



# Cumberland Council

## 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" mean Cumberland 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 motorised or electronic mobility scooter/bike 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 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 8 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 fails to return a library item by its due date, as specified in the Cumberland Libraries Stock Policy, may have their account blocked after 30 calendar days, beginning with the day after the item is due, and may be refused further access to library facilities until the item has been returned or an appropriately authorised library staff member has agreed to waive the block.
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 as per the Cumberland Libraries Banning Policy.
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 Cumberland Libraries Banning Policy. The policy is available at the following link:  
[https://www.cumberland.gov.uk/sites/default/files/2025-11/cumberland\\_libraries\\_adult\\_banning\\_policy.pdf](https://www.cumberland.gov.uk/sites/default/files/2025-11/cumberland_libraries_adult_banning_policy.pdf)
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, the byelaws relating to libraries which were made by Cumbria County Council on 13 September 1996 and were confirmed by the Secretary of State for National Heritage as coming into force on 7 February 1997 are revoked.

[Include official seal of local authority]

The Common Seal of CUMBERLAND COUNCIL was hereunto affixed in the presence of [ ].

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 [ ].

[Signature]:

[Print Name]:

[Date]:

Deputy Director, Culture Directorate

Department for Culture, Media and Sport

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

The following is an optional note at the end of the Byelaws.

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**.

