

CABINET

Report subject	Updating Library Byelaws
Meeting date	27 May 2026
Status	Public Report
Executive summary	<p>The Department of Culture, Media and Sport (DCMS) published a revised set of 'Public Library Byelaws for England' in March 2025 (updated August 2025).</p> <p>DCMS state library byelaws are aimed at helping libraries to offer a "safe and comfortable environment and to make libraries places everyone can enjoy". They also aid the "library workforce to deal with disruptive behaviour and allow for flexibility in dealing with local concerns".</p> <p>BCP Council has not updated its library byelaws since local government review and thus we are still operating with separate versions in place for the legacy authority areas.</p> <p>The library service would like to update its byelaws to bring consistency across areas, but also because the new version produced by the DCMS are more modern and a better fit for life as it is today.</p> <p>This report presents the draft byelaws and seeks support to undertake the necessary next steps to enable us to adopt them.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet</p> <ul style="list-style-type: none"> (A) Approve the process required to formally adopt the new draft Library Byelaws made under Section 19 of the Public Libraries and Museum Act (1964). (B) Delegate responsibility to the Portfolio Holder for Customer, Culture & Communications, to review any concerns raised through public consultation, prior to the report progressing to Full Council and then seeking final sign off from the DCMS. (C) Delegate responsibility to the Library Management Team for implementing the new Byelaws and using them in day-to-day operation.
Reason for recommendations	The purpose of this report is to present the draft new library Byelaws for BCP Council.

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Wards	Council-wide
Classification	For Decision

Background

1. Byelaws made under Section 19 of the Public Libraries & Museums Act, 1964 relate to the public use of library facilities. Legally, a copy of the byelaws needs to be available at each library site, and these are generally referred to when library customers present challenging or unacceptable behaviour.
2. The Secretary of State for Digital, Culture, Media and Sport (DCMS) approved a 'new' [set of guiding library byelaws](#) for England in March 2025.
3. The DCMS also set out the process to be followed by any local authority wishing to adopt or update their byelaws. These are as follows:

• Submit draft version to DCMS for comment	Completed
• DCMS confirms they are content with the draft version	Completed
• Cabinet paper to inform cabinet of proposed change and agree to start the implementation process	27/5/26
<ul style="list-style-type: none"> • The Local Authority must at least 1 month before it applies for formal confirmation of the final byelaws: <ul style="list-style-type: none"> ➤ Announce the proposal to revise the byelaws in one or more local newspapers circulating in the area to which the byelaws are to apply ➤ Deposit a copy of the draft byelaws at the local authority's offices, where they must be open for public inspection at all reasonable hours without payment. ➤ Publish the draft byelaws on its website. 	To start following Cabinet Approval to progress
• After a month consider feedback and sign off in line with local authority governance arrangement.	Portfolio Holder Approval (subject to Cabinet agreeing this delegation)
• Cabinet paper to progress to Full Council following PF Holder sign off	Expected in July/August 2026
• Post, by recorded delivery, the following to the	Expected in September

<p>DCMS Libraries team:</p> <ul style="list-style-type: none"> ➤ a copy of the byelaws, with the local authority's common seal. ➤ a copy of the newspaper article showing the announcement; and ➤ confirmation that the one-month public inspection has taken place. <ul style="list-style-type: none"> • Simultaneously email libraries@dcms.gov.uk indicating the sealed copy of the byelaws and supporting documents have been forwarded to DCMS for approval. 	2026
<ul style="list-style-type: none"> • DCMS to approve the revised byelaws and return them to the local authority. 	
<ul style="list-style-type: none"> • Upon receipt of the approved byelaws, the local authority must display a copy in every library building. • A copy must also be deposited at the local authority's offices to be open at all reasonable hours to public inspection without payment. • Publish a copy on the website. 	

4. BCP Council has consulted DCMS on adopting the new byelaws and authority to proceed with the draft was given on 6 March 2026.
5. The draft byelaws vary from the model set in relation to clause 5 where BCP Council have referred to wheeled vehicles and not just motorised vehicles.
6. The library service will seek to undertake the remaining steps in the DCMS prescribed process, following approval of this report.
7. Linked to the draft byelaws are some Management of Unacceptable Behaviour and Exclusion guidelines. This is attached to the report and sets out how the library service will use the byelaws.
8. The service uses the byelaws to effectively and proactively manage anti-social behaviour, and it is not usually necessary to seek enforcement through the courts.

Summary of financial implications

9. There are no financial implications associated with this report other than minor costs which can be met by the library revenue budget.

Summary of legal implications

10. Under section 19 of the Public Libraries and Museums Act 1964 ("the Act") a local authority may make byelaws regulating the use of facilities provided by the authority under the Act.
11. Such byelaws must be confirmed by the Secretary of State for the Department for Culture, Media and Sport before they can have effect.
12. The byelaws 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 byelaws.

13. Under the Council's Constitution- Part 3 Responsibility for Functions, para 1.16, the making, amendment or adopting of byelaws is a matter reserved to Full Council.

Summary of human resources implications

14. It is envisaged that revision of byelaws will have a positive impact upon the workforce, bringing consistency and continuing to support colleagues around managing unreasonable customer behaviour.
15. Delegation for implementing and using the library byelaws will be delegated to the Library Management team through the Library Service Scheme of Delegation.

Summary of sustainability impact

16. There is no sustainability implication arising from the content of this report.

Summary of public health implications

17. The proposed amendments to the byelaws will support the provision of a safe, inclusive and welcoming services for all stakeholders.
18. The library service delivers and hosts partners to deliver activities which support the library universal offers centred around, Health & Wellbeing, Culture and Creativity, Reading etc.

Summary of equality implications

19. Equality Impact Screening has been undertaken. The updating of our Byelaws does not suggest any negative impact on any protected groups but will enable clear management of unacceptable behaviour in our libraries.

Summary of risk assessment

20. There is no substantial risk in updating the Library Byelaws. The draft has been approved by the DCMS.

Appendices

Appendix 1 – Draft new Library Byelaws

Appendix 2 – Management of Unreasonable Customer Behaviour procedure

Appendix 1 – Draft New Library Byelaws

Bournemouth Christchurch and Poole Council's Public Library Byelaws Made under Section 19 of the Public Libraries and Museums Act 1964

1. In these byelaws:
 - a. "the Act" means the *Public Libraries and Museums Act 1964*;
 - b. "the Regulations" means the *Library Charges (England and Wales) Regulations 1991 (S.I.1991/2712)*;
 - c. "the library authority" means Bournemouth Christchurch and Poole Council;
 - d. "charge" means any charge imposed in accordance with the Regulations;
 - e. "emergency situation" includes situations where a library or part of a library is required to be evacuated for security reasons or because of threat from fire or other hazard and practices and false alarms in relation thereto;
 - f. "library" means any premises (including any vehicle), or any part of premises, where library facilities are made available to the public, and which are solely or mainly used for the purpose of providing such facilities;
 - g. "library facilities" means any of the library facilities provided by the library authority under the Act (including electronic facilities, for example, computer equipment, wi-fi access, virtual library, online catalogue, e-books, e-magazines, e-audio, e-newspapers or online reference works);
 - h. "library officer" means any officer of the library authority employed by it solely or mainly for the purposes of any functions exercisable by it in relation to the library service;
 - i. "library property" means property used wholly or partly for the purpose of providing the library service, whether or not it is made available for use by the public;
 - j. "library service" means the library service provided by the library authority under the Act;
 - k. "library staff member" means a library officer or any other person employed or appointed to assist with the provision of the library service, including a volunteer;
 - l. expressions used, unless the contrary intention appears, have the meaning which they bear in the Act and Regulations.
2. An act necessary for the proper execution by a library staff member of their functions does not contravene these byelaws.
3. A person must not supply an age, name, address or other means of identification which is false or misleading for the purpose of entering any library or part of a library or for the purpose of using any library facility.

4. A person must not remain in the library if they have been asked or instructed to leave by a library officer on the basis that the library officer reasonably considers that the person has breached or was in the process of breaching any of these byelaws.
5. Except with the consent of a library staff member, obtained in advance:
 - a. no person may bring any animal into the library, other than an assistance dog.
 - b. no person may bring a wheeled vehicle or conveyance (including a motorised or electronic mobility scooter/bike) other than a wheelchair, pram, pushchair or personal shopping trolley into the library.
 - c. no person other than a library staff member may enter an area of the library which is signposted as for library staff members only.
 - d. no person may access or remain in the library outside of the times advertised for its opening.
6. No person may remain in the library in the event of an emergency situation that has been made known to them.
7. No person may, unless specifically permitted by a library staff member, take or attempt to take any library property from the library or past a check out or security point without having first issued it via a library staff member or self-service unit.
8. No person may, without lawful excuse:
 - a. destroy or damage any library property, or
 - b. engage in conduct, which is likely to result in the destruction of, or damage to, library property.
9. No person may, while in the library or in the course of using any library facilities, behave in a disruptive, violent, aggressive, threatening, discriminatory or indecent manner, use violent, abusive, offensive, insulting, or obscene language, or intentionally or recklessly cause or do anything likely to cause harm or injury to any other person.
10. No person may remain in a library without making proper use of the library facilities, having been advised or requested to do so by a library staff member.
11. No person may intentionally or recklessly obstruct any library staff member in the execution of their functions or intentionally or recklessly disturb, obstruct, interrupt, abuse or annoy any other people using the library.
12. No person may, without the consent of a library staff member, intentionally display or distribute promotional or other written material (e.g. posters or leaflets) on library premises. Materials displayed or distributed without such consent will be removed.
13. No person may, without the consent of a library staff member, offer anything for sale or seek donations on library premises or canvass or seek signatures for petitions.
14. No person may leave a child aged less than eight years in the library without adult supervision.

15. No person may light a flame on, or bring a flame into, library premises.
16. No person may smoke (as defined in the Health Act 2006) or vape (that is, use a nicotine vapour product or "e-cigarette") on library premises.
17. No person in any part of the library may supply, take or be under the influence of alcohol or any other substance for the purpose of causing intoxication; or supply, take or be under the influence of any controlled drug as defined by Schedule 2 of the *Misuse of Drugs Act 1971*, except that a person may take or be under the influence of a controlled drug dispensed for and pursuant to prescription issued for that person by a doctor under and in accordance with the aforesaid Act.
18. Any person who has been served with a notice by a library staff member demanding the return of library property held by them must return the library property or pay the appropriate replacement cost and charges to a library provided by the library authority within 14 days from the date the notice was served.
19. Any person who accumulates fines and/or charges exceeding the maximum amount specified in the Bournemouth Christchurch and Poole Council Library Service Management of Unacceptable Behaviour and Exclusion Guidelines (which are available on the BCP Council Libraries website and in hard copy from any BCP Council library) may be refused further access to library facilities until the fees and/or charges have been paid or the appropriately authorised library staff member has agreed to waive them.
20. Any library user whose personal details (i.e. name, address or other contact details) change, must notify a library staff member as soon as reasonably possible or take responsibility for updating their own customer account.
21. No person may take photographs, or create video recordings, in the library without permission from a library staff member in advance
22. Library users must comply with all relevant copyright law, including when photocopying.
23. Library users must abide by any applicable conditions of use or acceptable use policy in relation to electronic facilities made available as part of the library service. Breach of any such policy may, without prejudice to any other legal sanction or remedy available to the library authority, lead to suspension of access to such facilities for the time period as set out in the Bournemouth Christchurch and Poole Council Library Service Unacceptable Behaviour and Exclusion Guidelines (see above for details how to access).
24. Any person who contravenes any of these byelaws shall, without prejudice to any other legal sanction or remedy, be liable to prosecution by the library authority for contravention of the byelaws and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale in respect of each offence.
25. A library officer may exclude any person who contravenes any of the foregoing byelaws from any library. A person who is so excluded has a right to request a review of that decision, in accordance with the library authority's complaint's procedure at that time.

26. Before taking action pursuant to byelaw 24 or 25 against a person for contravention of any of these byelaws, the library authority must undertake a local review, which must include:
- a. consideration of whether, taking into account all of the circumstances, the most appropriate form of action would be to issue a warning to the person;
 - b. if the library authority proposes to exclude the person pursuant to byelaw 26, consideration of the appropriate length of such exclusion;
 - c. if the library authority proposes to undertake a prosecution pursuant to byelaw 25, whether the contravention is sufficiently serious to warrant that action.
27. On the coming into operation of these byelaws:
- a. The byelaws relating to libraries which were made by Bournemouth Borough Council on 31 July 1997 and confirmed by Secretary of State for Culture, Media and Sport by the Head of Libraries and Information Division on 15 September 1997 are revoked.
 - b. The byelaws relating to libraries which were made by Borough of Poole on 07 April 1997 and confirmed on behalf of the Secretary of State for National Heritage by the Head of Libraries and Information Division, Department of National Heritage are revoked.
 - c. In so far as they relate to libraries within the Christchurch area, the byelaws made by Dorset Council in 1997 are also revoked.

The Common Seal of Bournemouth Christchurch and Poole Council was hereunto affixed in the presence of [REDACTED].

The foregoing Byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Deputy Director, Culture Directorate, Department for Culture, Media and Sport and shall come into force on [REDACTED].

[Signature]:

[Print Name]:
Deputy Director, Culture Directorate
Department for Culture, Media and Sport

[Date]:

The date of coming into force is one month after the date of signature.

This note is not part of the byelaws.

Users of the library service are reminded that the provisions of the general law apply at all times. In particular as regards the activities referred to in byelaws 8 and 17 the library authority draws attention to the existence of the *Criminal Damage Act 1971* and the *Misuse of Drugs Act 1971*.

Appendix 2 – Management of Unacceptable Behaviour and Exclusion Guidelines

We welcome everyone to our Library buildings and want to make sure they are safe, welcoming spaces for members of the public, our staff and volunteers.

If we think that your behaviour towards staff or other customers is unacceptable according to our byelaws we will stop you from using the library. This applies to unacceptable behaviour in person, online, in writing or on the telephone. This also applies to all users of BCP Council libraries, whether they are library members or not.

We recognise that in some circumstances, people may act out of character, e.g. in times of trouble, distress or as a symptom of certain types or stages of illness. Where there is a concern about unacceptable behaviour, consideration will be given to individual circumstances when deciding what action to take.

It is important that any challenging behaviour is identified and addressed as soon as it is seen or reported to a member of staff. We will make any customer aware that their behaviour is not acceptable to give them the opportunity to stop or explain what prompted the situation.

Early action helps to de-escalate a situation and aims to resolve the incident as quickly as possible.

A range of sanctions is available to deal with unacceptable behaviour. The level of the sanction will depend on the extent and seriousness of the behaviour, and whether it has been repeated (see exclusion table below).

Sanctions may be:

- a verbal or written warning, usually for first offences
- exclusion from an individual library for a period of one, three or six months
- exclusion from all library buildings in BCP Council for three or six months
- permanent exclusion from accessing library buildings

Threatening, abusive or illegal behaviour will usually be reported to the Police.

Training, support and guidance will be provided for staff to help them to:

- recognise and manage situations which could lead to unacceptable behaviour and take preventative action
- diffuse difficult situations
- ensure their personal safety and wellbeing
- understand and implement appropriate sanctions if required.

All incidents will be considered on a case-by-case basis and decisions made by a member of the Library Management Team.

Exclusion procedure

When an exclusion is enforced, we will:

- ensure that the incident is fully investigated
- communicate with the relevant individual/s, witnesses and potential stakeholders (emergency and social services) promptly
- ensure that the person/s excluded understands their right to appeal and BCP Council's complaint procedure

- ensure that the recipient is informed in writing of the reasons for the exclusion and its duration. If we do not have contact details for an individual the communication will be held and passed to the person when they are seen next.
- ensure the investigation and details of exclusion are recorded and held in line with GDPR procedures

The anti-social behaviours that would lead to an exclusion are outlined in the Library Byelaws. The exclusion duration table below is an illustrative and not exhaustive list that reflects the associated durations.

Exclusion durations are at the discretion of the Manager involved and the Head of Customer and Libraries.

Breaching an exclusion notice will result in the period of exclusion being extended.

Exclusion duration chart

Verbal or written warnings may be given for first offences.

Behaviour	Exclusion duration	BCP byelaws reference
Accumulate fines and/or charges exceeding the maximum amount specified, currently £10	Unable to borrow items until the balance is below £10	19
Bring any animal into the library, other than an assistance dog	Asked to leave, can return immediately but without the animal	5a
Bring a wheeled vehicle or conveyance (including a motorised or electronic mobility scooter/bike) other than a wheelchair, pram, pushchair or personal shopping trolley into the library	Asked to leave, can return immediately but without the vehicle	5b
Supply false or misleading information to use the library	1 month	3
Remain in the library in the event of an emergency that has been made known to them	1 month	6
Take or attempt to take any library property from the library or past a check out or security point without having first issued it via a library staff member or self-service unit.	1 month	7
Remain in a library without making proper use of the library facilities, having been advised or requested to not do so by a library	1 month	10

staff member.		
Intentionally or recklessly obstruct any library staff member in the execution of their functions or intentionally or recklessly disturb, obstruct, interrupt, abuse or annoy any other people using the library.	1 month	11
Intentionally display, distribute or leave any promotional material e.g. poster and leaflets on library premises without permission from a library staff member	1 month	12
Offer anything for sale or seek donations on library premises or canvass or seek signatures for petitions without permission from a library staff member	1 month	13
Leave a child aged less than eight years in the library without adult supervision	1 month	14
Take photographs, or create video recordings, in the library without permission from a library staff member in advance	1 month	21
Misuse of public PCs or Wi-Fi, or failure to comply with the conditions of use or acceptable use policies in relation to electronic facilities	1 month	23
Enter an area of the library which is signposted as for library staff members only	up to 3 months	5c
Access or remain in library outside of times advertised for its opening	up to 3 months	5d
Destroy or damage library property, or engage in conduct which is likely to result in the destruction of library property	3 months	8
Light a flame on, or bring a flame into, library premises	3 months	15
Smoke (as defined in the Health Act 2006) or vape	3 months	16

(that is, use a nicotine vapour product or "e-cigarette") on library premises		
Supply, take or be under the influence of alcohol or classified drugs (except prescription drugs)	3 months	17
Continued and persistent nuisance, harassment, bullying or predatory actions towards security staff, library staff or library customers	3 months In extreme or repeated instances, longer or permanent exclusion from the library service can be implemented	9
Behave in a disruptive, violent, aggressive, threatening, discriminatory or indecent manner, use violent, abusive, offensive, insulting, or obscene language, or intentionally or recklessly cause or do anything likely to cause harm or injury to any other person.	3 months/6 months 12 months where this behaviour contravenes the Equality Act 2010. In extreme or repeated instances, permanent exclusion from the library service can be implemented.	9

Children and young people

Where behaviour has breached the Library Byelaws a member of the library staff will intervene and the child or young person (YP), via their parent or guardian (where they are present), may be asked to leave the premises with immediate effect.

Library staff or the Management Team may work with the Anti-Social Behaviour or Social Care Teams where ongoing issues arise or vulnerability is a concern. The Anti-Social Behaviour team will often help communicate any exclusion with the child or YP, in accordance with their protocols.

Communication regarding behaviour resulting in a longer period of exclusion will always be shared with the parent or guardian where possible.

Following an exclusion

During a period of exclusion library membership is suspended. This means that the excluded person should not enter or try to enter any BCP Council Library during this period. If the terms of the exclusion are breached, it may lead to a further longer exclusion.

Acceptable Use Agreement

On expiry of an exclusion an agreement, called an Acceptable Use Agreement may be created between BCP and the individual concerned.

It will clarify the expected levels of behaviour moving forward and what will happen if they are not adhered to.

This will form the basis of a phased return of library membership. Any necessary adjustments due to a protected characteristic will be incorporated into this agreement.

Appeals

Appeals against an exclusion may be made using BCP Council's complaints procedure.

Issue date	Apr 2026
Review date	Apr 2028