

Village and Community Halls for Hall Advisers

Update 22: 24th September 2020

Group limit of 6 – misunderstandings

There appears to be continued misunderstanding that the group limit of up to 6 means larger activities cannot take place. They can, but 2m social distancing must be maintained between each group of people (unless an exemption applies). It may help to think in terms of a restaurant, where the manager must avoid groups at each table from mingling, or mixing. Within a group, government guidance **encourages** social distancing by people not from the same households (including bubbles), but that is up to individuals. The obligation is clearly on all activity organisers to avoid mingling by people from different groups. The example of an art class is given in the table at the end of Appendix D.

An activity held in a school, such as an art class, will need to comply with these social distancing and group limit requirements, which apply to adults, as well as the usual cleaning/hand sanitising/Covid-19 secure requirements as applied by the school.

Choirs and the “Rule of Six”

This article by barrister Keith Bryant QC and Naomi Cunningham argues that small choirs fall within the exception from the group limit of 6 for education and training. A key point emphasised by the article is the advisability of activity organisers carrying out their own Covid-19 Risk Assessment, whether or not legally required, and it provides a sample risk assessment for a Community or small choir.

Since that was published, however, the Government FAQs have been adjusted to make clear amateur choirs, drama groups, bands etc must be organised in groups of up to 6: “In a COVID-19 Secure venue or public outdoor place, non-professional performing arts activity, including choirs, orchestras or drama groups can continue to rehearse

or perform together where this is planned activity in line with the performing arts guidance and if they can do so in a way that ensures that there is no interaction between groups of more than 6 at any time.”

In practice, the question of whether choirs are exempt or not is academic – group working may be easier for people to understand and work with.

See: <https://www.outertemple.com/wp-content/uploads/2020/09/Choirs-and-the-rule-of-6-Final-v.pdf>

Children’s Entertainers and Children’s parties

The para on Indoor Performances in Appendix D in Version 6 of the Information Sheet makes clear that children’s entertainers can still be invited to perform at organised events at Community Halls, and Christmas may be a good time to plan this. Furthermore, a hall can be hired by a children’s entertainer (a business) for the purpose of a performance. The Government guidance for Performing Arts would need to be followed. The section on children’s parties explains domestic parties organised by families are, as a consequence of the limit of 6 on group sizes, not normally advisable for the time being unless organised by someone used to managing this in schools, but organisation by an experienced children’s entertainer could be an option.

New regulations for Hospitality businesses affecting luncheon clubs, community cafes, coffee mornings etc

New Health Protection Regulations on Obligations of Hospitality (laid on Sept 17th) apply to pubs, cafes and restaurants and also to any “other relevant business”. A “**relevant business**” is defined as a business which provides food or drink for consumption on its premises so this appears to include non-profit ‘businesses’ supplying food and drink such as Community Cafes, Social Clubs with bars, and potentially Luncheon Clubs and coffee mornings. The change is that social distancing within hospitality settings is now the law, with fixed penalty notices starting at £2000 and rising to £4000. The key provisions are:

2.—(1) “A person responsible for carrying on a business of a public house, café, restaurant **or other relevant business** must, during the emergency period, take all reasonable measures to ensure that” —

- (a) no bookings for a table are accepted for a group of more than six persons unless one of the exemptions applies (eg a single household group more than 6);
- (b) no persons are admitted to the premises in a group of more than six, unless one of the exemptions applies;
- (c) no person in one group mingles with any person in another group.
- (d) an appropriate distance is maintained between tables occupied by different qualifying groups ie at least 2m (or 1m plus screens, back to back seating, other measures to limit virus spread between people sitting at different tables).

Further measures to avoid "second wave"

The further measures announced on 22nd September as they affect community halls appear to be:

- A reduction in the number of people allowed at weddings, and therefore seated wedding receptions, from 30 to 15. 30 can still attend a funeral.
- Organised indoor sports and exercise classes are removed from the list of exemptions to the group limit of 6.
- A reduction in the number of people allowed at weddings and seated wedding receptions from 30 to 15 from Mon 28th Sept. The limit for funerals remains at 30. Other life-cycle religious ceremonies must comply with the group limit of 6.
- Indoor team sports are removed from the list of exemptions to the group limit of 6, so social distancing will be required between any groups of up to 6. The Government FAQs make clear that "organised indoor sport or exercise classes can take place in larger numbers, provided groups of more than 6 do not mix".
- The wearing of facial coverings has been extended to retail and hospitality and is to become compulsory (except where an exemption applies). Individuals can be fined for non-compliance. Hirers and users may need to be reminded of the need to wear them, eg via a poster.
- Individuals can be fined for non-compliance with the group limit of 6.
- Strictly speaking the restriction from 24th September on 10pm closure and table service only for bars, clubs, restaurants, cinemas, theatres, concert halls only applies to these types of activities held at Community halls (ie Social Clubs, dinners, film

shows, concerts, plays). However, to avoid misunderstanding it would be wise for all activities to close at 10pm.

- Providing performances begin before 10pm and food/drink is not served after 10pm, a hall is permitted to stay open until a film or performance finishes.

Information Sheet Appendix F and yoga on carpeted floors

The section on small meeting rooms and the reference to yoga on carpets in Appendix F of the Information Sheet has, correctly, been queried. It may be adjusted in a future version and for now can be taken to mean that consideration should be given to moving keep fit type classes from rooms with carpeted floors to another room, or asking the hirer to lay sheets down or using a misting device if the room will be used again within 72 hours.

Insurance cover and unoccupied halls

Unfortunately insurance for unoccupied buildings is a more risky area and will attract a higher premium and cause loss of cover such as theft, water damage etc. While few halls have remained closed it appears that some halls and hirer organisations are now considering re-closure, mainly because of misinterpretation of the group limits and social distancing requirements. They must inform their insurer if they do decide to close.

In some cases we gather committees are refusing or cancelling bookings that could take place if carefully managed. Trustees should consider not only the higher premium, but the risk to the charity's key asset associated with loss of cover when there is now no legal obligation to close. They should also have regard to their charitable objects: They should take into account the needs of people living alone, or with small children, or caring for others whose mental and physical health may be compromised by continued closure of their usual community activities. Holding a monthly committee meeting in the hall may avoid loss of cover, but it will not enable the charity to fulfil its objectives.

The legal expenses cover in a hall policy would provide free legal advice (via the helpline on the policy) in the - hopefully unlikely - event of a threat of prosecution for failure to observe Covid 19 regulations, but would be unlikely to cover legal defence expenses. In practice trustees, managers or hirers who have clearly done their best to comply with the

4 key obligations seem more likely to receive a warning coupled with guidance. The 4 key obligations are:

- a) the Covid-19 secure requirements,
- b) the social distancing requirements between groups of up to 6 within activities,
- c) Test and Trace record-keeping/QR requirements and
- d) 10pm closure for certain activities.

Record – keeping (hire agreements, cleaning etc) will help address such risks.

What is a Safe Area?

A safe area where someone can be taken if they appear to have developed Covid 19 symptoms is simply an isolated room, or if not available, somewhere at least 2m from others, according to guidance for schools and early years. This gives further common sense advice such as: Open a window for ventilation; call 999 if it's an emergency; Do not take the person to a doctor.

Test and Trace QR code

These new obligations are covered in a new Appendix M to the ACRE Re-opening Information Sheet. In brief, from 24th September the Regulations for the Collection of Contact Details require **every hirer or organisation using a community hall** to comply with the obligation to register for an NHS QR code, display the official NHS QR poster and keep records for Test and Trace. Every community facility needs to ensure hirers comply. For certain activities (such as an event organised by the community facility managers, a wedding reception or wake) the obligation appears to fall on the hall managers.

For practical purposes this means that **either every hirer or organisation** has to obtain their own code and poster, which they display at the entrance before their activity starts, **or the premises** must [register for an official NHS QR code](#) and display the official NHS QR poster, so that the obligations on hirers and user organisations are discharged **or both**. It therefore appears be up to halls to decide, in

the light of their own use and numbers of rooms likely to be in use, which is the most appropriate way of managing the situation to ensure that an NHS QR code can be scanned for every activity.

And last but not least....

Our grateful thanks to Paul Dixon and Phillip Vincent who have diligently handled queries coming to ACRE's office while Deborah is on leave, and thanks to Phillip too for an uplifting blog on the situation here:

<https://acre.org.uk/news/2020-09-21-what-a-difference-a-year-makes>.

The photo of a craft group socially distanced at a hall in Derbyshire demonstrates how community activity can continue safely. Such sharing of experience and photos can only help other halls and groups with the practicalities as we all grapple with the complexity of Government regulations and guidance.

More updates in due course, thanks, Louise (in Deborah's absence)