
Decision Maker: **EXECUTIVE**

Date: **Wednesday 18 October 2023**

Decision Type: Non-Urgent Executive Key

Title: **RELOCATION OF CENTRAL LIBRARY**

Contact Officer: Lydia Lee, Assistant Director Culture and Regeneration
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Chief Officer: Director of Housing, Planning, Property and Regeneration

Ward: Bromley Town;

1. Reason for decision/report and options

1.1 Due to the Churchill Theatre tower building being at end of life, with a requirement for redevelopment, officers have considered options for the relocation of Central Library.

1.2 This report sets out the recommended option to move the service to the old Topshop site and seeks budget approval to proceed to RIBA stage 3.

2. **RECOMMENDATION(S)**

That the Renewal, Recreation and Housing PDS Committee:

2.1 Notes the contents of the report and makes any comments available to the Executive.

That the Council's Executive:

2.2 Note the works carried out for RIBA 1 that identify that the Topshop site is a suitable location for the Central Library. Note that the indicative budget for relocation of the Central Library has an estimated cost of circa £15.5m, this is subject to further works being carried out for RIBA 2-4. Detailed costings will be provided in a Further Report to the Executive.

2.3 Approve, in principle as set out in paragraphs 3.10 – 3.13, proceeding to procurement for a multi-disciplinary design team to RIBA Stage 7, with a break clause after RIBA Stage 3 and 4. The estimated whole life value of the contract up to RIBA Stage 7 is £1m with an estimated value up to RIBA Stage 3-4. . Approve adding £500k for these works to the Capital Programme in preparation of a further detailed costing report.

- 2.4 Delegate authority to the Director of Housing, Planning, Property and Regeneration, in Agreement with the Assistant Director Governance & Contracts, the Director of Corporate Services the Director of Finance and the Portfolio Holder, to Approve the detailed procurement strategy for the procurement of multi-disciplinary consultancy services to RIBA 7, including ensuring suitable break clauses are applied to the contract.
- 2.5 Delegate any legal matters arising from these recommendations to the Director of Corporate Services.

Impact on Vulnerable Adults and Children

1. Summary of Impact: An equality impact assessment will be undertaken to ensure no negative impacts. It is expected that the relocation will have a positive impact through the provision of new facilities in a more visible location.
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority (*delete as appropriate*):
 - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Estimated Cost £15.5m with initial request for £500k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Churchill Theatre OPR Budget
 4. Total current budget for this head: £0
 5. Source of funding:
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Personnel

1. Number of staff (*current and additional*): current 2 , additional 0
 2. If from existing staff resources, number of staff hours: current 21.6 per week, additional 7.2
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not Applicable:
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Procurement

1. Summary of Procurement Implications: The multi-disciplinary consultancy procurement process is an above threshold due to the classification of the services contract and its estimated value. The proposed detail and procurement route will be set out and approved in a Gateway Report before commencement.
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Property

1. Summary of Property Implications: The property has been vacant since November 2020. Advice on best value for 7+ term leases of future tenants will be sought from the Estates Team.
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: will be considered throughout the duration of the project, including within contracts and where possible within repairs to existing buildings.
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Impact on the Local Economy

1. Summary of Local Economy Implications: Benefits to Bromley Town Centre include, increased footfall, support of night-time economy, encourage further commercial investment, improve accessibility, and encourage users to shop in Bromley.
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: N/A
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Customer Impact

1. Estimated number of users or customers (*current and projected*): The busiest Library in the Borough; in 2022/23 the library received 355,512 visits, issued a total of 242,213 books and multimedia items and registered 17,208 new users
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Councillors welcome the Topshop proposals and support the scheme subject to the detail.

3. COMMENTARY

- 3.1 As part of the Council's Operational Property Review, led by the Property division in November 2022, a review of all Council properties has been undertaken. This review included the Churchill Theatre and Central Library building and concluded that the condition is poor. The building is at the end of its life and the site now requires redevelopment. Consequently, officers have been considering options for the relocation of Central Library.
- 3.2 Central Library is the largest library in Bromley. It is used extensively by a range of residents of all ages, from students studying for exams, to older people attending reading groups. It is the borough's primary library and in 2022/23 issued 242,213 books and multimedia items, and received 355,512 visits. In 2022/23 Central Library registered 17,208 new users.
- 3.3 Central Library hosts a broader range of services than the other 13 libraries in the borough, including Local Studies and business start-up space. There are also community hire hall spaces, exhibition spaces, a book stack and an archive storeroom. Therefore a large town centre premises is required if the library is to be relocated.
- 3.4 Two buildings were initially identified as potentially suitable to host Central Library. The first was Churchill Quarter building three, and the second was the old Topshop site on the High Street.
- 3.5 Churchill Quarter building three is a large space opposite Bromley South Station. The site is larger than required and could host all the existing library front facing and back office storage and services, as well as the museum and art store currently located in Orpington at the Priory depot site. However, its location at the far end of the high street is not ideal, given that it is further away from the main public car parks and other amenities. Additionally, the only way of creating public access to this building is to create a new opening down the side of the building past Wetherspoons, this is away from the main street and would reduce the visibility of the library, as well as causing issues for evening events at the library.
- 3.6 The Topshop building is also a large space, in the centre of the pedestrianised area of Bromley High Street and very close to the current library site. It is slightly smaller than the current site and would not have space to replicate all the current storage provision, specifically the archive store. However it would be able to host all the customer facing services including exhibition space. Additionally it has a very strong visible frontage that could be greatly improved, creating a very accessible site, and the potential (subject to floor levels and appetite from the owners of the Glades) to connect on the first floor into the shopping centre to provide dual access.
- 3.7 Therefore, the Topshop site is considered the preferable location at this stage, with a suitable space needed to be found for the archive store. The archive store requires a specialist space that is protected from fire and is environmentally controlled to ensure that the documents are not damaged by humidity. Ideally if the archive store is moved the opportunity would also be taken to move the museum and art store to the same site. The site should ideally be in or close to Bromley Town Centre. This would create easier access to the whole of the Bromley Historic Collection together and enable easier management. Currently residents who want to access items from the archive and museum collection have to wait for items to be retrieved so there would be no change to this system as long as a site is found close to the town centre.

- 3.8 The Topshop site would need fully stripping out. The site is known to have asbestos which needs removing and the floors will require strengthening to carry the book load. Daylight and ventilation would also need to be improved, and the space would need to be fully fitted out to deliver a high quality main library service with all the facilities currently on offer, including local studies, computer space, business and work space, exhibition space, staff offices, a special children's library, and staff offices and amenities. In addition it is considered important that any new library includes fit for purpose public toilet provision. The high-level estimated cost of moving the library to Topshop, as well as providing an additional suitable storage facility, is £15.5m; however this needs to be confirmed by undertaking detailed work.
- 3.9 To understand the full viability of the Topshop site, and to inform the design of a new library development, officers will need to undertake data research, surveys with users and non-users, discussions with key stakeholders, and appoint a multidisciplinary team to progress surveys and design work to RIBA Stage 3.
- 3.10 Therefore this report requests approval to go out to tender for a multi-disciplinary team to deliver the project. Procurement of a multi-disciplinary consultancy provider for design and technical services is required to progress the scheme through to RIBA Stage 7, at an estimated overall value of £1m. It should be noted that this estimated value is based on all RIBA stages being completed, but the contract will be constructed with suitable break clauses at each relevant RIBA stage should the project not progress at any stage for any reason. It is estimated that taking the project to RIBA Stage 3 will be £400k.
- 3.11 The break clauses will be applied as required to enable the Council to terminate the contract should budget not be available, the scheme isn't considered financially viable or if the Council wishes to retender the service. The continuation of the scheme past RIBA 3 will be dependent on a financial viability assessment, and a report will be taken to Executive to provide an update on the scheme before it is progressed post planning.
- 3.12 It is proposed to utilise a compliant procurement route, either through a framework or via a suitable tender process. The full details of the proposed procurement strategy are to be developed further and delegated authority, in agreement with the Portfolio Holder and relevant Officers, is sought for approval of the detailed procurement approach.
- 3.13 It is anticipated that the procurement timetable will be:

Milestone	Date
Tender issued	End of November 2023
Tender returns	January 2024
Appointment commencement	Early March 2024

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 An equality impact assessment will be undertaken to review any impact of the potential move from the existing premises to the old Topshop site.
- 4.2 The Topshop site is expected to be large enough to include all existing services and therefore there is not expected to be any negative impact. The Topshop site is more visible and the refurbishment will provide an opportunity to create better modern facilities at the borough's key library site.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 The Council is currently investing significantly in library buildings across the borough. Libraries are a statutory service and are used by a range of residents. They are important community spaces.
- 5.2 The relocation of Central Library creates an opportunity for an improved service with modern facilities that meet the needs of a range of users.

6. FINANCIAL IMPLICATIONS

- 6.1 The paper is requesting at this stage for £500k to be allocated from the Churchill Theatre's OPR budget to carry out RIBA stage 3 works to determine the full cost of the Central Library move to its new location, its fit out and refurbishment works.
- 6.2 It should be noted that the full RIBA cost to stage 7 is estimated at £1m, but this will be fully determined after RIBA stage 3/4 works are complete, a break clause is included to ensure there is no commitment beyond RIBA stage 3/4, agreement to spend beyond this will need to be requested again in a future paper to Executive.
- 6.3 There is currently an estimated to cost in the region of £15.5m plus the RIBA stage 7 costs of circa £1m as outlined above to fully relocate the library, members are asked to note this but a further paper will come to Executive and Full Council outlining these costs in further detail and requesting the required funding.
- 6.4 It should be noted that if for any reason the project does not progress then all costs borne to that point would have to be funded out of revenue budget as it can no longer be paid for out of the OPR Capital budget as it would not be considered as an ongoing capital works programme.

7. LEGAL IMPLICATIONS

- 7.1 The Council has a statutory duty under Section 7 of the Public Libraries and Museums Act, 1964 to deliver a comprehensive and efficient library service to those who wish to use it. This duty must be complied with alongside the Council's other statutory duty set out below. In fulfilling its duty, a local authority must have regard to the desirability of:

- ensuring that facilities are available for the borrowing of and reference to books and other printed material and pictures and film to meet the general and special requirements adults and children;
- encouraging adults and children to make full use of the library service and of providing advice as to its use and information as may be required by users of the service;

- 7.2 Whilst this report is not seeking approvals for the Library relocation, subsequent reports in seeking this would need to consider the following:

The Secretary of State for Digital, Culture, Media and Sport (DCMS) has a duty under the Public Libraries and Museums Act 1964 to:

- (a) superintend and promote the improvement of the public library service provided by councils in England
- (b) secure the proper discharge by councils of their functions as library authorities

7.2.2 The Council is required to provide DCMS with such information as the Secretary of State may require for carrying out their duties. DCMS latest guidance requires councils considering

changing their library service to inform the DCMS Libraries team about their proposals before public engagement or consultation.

- 7.3 With reference to paragraph 4 of this report, the Council must comply with the public sector equality duty (PSED) under section 149 of the Equality Act 2010. The duty is to have regard to the need to (a) eliminate unlawful discrimination; and (b) advance equality of opportunity; and (c) foster good relations, between people with protected characteristics and those without it. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It is not a duty to achieve any of these, it means the Council must have a "focussed awareness" and ensuring possible indirectly discriminatory effects of a decision are considered in the decision-making process.
- 7.4 Consideration and review of the council's title to the relocation site be undertaken to ensure there are no impediments and references to the former letting is removed.
- 7.5 The proposed contract is for a multi-disciplinary design team to RIBA Stage 7 with a break clause at RIBA Stage 3 with an initial estimated cost for those consultancy fees and surveys to RIBA Stage 3 being £400k. As this is an "above financial threshold" public services contract as defined by the Public Contract Regulations 2015 (the "Regulations") then this procurement must be conducted in full compliance with those Regulations.
- 7.6 The procurement implications together with compliance with the Council's Contract Procedure Rules (CPR's) are as explained below.
- 7.7 Officers should instruct Legal Services to assist them in collating the contractual documentation necessary for the tender should Members approve this procurement.

8. PROCUREMENT IMPLICATIONS

- 8.1 The decision sought is approval in principle to proceed to procure multi-disciplinary consultancy services up to RIBA Stage 7 at an estimated whole life value of £1m via a compliant framework or tender route. It notes that the contract will be constructed with suitable break clauses at relevant stages such as RIBA 3 should the scheme not progress. The estimated value up to RIBA 3 is £400k which is within the initial budget allocation sought. Delegated authority is sought to the relevant Chief Officer to approve the detail of the procurement strategy, subject to agreement from the relevant Officers and Portfolio Holder.
- 8.2 Due to the estimated contract value and the classification of the contract as a services contract, the procurement process shall comply with the Public Contracts Regulations 2015 for an above threshold procurement process.
- 8.3 The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain Approval from the Executive with the formal Agreement of the Chief Officer, Assistant Director Governance & Contracts, the Director of Corporate Services and the Director of Finance for a procurement of this value. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.
- 8.4 In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 8.5 Under the delegated authority sought, a Gateway Officer report should be completed in consultation with the Corporate Procurement Team, Finance & Legal to set out the detail and proposed route for this procurement once it is known with the relevant Officer and

Portfolio Holder approval and agreement before commencement.

9. PROPERTY IMPLICATIONS

- 9.1 The former Topshop site is owned under LBB's Investment Fund and was acquired under Phase 1 of the acquisition programme on 9th September 2014. Since the administration of Arcadia Group, including Topshop which traded from this location, in November 2020, the property has been vacant.
- 9.2 If in the future, a future tenant is to occupy and operate the Central Library then following completion of the works on a commercial basis including on FRI lease terms and paying a commercial rent. The Council's Estates Team will need to be instructed in this regard to appoint suitable advisors to secure a future tenant at the appropriate point to ensure that the Council meets its statutory obligations with regards to Section 123 of the Local Government Act 1972 regarding best value which is relevant to all leases with a term of 7+ years.
- 9.3 Further comments are provided in Part 2

10. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 10.1 The libraries are the borough's most important social infrastructure; consideration to the successful relocation of its largest library is important to meeting the needs of Bromley's communities.
- 10.2 Carbon Reduction and Social Value will be considered throughout the duration of the project, including the tender of the multi-disciplinary contract via the inclusion of necessary quality criteria to ensure that Carbon Reduction and Social Value has been considered.
- 10.3 Wherever possible repairs to the existing buildings, and new items within, will be made that reduce energy consumption, for example through the replacement of boilers and related infrastructure.

11. IMPACT ON THE LOCAL ECONOMY

- 11.1 The refurbishment of the Topshop site could have a significant impact on the local economy. The site has been empty for several years and its large frontage blights this section of the pedestrianised area.
- 11.2 Investing in the old Topshop unit and creating a new modern library will increase footfall in Bromley Town Centre and encourage further commercial investment. If an agreement can be made with the Glades to create an access from within the shopping centre this will also improve the accessibility of the town centre and encourage users to shop in Bromley.
- 11.3 There will also be benefits to enlivening the pedestrianised area in the evening, with improved safety and supporting the night time economy by creating a flexible library space that can host evening cultural programming as has been piloted recently through the NTEZ BR1 Lates series.

12. CUSTOMER IMPACT

- 12.1. There are 31,224 registered users who have used their library card to borrow an item in a library branch in 2022 representing 9.5% of the population of Bromley. This does not include customers who used the library solely for purposes such as studying, activities or using public PCs
- 12.2. Bromley Central Library is the busiest Library in the Borough receiving 355,512 visits in 2022/23. Central Library issued a total of 242,213 books and multimedia items in 2022/23 and in the same year registered 17,208 new users

Non-Applicable Headings:	Personnel implications; Impact on health and wellbeing
Background Documents: (Access via Contact Officer)	