out in Appendix 1</b></li><li><b>5) To approve the recruitment of a part-time dedicated post to manage the new service as set out in Appendix 1</b></li></ol>

**Reasons for the Decision(s)**

The current Performing Arts Library Service is a valued service for amateur drama and music groups in Nottingham and Nottinghamshire offering the loan of music and drama sets and scores. The maintainence and management of the service has however required a lot of resources and the subscriptions that are currently charged only cover a very small part of the cost of the service.

A review of the service in 2014 and subsequent discussions with Leicester City Council, who were looking to close their service, has provided the opportunity to redevelop the service to incorporate Leicester stock and user groups into to a single service operated by Nottingham. The redevelopment will also included streamlining the administrative process through a bespoke IT system, and a revision of loan charges in line with other Authorities offering this service, and to better reflect the true cost of running the service. Extensive consultation and engagement has also taken place with groups over the last 6 months, which has enabled the new service to better respond to service users needs, providing an overall improved offer.

A strong partnership has been established with Making Music, the UK's number one organisation for voluntary music. This has resulted in significant interest nationally in the development work by Nottingham for this service and the emerging regional model for delivery. Potential therefore exists longer term to be able to expand the service beyond Leicestershire and/or in "selling" the IT system to other authorities. It is understood that further considerations and approval would be required to expand this proposal outside the remit and value of this decision, including consideration of the IT requirements.

Overall the new service provides the opportunity for Nottingham Library Service to operate a flagship service for the region, maintaining a sustainable cost effective loan service for the Amateur Performing sector in Nottingham, Nottinghamshire, Leicester, Leicestershire and Rutland.

**Other Options Considered:**

Do nothing - Continue with a heavily subsidised, inefficient service and a declining offer unable to effectively address the needs of the users of this service. Longer term prospects are that the service will cease altogether as experienced by Leicester City Libraries.

Make operational changes for Nottingham and Nottinghamshire users only - Investment required could not be recovered due to limited income generation from a smaller user base, making the service unviable.

**Background Papers:**

None

**Published Works:**

**Affected Wards:**

Citywide

**Colleague / Councillor Interests:**

**Exempt Information:**

**Description of what is exempt:**

The attached appendix is exempt from publication as this outlines commercially sensitive information, pertaining to ongoing successful delivery and competitive management of the service .

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the exempt information contains commercial, financial and development detail about the service, which if made available to the public, may jeopardise the commercial operation of the service and/or enable potential competitor access to commercially sensitive information.

**Documents exempt from publication:**

Approval Report Appendix September 2015 Final v1.docx

**Consultations:**

Date: 11/05/2015

Ward Councillors: David Trimble

Cllr Trimble is supportive of the proposals for improving the service to both Nottingham and Nottinghamshire users and for enabling the sustainability of the service through income generation, innovation and economies of scale. The opportunity to raise the profile of Nottingham Libraries in the region and nationally is also seen as positive

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

None

**Equality:**

Please login to the system to view the EIA document: Performing Arts - EIA Final.doc

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

**Call In Expiry date:**

30/10/2015

**Advice Sought:**

**Legal, Finance, Human Resources, Equality and Diversity, IT**

**Legal Advice:**

**The proposals in this report raise no significant legal issues and are supported.**

**The report details the expansion of the library service which, in its current form, is understood as unsustainable.**

**Following consultation, Leicester City Council has decided to close their amateur drama and music sets loan service and they have offered their stock to Nottingham to enable an extended and continued service via the Nottingham service with continued access to Leicester City citizens. Leicester have confirmed that no staff will transfer and that TUPE will not apply to this arrangement.**

**The new model will incorporate the additional stock and ensure a continued service at a more sustainable level for the Council.**

**It is noted that this decision covers the delivery of the new model and stock offered by Leicester. Should considerations be made about additional application/exension of this service outside the remit of this decision, further approval and consideration will be required, not least the arrangements around the IT service that is being created by Nottingham.**

**A Memorandum of Understanding detailing the arrangement between Nottingham and Leicester will be agreed with respect to the service and the conditions of the stock transfer. Appropriate terms and conditions for the loan of the stock, payments and returns etc with citizens will also be created.**

**Legal services will assist as necessary with the creation of these documents.**

**Advice provided by Dionne Claire Screatton (Solicitor) on 16/10/2015.**

**Finance Advice:**

**This advice is exempt from publication and is contained within an exempt appendix Advice provided by Steve Ross (Finance Analyst) on 15/10/2015.**

**HR Advice:**

**The report includes a proposal to create a new post within the Library service to facilitate the contract.**

**Creation of the post will require an appropriate job description to be created and an appropriate grade evaluation to be undertaken. It is proposed that the terms of the post will include the role being initially established as a fixed term post/contract. The service should therefore budget for any potential liabilities that may result from the end of fixed term contract, including pay protection and potential redundancy payments.**

**The service will also need to consider an appropriate recruitment strategy that includes colleagues already at risk of redundancy within the council, as well as any posts and employees within the Library service. Advice provided by Paul Slater (Service Redesign Consultant) on 13/10/2015.**

**Equality and Diversity  
Advice:**

It will be important to ensure that a robust monitoring arrangement is in place to identify where any adverse impacts are identified and where necessary remedial action considered. Full access in its wider capacity as defined by the Equality Act will also need to be monitored and consistently reviewed and consulted on. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 14/10/2015.

**IT Advice:**

The IT Service supports this proposal.  
An in house application is being developed to support the business operation of the Nottingham Performing Arts Library Service based upon its identified business requirements. The IT Service are aware of the commercial opportunities that may exist for this product and so are developing the system in a form that can readily be adapted for any other organisation that might wish to use it.

Advice provided by Paul J. Burrows (Strategy Manager) on 05/10/2015.

**Signatures**

David Trimble (Portfolio Holder for Leisure and Culture)

**SIGNED and Dated: 22/10/2015**

Andrew Vaughan (Corporate Director Commercial and Operations)

**SIGNED and Dated: 21/10/2015**