6th April 2016

Dear

**Freedom of Information Request – REQ00916**

I write further to your request made under the Freedom of Information Act 2000 received on the 2nd February 2016 in which you request information regarding how the three Carnegie Libraries in Coventry are held by the Council and the terms of the transfer. You also sought copies of any emails or papers in the last three months between Council staff members and Councillors about the future of the Carnegie libraries. I shall deal with each aspect of your request in turn.

**Transfer of the Carnegie Libraries**

The following information has been compiled from reviewing the Council’s records regarding the transfers of the Carnegie libraries and viewing minutes of the relevant Council meetings from 1910-1912 that are held at the Herbert Art Gallery within the history centre. The Council does not hold any trust deed in relation to the libraries on any of the deed packets. On a search of the Council’s records and land charges it has not been possible to find any separately indexed agreement in relation to the Carnegie gift.

The records that were located confirm that Mr Carnegie and the Carnegie Foundation were approached by the Local Authority in 1910 regarding funding to establish three branch libraries. Mr Carnegie agreed to provide ten thousand pounds, by way of gift, to cover the costs of erecting the three buildings, provided that the sites for them were located and purchased by the Local Authority, using funds already available. It was also a condition that the Local Authority did not use any of the funds raised by the library rate at that time and provided that the Local Authority sought additional powers to levy an additional half penny rate to cover the costs of the new libraries. The ten thousand
pounds gift was to cover the cost of the “buildings complete, ready for occupancy and for the purpose intended.” Mr Carnegie stipulated that any site for the library needed to contain not less than 500 square yards of net building land. The site was to also “occupy a central and prominent position, adjacent to the main thoroughfares, making it easily accessible from all parts of the district to be served.” The three sites identified and the three libraries subsequently established courtesy of the Carnegie Foundation are Earlsdon, Foleshill and Stoke libraries. Following the Coventry Corporation Act, 1911 the Council received additional powers to raise the library levy and was able to accept the offer of Mr Carnegie.

In relation to the transfer of the land for the three libraries, the transfer of which took place before the acceptance of the money from Mr Carnegie, I can confirm the following;

1. Earlsdon Community library, Earlsdon Avenue North

   The land was conveyed to the Mayor Aldermen and Citizens of the City of Coventry by the Trustees of the Freeman of the City of Coventry on 7th March 1912. The price paid for the land was three hundred and five pounds eleven shillings and six pence. The Council covenanted and gave an indemnity for street making in respect of the frontage to Albany Road. There are no other covenants in the Conveyance.

2. Foleshill Library, Broad Street, Coventry, CV6 5BG

   The land was conveyed to the Mayor Aldermen and Citizens of the City of Coventry by John Randle on 27th November 1911. The price paid for the land was two hundred and eighty one pounds five shillings. The Council covenanted to erect a fence at least 5ft high along the western side of the land conveyed. There are no other covenants in the Conveyance.

3. Stoke Library, Walsgrave Road, Ball Hill, Coventry, CV2 4EA – Packet 558

   The land was conveyed to the Mayor Aldermen and Citizens of the City of Coventry by John George Gray on 7th December 1911. The price paid for the land was four hundred and twenty pounds.

   On acquiring the land the Council covenanted:-

   a) to erect & maintain a good and substantial fence along west side of land conveyed
   b) not to make or burn bricks or tiles or permit the same
   c) not to dig for sand except for foundation and for laying drain & levelling
   d) that no noisy noxious or dangerous trade or business shall be carried out on the land
   e) that the land or building was not to be used for the sale of ale beer wines spirits or other intoxicating liquors or for any working men's club at which intoxicating liquors are sold or used
f) that no house or building was to be erected nearer Walsgrave Road than a building line of 12 feet therefrom nor nearer Kingsway than a building line of 6 feet therefrom

Copies of emails/papers in the last 3 months between Council Staff members and Councillors about the future of the Carnegie Libraries

Due to the size of the Authority any search of the Council’s email system for all employees would have taken a large amount of time to run and it would not have been reasonable to do so. The search was therefore limited in the first instance to Councillors within the Authority. The search had to be run overnight due to the impact on the Council’s systems. The search failed on a number of occasions and returned a large number of emails. The Council considered that to review this correspondence for emails relevant to your request would take the cost of dealing with your request beyond the appropriate limit. We therefore limited the search criteria to that of your previous request under reference REQ00456, namely Cllr Kershaw, Martin Reeves, Brian Walsh, Peter Barnett and Michelle McGinty. It was not possible to search Brian Walsh’s inbox as he no longer works for the Authority. These searches were again undertaken overnight due to the impact on the Council’s systems.

The Council considered that the exemption under section 36(2)(b) may be applicable. Accordingly, the Council’s Acting Monitoring Officer was requested to review the correspondence in her capacity as the “qualified person”.

The Acting Monitoring Officer has indicated that the enclosed emails and documents should be disclosed to you. The documents attached to the emails that have not been disclosed can be found on the Local Authority’s website and through the following link (http://www.coventry.gov.uk/site/scripts/google_results.php?q=library+consultation+). The Acting Monitoring Officer has concluded in relation to the remainder that, in her reasonable opinion, the exemption under section 36(2)(b) is applicable. The proposals for the library service form part of a wider, long term Council strategy, the formulation of which would likely be prejudiced by the publication of emails, which are aimed at developing the proposals for public services. To publish such discussion would be likely to inhibit Officers ability to consider proposals at both ends of the decision-making spectrum. Disclosure of the emails requested would be likely to interfere with the ‘safe space’ that Officers require to enable free and frank discussion of issues when considering the future of the library service and in particular the three Carnegie libraries in the city.

The disclosure of any personal views expressed in deliberating proposals would be likely to undermine the process of collective decision making as the views of individual Officers/Members are not relevant to the final decision, which is taken by the Cabinet as a collective. To disclose any such views would undermine decisions taken collectively.
The Acting Monitoring Officer acknowledged that there is significant public interest in the future of the library service in Coventry. However, it is her reasonable opinion that this interest would be served through the public consultation process and the publication of reports to be considered by Members when making decisions on the future of the Carnegie libraries. This has also been served through the consideration of petitions that have been submitted regarding the future of the library service.

If you are unhappy with the outcome or handling of your request you should write to us within 40 working days of the date of this letter:

Information Governance  
Council House, Room 64  
Second Floor  
Earl Street, Coventry.  
CV1 5RR  
infogov@coventry.gov.uk

If having done that you are still dissatisfied, the Information Commissioner can be contacted at:

Information Commissioner’s Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Information Governance Team  
Resources Directorate