



voluntary action sheffield

works to improve the quality of life for all our communities by supporting voluntary and community action in Sheffield

Supporting volunteers in running community libraries

Bev Cross

Legal Consultant, VAS

November 5, 2014

Context

- 📖 In 2013/14, Sheffield had 28 Council-run public libraries
- 📖 2013: proposal after public consultation and invitations to register an interest:
 1. **Retain the Central and 11 Hub libraries**
 2. **Keep 1 library open until lease runs out**
 3. **Support 5 as “co-managed” with other bodies**
 4. **10 “independent” to be run by other bodies**

Report to Cabinet – 19.2.14

- Up to 10 “independent” libraries to be grant aided for 3 years from 2013/14 at £262k p.a. from public health budget
- Explore capital application for major repairs to independent libraries
- Close Mobile Library Service but develop Home Library Service through a volunteer scheme in addition to paid staff

Statutory requirement

Section 7(1) of Public Libraries and Museums Act 1964:

Library authorities' duty to provide a
“comprehensive and efficient library service”
for all persons desiring it who are resident or
undergoing full-time education in the area

VAS's involvement

- ❖ November 2013 - Libraries Service asked VAS to support 10 “independent” libraries
- ❖ January 2014 - VAS quoted for costs in:
 - ✓ Formation and registration (charitable company or CIO) or articles amendments if already registered
 - ✓ Training in governance, organisational development and business planning, recruiting and managing volunteers, managing finances and fundraising, and running a building
- ❖ VAS delivered training as ½ day/evening sessions April to June except running a building (Rural Action Yorkshire) and fundraising (SYFAB)

Sheffield Libraries' involvement

- Offered its premises for some events
- Provided training sessions on libraries management
- Chairs monthly Co-ordinating Meetings
- Independent libraries renamed “associate libraries” in April 2014
- Received 2nd stage business plans from 10 associate libraries by 30.06.14 and made final decisions in mid-July

July to September 2014

- VAS handled registration of 7 new associate libraries as CIOs
- VAS advised on amending articles for 1 existing CLG for charity registration and made a charity application
- Taylor Bracewell solicitors handled negotiating common heads of terms for leases with Kier Asset Management Limited at a nominal fee shared equally by 9 libraries

September to present

- 1 associate library not taking over the building – to register as CIO and sub-let library area from private contractor turning rest of building into restaurant/bar
- 1 associate library became co-managed with local Councillor's support
- 1 co-managed library became associate but already has corporate charity status
- Legal challenge made by 1

VAS staff time involved

- ❖ Training and writing model policies and procedures:
 - ❑ Legal consultant - 60 hours
 - ❑ Senior Community Accountant - 5 hours
 - ❑ Volunteer Centre Manager - 10 hours
 - ❑ VAS consultant on business planning - 6 hours

- ❖ Registrations, article amendments and advice:
 - ❑ Legal consultant - 65 hours

VAS staff time involved

- 25% more time than originally quoted was actually spent by the Legal Consultant
- Strict deadline for handover on 29 .09.14 meant some “emergency” CLG registrations because of associate library and Charity Commission delays with CIO registrations
- Charity Commission staff treated similar applications differently

Asset transfers

- Associate libraries using own solicitors and Locality support for TaWs and leases
- Conflict of interest initially as Kier is Council's agent but wanted all the buildings sold off at *OMV*
- Legal challenge by 1 library group still underway

Asset transfers

- ▶ Buildings' conditions vary greatly - nearly new to early 19th century/poor state
- ▶ Kier: 'no money for repairs' although agreed in writing to make them H&S compliant before leases signed
- ▶ 5 or 25-year leases at a peppercorn rent but with FRI

Support for co-managed libraries

- Charity registration as a CIO for 1
- Advice on article amendments for 1
- No Council finance, so being charged the normal VAS fees
- 1 library designated as co-managed: no business plan submitted

What went well

- ✓ **Sheffield Libraries' staff training the groups on libraries management**
- ✓ **Commitment of Libraries Service staff to chairing co-ordinating meetings**
- ✓ **Council's willingness to fund the support**
- ✓ **Commitment of the volunteers individually and as community groups**

What could have been better...

- ✘ Expecting legal processes to take only 3½ months from mid-July (acceptance of second stage business plans) to end of September
- ✘ Conflicting information from Council and Kier
- ✘ Small and inexperienced new groups not best placed to take over old/difficult buildings – time will tell!

What could have been better...

- ✘ Co-managed libraries working with vastly reduced paid staff and having difficulty raising funds
- ✘ Difference between running a *service* and running a *building* not always recognised
- ✘ A Libraries Trust would help the community groups work better with SCC and share risks/ liabilities

Future support

VAS has quoted Sheffield Council for providing ongoing support for the associate libraries in managing finance and volunteers, business planning and advice on charity and company law



Stannington Library



Walkley Library