

## **PLANNING COMMITTEE**

**25 OCTOBER 2017**

### **SECTION 106 OBLIGATION FOR LIBRARY PROVISION AT THE THOMAS AVELING SCHOOL, ANCHOR ROAD, ROCHESTER UNDER MC/02/0354**

Report from: Richard Hicks, Director Regeneration, Culture,  
Environment and Transformation and Deputy Chief  
Executive

Author: Dave Harris, Head of Planning Service

#### **Summary**

This report is to inform Planning Committee that a recent consultation has supported a decision by Cabinet to close the library facility at Thomas Aveling School.

#### **1. Budget and Policy Framework**

- 1.1 Under the terms of a Unilateral Agreement relating to MC/02/0354 Thomas Aveling School, a community library on site was to be available out of school hours.
- 1.2 The opening hours for this library in the Learning Resource Centre, were set in the agreement as Monday to Friday, 15.00 to 18.00 and on Saturday 10.00 to 16.00. The library opened in 2006.
- 1.3 The Head of Libraries, Business Support and Community Hubs, and Stephanie Goad, Assistant Director Transformation, submitted a report to Cabinet on 11 July 2017, setting out the results of a recent consultation regarding the proposed closure of Thomas Aveling Public Library. The recommendation was that Cabinet approve the proposed closure due to current site limitations and low levels of use.
- 1.4 Cabinet approved closure of Thomas Aveling Public Library.

#### **2. Background**

- 2.1 The Council provides a comprehensive library service, and the development of the town centre community hubs is at the forefront of best and national library practice.

- 2.2 The decision to close Thomas Aveling Public Library is due to its being a poorly performing library, with limited use by the local population. There is no scope to improve the library offer, as has been achieved elsewhere, due to the fixed and limited opening hours.
- 2.3 This library did not meet the needs of the community in the manner being achieved at most other libraries. Alternative, and better, facilities and services for all users are available at other libraries.
- 2.4 All staff from the Thomas Aveling library (3 part timers) have been given roles elsewhere in the library service as the library closed on 12/08/2017.

### **3. Legal implications**

- 3.1 The implementation of the Thomas Aveling Public Library was an obligation under a Unilateral Undertaking signed on 19/02/2008. The closure of the library will therefore necessitate a Deed of Variation to delete the clauses relating to the provision of a library.
- 3.2 The strategic manager, customer services will instruct the legal team to produce the required Deed of Variation.

### **4. Recommendation**

- 4.1 This report recommends that Planning Committee notes the closure of Thomas Aveling Public Library and that a Deed of Variation will be completed to reflect the closure.

#### **Lead officer contact**

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#### **Appendices**

None

#### **Background papers**

Unilateral Undertaking relating to MC/2002/0254 Thomas Aveling School

[Cabinet report 11/07/2017](#) (pages 17 – 88)