
Meeting of the Cabinet – 13th September 2017

Report of the Strategic Director People

Revision of Byelaws Made Under Section 19 of the Public Libraries and & Museums Act, 1964

Purpose of Report

1. To approve the revision of byelaws made under Section 19 of the Public Libraries & Museums Act, 1964.

Background

2. Byelaws made under Section 19 of the Public Libraries & Museums Act, 1964 relate to the public use of facilities. They are intended to help libraries deliver services in a safe and comfortable environment, to safeguard property and make libraries pleasant places for everyone. A copy of the byelaws needs to be displayed at each site and are referred to when the public present challenging or inappropriate behaviour in library facilities.
3. A new model byelaw was developed by the Society of Chief Librarians and approved by the Secretary of State. Any amendments or exclusions local services wish to make need to be approved by the Secretary of State. The main revisions are:
 - To include premises provided on behalf of the authority for the provision of library services
 - To reflect assistance dogs
 - To reflect the wide range of space available within services
 - Reflected a wider range of unacceptable behaviours
 - Included the immediate outer areas of buildings regarding sale of goods, leaving of printed material, canvassing or petition
 - Made clear the reference to use of matches or lighters
 - Included substances as well as alcohol in relevant measures
 - Included digital use within the measures
 - Deletion of restriction on talking and use of electronic apparatus
4. The Library service is updating the current byelaws as part of the governance for the service as it becomes outsourced. The current byelaws have not been updated since 1987.

Finance

5. There are no direct financial implications arising from the contents of this report

Law

6. The new model byelaws have been developed by the Department for Culture Media and Sport in consultation with the Society of Chief Librarians and signed off by the Secretary of State. Legal Services have also been consulted regarding the proposed revision.
7. Under Section 19 of the Public Libraries and Museums Act 1964, a local authority may make byelaws regulating the use of facilities provided by the authority under the Act and the conduct of persons in premises where those facilities are provided. Once approved by full Council the authority must give at least one months' notice of its intention to apply for confirmation of the byelaws by advertising in one or more local newspapers and make a sealed copy of the proposed byelaws available for public inspection at the offices of the local authority. After the month of deposit the byelaws and any objections received will be sent to the Secretary of State for Culture, Media and Sport who will confirm the proposed byelaws as soon as possible. The byelaw may include provisions for enabling officers of the local authority to exclude or remove from premises maintained by the authority under the Act, any person who contravenes the byelaw. Breach of a byelaw is a summary offence that can result in a fine without the need for court action. However, non-payment of the fine may result in prosecution in the magistrates court who may then impose a fine of between £500 - £2,500.

Equality Impact

8. The proposed byelaws will support the provision of a safe, inclusive and welcoming service for all users and stakeholders. The proposed byelaws will not adversely affect any one group or community so an Equality Impact Assessment is not necessary.

Recommendation

9. It is recommended that Cabinet:-
 - Approve the revision of byelaws made under Section 19 of the Public Libraries & Museums Act, 1964.



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Strategic Director People

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Appendices -
Revised Model Library Byelaws for England
Summary of Changes to Library Byelaws