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OFFICE OF ARTS AND LIBRARIES
Horse Guards Road
London SW1P 3AL
Telephone 01-270 5929

From the Minister for the Arts

Prime Minister ²

C89/193

Rt Hon Nicholas Ridley AMICE MP
Secretary of State for the Environment
2 Marsham Street
LONDON SW1

REC 17/1

16 January 1989

Nicholas Ridley

LOCAL AUTHORITY FEES AND CHARGES

We have agreed in correspondence, copied to the Prime Minister, members of E(LF), the Chief Whip and Sir Robin Butler, to use the Local Government and Housing Bill to protect the core of the free public library service, to provide means to correct the present anomalies and inconsistencies in library authorities' powers to charge, and to introduce a modest additional charging power. The relevant clauses are, I understand, being drafted.

... I now enclose a draft of the oral Statement which I propose to make in the House on the day the Bill is introduced - now likely, I am told, to be 1 February.

Copies of this letter also go to the Prime Minister, the Leader of the House, members of E(LF), the Chief Whip and Sir Robin Butler.

RICHARD LUCE

Richard Luce

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DRAFT STATEMENT ON LIBRARIES GREEN PAPER

We have in this country an excellent public library service. The purpose of the Green Paper was to invite views on how we might improve it still further by giving access to additional sources of revenue, while preserving the principle of free access to the basic service.

2. The Green Paper evoked a wide response. Over 7,000 individuals and organisations replied, 2,000 of them by personal letter. There has been a vigorous and healthy debate and I am grateful to those who took trouble to let me know their concerns.

3. The Green Paper addressed two related groups of topics:

a. the encouragement of joint ventures with the private sector and the possibility of further moves towards contracting out - measures which do not require legislation;

b. the correction of anomalies in library authorities' present powers to charge and the possibility of widening those powers - measures which do require legislation.

4. There was wide support for joint ventures with both public and private sector bodies. To encourage their wider introduction, I will undertake a programme of case studies, provide pump-priming funds for selected schemes through my Public Library Development Incentive Scheme, and look for other cost-effective ways of helping possible partners, including voluntary agencies, to get together.

5. Many who commented adversely on contracting out assumed wrongly that it was equivalent to privatisation. Library authorities will remain responsible for the nature and quality of any service they contract out. The only purpose of

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contracting out is to produce as good a service at less cost or a better service at the same price. I believe that the practicability and value for money of this approach should now be tested. I shall commission some work to examine the approach, involving those authorities which have expressed interest. If this work seems satisfactory, I will fund some pilot investigations.

6. I now turn to the question of charging. Although there was general support for a free basic service, there was no consensus on what it should cover or how it should be defined. I have concluded that it will be necessary to adopt the alternative approach, mentioned in the Green Paper, of specifying those services for which charges may be made. I propose to do this by regulations to be made, in association with my rt hon Friend the Secretary of State for Wales, under an enabling power contained in the Local Government and Housing Bill to be presented to the House later today by my rt hon Friend the Minister for Local Government. I will specify in a moment the particular powers which I intend to introduce in this way.

7. Before I do so, I wish to inform the House of an important safeguard for free access to the library service which we propose should be built into the Local Government and Housing Bill itself. We will exclude from the scope of the enabling power two main elements which are generally regarded as the core of the free public library service. These are:

- i. the borrowing of books, journals and pamphlets by any person living, working or studying full-time in the area of an English or Welsh library authority;

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- ii. the use for reference and consultation purposes of all such materials and microform materials, or any catalogue of the authority's own holdings, by any person within a library of that authority.

This statutory safeguard will demonstrate our commitment to maintaining the essential core of a free public library service.

8. Subject to that major safeguard, I propose in due course to use the power in the Bill to make regulations to preserve the powers to charge currently contained in the Public Libraries and Museums Act 1964, to correct certain anomalies and to introduce modest new charging powers. The relevant regulations will be subject to affirmative resolution by Parliament.

9. I intend to give library authorities power to charge for:

- a. obtaining and notifying the availability or non-availability of an item reserved, subject to a limit which we shall prescribe;
- b. damage to materials and equipment;
- c. the borrowing of certain non-print materials for which a charging power would be appropriate;
- d. the late return of borrowed materials;
- e. articles which become the property of the person to whom they are supplied;
- f. the use within the library of certain facilities, such as computers.

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10. I also propose to give library authorities power to charge for assistance given by library staff, eg in helping a person to conduct research among a library's materials, over and above what can reasonably be expected as part of a general service. It seems to us reasonable that the library authorities should have discretion to charge for special services involving their staff in more than half an hour's work. All charges would be determined by the authority and we would have powers to require those charges to be made known in advance to members of the public.

11. We ^{are not taking} ~~will not take~~ powers to proceed with certain other measures, such as premium-subscription services or charges for special collections.

12. All the powers will be discretionary. We will carry out further consultations before the appropriate regulations are introduced. We shall also consider with local authority associations and others how more library authorities can be encouraged to re-invest in their library services a goodly part of the income which the services earn. We know how beneficial an incentive that practice can be to development.

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Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Malcolm Rifkind QC MP
Secretary of State for Scotland
Scottish Office
Dover House
Whitehall
London
SW1A 2AU

MRPM
RCCG
3/1

3d. March 1989

Dear Malcolm,

LOCAL AUTHORITY FEES AND CHARGES

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Thank you for copying to me your letter of 21 February to Richard Luce.

I appreciate your reasons for concluding that the Local Government and Housing Bill is not an appropriate vehicle for provisions concerning the charging for library services in Scotland. I understand that in practice the prohibition in the 1887 Act is not seen by Scottish library authorities as a bar to charging for specialised services, and that in fact such charges are reasonably widespread. This is encouraging. I am sure that you will be aiming to encourage the spread of "best practice" between authorities. There will also be a helpful read-across to English and Welsh authorities. I very much hope that your officials will be keeping mine, and Richard Luce's in touch with developments.

I am copying this letter to the Prime Minister, Richard Luce, members of E(LF), David Waddington and Sir Robin Butler.

Yours Ever,
John

JOHN MAJOR

LOCAL GOVT : Relation pr 36



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ST. ANDREW'S HOUSE
EDINBURGH EH1 3DG

copy



The Rt Hon Richard Luce MP
Minister for the Arts
Office of the Minister
for the Civil Service
Horse Guards Road
LONDON
SW1P 3AL

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r/h*

21 February 1989

Dear Richard,

LOCAL AUTHORITY FEES AND CHARGES

I have seen your letter of ^{has} 16 January to Nicholas Ridley with a draft of your proposed oral Statement on library charges.

I have no difficulty with the line you propose to take or with the provisions you intend to make in the Local Government and Housing Bill. I share your concern to demonstrate our commitment to protect the core of the free library service. As you know, however, my powers in relation to the library service in Scotland differ significantly from your own over the English service; and the statutory prohibition on charging by Scottish library authorities (which dates from 1887) is much less amenable than your 1964 Act provisions to the exemption treatment you propose in the Bill.

In light of this I have concluded that the Local Government and Housing Bill is not the appropriate vehicle for me to use to introduce similar provisions for Scotland.

Copies of this letter go to the Prime Minister, members of E(LF), the Chief Whip and Sir Robin Butler.

*Yours ever,
Malcolm Rifkind*

MALCOLM RIFKIND

LOCAL GOVT: Kelantan PT36





CEPU

PRIVY COUNCIL OFFICE
WHITEHALL, LONDON SW1A 2AT

3 February 1989

MBM

Dear Martin

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LOCAL AUTHORITY FEES AND CHARGES

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Thank you for your letter of 30 January to Alison Smith about the arrangements for your Minister's proposed oral statement on the public library service and the responses to the Green Paper.

We discussed the timing over the telephone yesterday and I understand your Minister is now content to make his statement on Wednesday 8 February to enable the Secretary of State for Transport to make his statement on the North Report White Paper on 7 February. I have no comments on the draft statement itself.

I am copying this letter to Andy Bearpark at No 10, to the Private Secretaries to members of E(LF) and to the Chief Whip, to Trevor Beattie in John Gummer's office and to Trevor Woolley in Sir Robin Butler's office.

Yours

Steve Catling

STEVE CATLING
Private Secretary

Martin Le Jeune Esq
PS/Minister for the Arts



OFFICE OF ARTS AND LIBRARIES
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Telephone 01-270 5929

From the Minister for the Arts

C89/446

Ms Alison Smith
PS/Lord President
Privy Council Office
Whitehall
LONDON
SW1A 2AT

CEP
Prime Minister²

MS 30 January 1989

Dear Alison

LOCAL AUTHORITY FEES AND CHARGES

I am writing to confirm the arrangements discussed on the telephone for my Minister's proposed oral statement on the public library service and the responses to his Green Paper on that subject.

We agreed that the statement would be made on Tuesday 7 February. There will also be a certain amount of low-key press briefing from here on the Library clause in the Local Government and ... Housing Bill on Thursday 2 February. I enclose a copy of the proposed statement.

I am copying this letter to **Andy Bearpark at No 10**, to the Private Secretaries to members of E(LF) and the Chief Whip, to Trevor Beattie in John Gummer's office and to Trevor Woolley in Sir Robin Butler's office.

*Yours
Martin*

MARTIN LE JEUNE
Private Secretary

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DRAFT STATEMENT BY THE MINISTER FOR THE ARTS ON 7 FEBRUARY 1989

1. We have in this country an excellent public library service. The purpose of the Green Paper was to invite views on how we might improve it still further by giving access to additional sources of revenue, while preserving the principle of free access to the basic service.
2. The Green Paper evoked a wide response. About 7,000 individuals and organisations replied, 2,000 of them by personal letter. There has been a vigorous and healthy debate and I am grateful to those who took trouble to let me know their concerns. I have arranged for a summary of their responses to be put in the Library of the House.
3. The Green Paper addressed two related groups of topics:
 - a. the encouragement of joint ventures with the private sector and the possibility of further moves towards contracting out - measures which do not require legislation;
 - b. the correction of anomalies in library authorities' present powers to charge and the possibility of widening those powers - measures which do require legislation.
4. There was wide support for joint ventures with both public and private sector bodies. To encourage their wider introduction, I will undertake a programme of case studies, provide pump-priming funds for selected schemes through my Public Library Development Incentive Scheme, and look for other cost-effective ways of helping possible partners, including voluntary agencies, to get together.
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any service they contract out. The only purpose of contracting out is to produce as good a service at less cost or a better service at the same price. I believe that the practicability and value for money of this approach should now be tested. I shall commission some work to examine the approach, involving those authorities which have expressed interest. If this work seems satisfactory, I will fund some pilot investigations.

6. I now turn to the question of charging. Although there was general support for a free basic service, there was no consensus on what it should cover or how it should be defined. I have concluded that it will be necessary to adopt the alternative approach, mentioned in the Green Paper, of specifying those services for which charges may be made. I propose to do this by regulations to be made, in association with my rt hon Friend the Secretary of State for Wales, under an enabling power contained in the Local Government and Housing Bill presented to the House on 1 February by my rt hon Friend the Secretary of State for the Environment. I will specify in a moment the particular powers which I intend to introduce in this way.

7. Before I do so, I wish to remind the House of an important safeguard for free access to the library service which we have built into the Local Government and Housing Bill itself. We have excluded from the scope of the enabling power two main elements which are generally regarded as the core of the free public library service. These are:

- i. the borrowing - by any person living, working or studying full-time in the area of an English or Welsh library authority - of books, journals and pamphlets available within a library or mobile library of that authority;

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- ii. the use for reference and consultation purposes of all such materials and microform materials, or any catalogue of the authority's own holdings, by any person within a library of that authority.

This statutory safeguard will demonstrate our commitment to maintaining the essential core of a free public library service.

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9. I intend to give library authorities power to charge for:

- a. obtaining and notifying the availability or non-availability of an item reserved, subject to a limit which we shall prescribe;
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- c. the borrowing of certain non-print materials for which a charging power would be appropriate;
- d. the late return of borrowed materials;
- e. articles which become the property of the person to whom they are supplied;
- f. the use within the library of certain facilities, such as computers.

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11. We will not take powers to proceed with certain other measures, such as premium-subscription services or charges for special collections.

12. All the powers will be discretionary. We will carry out further consultations before the appropriate regulations are introduced. We shall also consider with local authority associations and others how more library authorities can be encouraged to re-invest in their library services a goodly part of the income which the services earn. We know how beneficial an incentive that practice can be to development.



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The Hon Peter Walker MBE MP

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Oddi wrth Ysgrifennydd Gwladol Cymru

From The Secretary of State for Wales

CT/3035/89

27 January 1989

Dear Minister,

LOCAL AUTHORITY FEES AND CHARGES

Thank you for sending me the copy of your letter of 16 January to Nicholas Ridley and the draft statement on the Libraries Green Paper which you intend to make shortly.

I am generally content with what you propose but I am taking the opportunity to restate the somewhat different situation in Wales where we have no incentive funding scheme as yet.

Copies of this go to the Prime Minister and Members of E(LF), David Waddington and to Sir Robin Butler.

Yours sincerely
A Clements

Approved by the
 Secretary of State
 and signed in his absence.

The Rt Hon Richard Luce MP
 Minister for the Arts
 Office of Arts and Libraries
 Horse Guards Road
 LONDON
 SW1P 3AL

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LOCAL GOV'T: Relations

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