

Revised Management Rules for Libraries

City of Edinburgh Council

29 April 2010

Purpose of report

- 1 To ask the Council to approve the proposed revised Management Rules for Libraries, drafted in accordance with the Civic Government (Scotland) Act 1982.

Main report

- 2 Current Management Rules for Libraries have been in force since 1998. The principal purpose of the Rules is to allow the Council to set boundaries for behaviour and activities so that every member of the public can enjoy Library services without interference.
- 3 In reviewing the above Management Rules, effort has been made to ensure they are as user friendly as far as is consistent with their legal status, and that they are simplified and written in plain English. See Appendix 1 for the revised wording. It should be noted that the provision of these Rules is a statutory requirement.
- 4 The Libraries Management Team has also undertaken to provide more user friendly 'poster' type notices for library buildings which will aim to reinforce the positive behaviour that the majority of our customers exhibit, and which represent the neighbourhood management ethos of working to support local community needs.
- 5 Information within the Rules relating to the Expulsion and Exclusion Orders has also been expanded with the aim of ensuring that members of the public are made aware of the provisions of the Civic Government (Scotland) Act 1982.
- 6 Under the Civic Government (Scotland) Act 1982, the Council is required to put these revised rules out to public consultation by way of an advertisement in the local press, allowing one month from the date of publication for the submission of objections or proposals for amendments.

- 7 An advert was placed in the Evening News on 15 March 2010 and copies of the Management Rules were made available for inspection at the City Chambers, at every Council library and on the Council website. The advert is appended at Appendix 2.
- 8 The full timeline is as follows:
- **Monday 15 March** - Advert in Evening News, consultation commences.
 - **Monday 15 March to Monday 12 April** - Customers may ask to see Management Rules in library locations; they may make comments in writing to the Council Solicitor as per the advert.
 - **Monday 12 April** - consultation period ends
 - **During April** - Staff Q&A session via one of the existing meetings
 - **Thursday 29 April** - Report to Council to request formal acceptance of Rules
 - **Saturday 1 May 2010** - Rules in operation (pending formal Council agreement)
- 9 By the closing date of 12 April 2010 no objections had been submitted.
- 10 Pending the formal approval of the Management Rules by Council on 29 April 2010 it is planned that the Rules will become operational on 1 May 2010.

Financial Implications

- 11 The cost of placing an advert in the Evening News was £500.00 plus VAT. Any cost incurred in distribution of copies of the revised rules for consultation and displaying the revised rules, once approved by Council, in the relevant venues, will be contained within the regular distribution activity across the Libraries estate.

Environmental Impact

- 12 None.

Recommendations

- 13 The Council is recommended to:
- a) approve the revised Management Rules for Libraries
 - b) note the timescales described in paragraphs 2.6 to 2.9 above.

 14/4/10

Mark Turley
Director of Services for Communities

Appendices	1. Libraries Management Rules - March 2010 2. Advert - 15 March 2010
Contact/tel/Email	Sarah.forteath@edinburgh.gov.uk 0131 469 3961.
Wards affected	All
Single Outcome Agreement	National Outcome 15 – Our public services are high quality, continually improving, efficient and responsive to local people's needs
Background Papers	None

MANAGEMENT RULES FOR EDINBURGH CITY LIBRARIES AND INFORMATION SERVICES

The City of Edinburgh Council, in exercise of the powers conferred on it by Section 112 of the Civic Government (Scotland) Act 1982, hereby makes the following Management Rules which shall apply to the provision of Library and Information Services by the Council in Library Premises.

The purpose of these Management Rules is to help maintain a pleasant and safe environment for all.

These Rules apply to the Central Library, Community Libraries, Library vehicles, and such other premises as may be used from time to time by the Council for the provision of Library services ("Library Premises").

1 Conduct

1.1 People visiting Library Premises must comply with all reasonable instructions and directions given by Council staff acting in the course of their duties.

1.2 Any person visiting Library Premises must conduct themselves in a reasonable manner and in particular it is prohibited to:

- Make an excessive noise or create a disturbance;
- Use mobile phones except in designated areas;
- Smoke;
- Consume food and drink except in designated areas;
- Bring any animals with the exception of assistance dogs;
- Act in an aggressive, abusive, disrespectful or inappropriate way to any member of staff or other person;
- Enter whilst under the influence of drugs or alcohol;
- Enter whilst unclean in person or dress so as to cause offence to other persons;
- Broadcast, record or transmit sound or images without permission of Council staff;
- Leave any promotional material without the permission of Council staff (and for which there may be a charge);
- Damage property;
- Remove items, including stock, from the Premises without permission;
- Drop litter;
- Engage in any trade or business without the express written consent of the Council.

2. Children

Libraries welcome all children. To ensure their safety, parents and carers are responsible for supervising children during their visits. Children under eight must always be accompanied by a parent or carer aged 12 or over.

Library Premises will be closed to unaccompanied children under 12 half an hour before the Library closes.

3. Liability

3.1 The Council will have no liability in respect of the loss or theft of an item belonging to a Library user.

3.2 The Council will have no liability for damage caused to any audio or video reproduction equipment due to defects or condition of loan items played on them.

3.3 The Council will have no liability for loss or theft of personal data arising from use of Council computer equipment.

4. Expulsion & Exclusion Orders

4.1 Where Council staff have reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of these Management Rules, they may expel that person from the premises.

4.2 Where a person has persistently contravened or attempted to contravene these Management Rules and in the Council's opinion is likely to contravene them again the Council may decide to make that person subject to an exclusion order for a specified period of up to one year.

4.3 An exclusion order made under Rule 4.2 shall take effect on such date as the Council may decide, being not less than 14 days after the decision to make that person subject to an exclusion order. A person who has been made subject to an exclusion order:

- i) shall be entitled to written notice of the decision to make the exclusion order, containing a statement of the reasons for that decision: and
- ii) shall be entitled to make written or oral representations to the Council at any time up to the time that the order would have taken effect but for the representation being made.

5 Miscellaneous

5.1 The Council may decide to waive any particular rule at any time.

5.2 These Management Rules shall come into effect on 1 May 2010 (pending agreement from Council on 29 April 2010)

Appendix 2

Notice is hereby given that in exercise of its powers under Section 112 of the Civic Government (Scotland) Act 1982, City of Edinburgh Council intends to make Management Rules to regulate the use of and the conduct of persons while on or in premises owned, occupied and managed by the Council at the Central Library or any public library owned or managed or otherwise under the control of the Council.

A copy of the proposed rules is available for inspection at the City Chambers, High Street, Edinburgh, EH1 1YJ. A copy of the proposed Management Rules has also been deposited at every City of Edinburgh Council library and may be inspected there during normal opening hours. The proposed Management Rules may also be viewed on the City of Edinburgh Council website at www.edinburgh.gov.uk

Any person may within one month of the date of this Notice i.e. no later than 5pm on 12 April 2010 object to the making of the Management Rules by writing to the Council Solicitor at the address shown below stating the grounds for his/her objection.

Before making the Management Rules, City of Edinburgh Council shall take into consideration any objections timeously received by them and shall give any objector an opportunity to be heard by them.

Alastair MacLean
Head of Legal and Administrative Services
Legal Services Division
City of Edinburgh Council
City Chambers
High Street
Edinburgh
EH1 1YJ