

# UK library closures and the High Court decision on Brent Council

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The *World Socialist Web Site* has received a number of emails responding to our article “High court ruling paves the way for 600 UK libraries”, 4 January 2012.

The correspondents all deny that the Brent ruling will give a green light to closures nationally. One argues that the ruling has “no ramifications beyond Brent.” They all point to an earlier court decision concerning Gloucestershire and Somerset County councils which, they argue, will “counteract” the Brent ruling, or at least provide “just as much of a precedent.”

The contention that the judge’s decision on the closure of six Brent Libraries has no wider implications is false.

The November court decision to halt the closure programmes of the Conservative-led Gloucestershire and Somerset County councils was indeed significant. Campaigns and protests that led to the hearing reflected widespread hostility and resistance to the threatened cuts, which we have noted repeatedly.

Nevertheless, this latest case was lost. Brent campaigners advanced many of the same arguments employed in the case of Gloucestershire and Somerset, hoping that ruling would provide a precedent. Daniel Carey of Public Interest Lawyers said that November’s ruling sent “a clear message... to every council in the country.” Most press reports mentioned its significance for the Brent appeal. But the Brent decision shows what became of that. It sends an even clearer message to councils looking to cut their budgets, and not just for libraries.

The Gloucestershire and Somerset ruling did not, in

fact, prevent councils from closing libraries. The decision was, rather, based on their failure to satisfy “public sector equality duties.” While campaigners interpreted this as a victory in keeping libraries available for the most vulnerable, the judge ruled that neither council was in breach of its obligations to provide libraries under the 1964 Public Libraries and Museums Act. He also ruled that the councils had not rushed unfairly to implement their plans, although he criticised Gloucestershire’s consultation process.

Both councils came away satisfied that the ruling authorised them to make cuts to existing library services. They are aware of the hostility to their proposals and are moving warily. But they have not changed their basic plan. As one correspondent who disagreed with our article noted, the November ruling only prevented the councils from “continuing with their plans *in their current form*.” (Emphasis added).

Gloucestershire County Council remains bullish about cutting library funding. Chief Executive Pete Bungard said the judge had “found in our favour on the [1964 Act]—*it is clear we can reduce our budget and have fewer libraries*.” (Emphasis added).

Ken Maddock, Somerset’s leader, welcomed the court’s “agreement that our plans [to cut libraries] would still provide a comprehensive and efficient service.”

Somerset Council has now announced that it will not be implementing their original proposals, but are investing in self-service library technology to enable future cuts. Christine Lawrence, the Community Services cabinet member, said they would “still need to

consider the future funding and shape of libraries and this decision sets out the process by which that can happen.”

We have warned that community groups and protesters were being encouraged to shoulder the financial and administrative responsibility for the crisis in library provision through the encouragement of voluntary schemes. Councils are enthusiastic about this. Gloucestershire’s leader, Mark Hawthorne, said of the November ruling, “The most important thing here is that the judge said that there is nothing wrong with our plans to transfer some libraries over to communities.”

Expressing his disappointment at not being able to hand them over straightaway, he insisted, “In line with the judge’s ruling, we will be taking this decision again... delivering successful community-run services.”

Gloucestershire concluded that they should have prepared their case for voluntary control better or should have prepared a case for statutory closure of the library, as this would have covered their equality responsibilities. The Gloucestershire and Somerset victory, therefore, was significant, but it also facilitated future budget cuts and the cutting of council-funded library provision under the guise of bringing in community administration.

Libraries are being forced to compete for money with other services. Gloucestershire Chief Executive Bungard said that protecting services for the vulnerable meant “we have to reduce our spending and that means libraries taking some of the burden.”

In November, the councils’ QC said future cuts “might actually be more draconian... than the decisions made months ago... given that the financial constraints have obviously not eased.”

The Brent decision should be seen in that light.

As we warned, community volunteers can even be used to negotiate cuts. In Somerset, campaigners said they had offered the council “constructive negotiations” on where budget cuts might be made after April. The Friends of Gloucestershire Libraries (FoGL)

have been invited into discussions of the council’s new library review.

Libraries, like other social services, cannot be defended on a piecemeal, council by council basis. Councils will look to incorporate opposition groups that take this approach and use them as advisers or pawns in their cuts agenda. Similarly, there can be no expectation that the Labour Party will advance any opposition to these measures. In many councils, like Brent, Labour is the very force imposing cuts.

Public libraries provide an essential point of access to culture for millions. The government is in the process of turning back the clock to the era of paid provision—and they are using community volunteers to do so. When Greener Bexley, South London, take over Bexley Village Community Library later this year, for example, the charity will continue to provide a basic free service, but will also introduce two membership rates (£24 and £75 p.a.).

This is funding of an essential service by private subscription rather than through a central government budget. As we wrote in the article, “[P]lacing the burden of the cost of running services onto an impoverished population cannot be the basis on which the public library system—much less any other social provision in Britain—can be defended.”

Stopping the planned closures throughout the country requires an alternative socialist perspective to the acceptance of austerity cuts and closures. This must go beyond libraries, rejecting and resisting all attacks designed to bail out the banks with money found by closing schools, hospitals and other vital services.



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