

Managing buildings – day-to-day operations (2)

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Introduction

This information sheet is designed to give an overview of the main things that community building managers will need to consider with respect to running their building(s) on a day-to-day basis.

The information specifically covers the following:

- Licensing
- Food
- Rules and hiring agreements

Some of these issues will be universally applicable to all organisations, but others will vary according to the particular services and activities provided.

Please note, the information provided here is intended to be an overview. Your organisation's board of trustees / directors should always have regard to their obligations as set out in their organisation's governing document and if there is cause for doubt you should take advice from the relevant bodies and / or qualified professionals, especially where risks are identified. At the end of this information sheet some of the key sources of more detailed further information are given.

Licensing

The **Licensing Act 2003** has four main objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

If you want to make your community building(s) available for the sale or supply of alcohol or the provision of regulated entertainment as defined under the **Licensing Act 2003** you will need to ensure it is correctly licensed by applying for and being granted the relevant license from a licensing body, usually your local authority.

As building managers you will need to look at the kind of events that you wish to stage and decide what type of licence you will need. There are two types:

- A 'Premises Licence'
- 'Temporary Event Notices' (TENS)

Premises Licence

Broadly, you will require a Premises License to:

- To sell alcohol by retail
- To provide 'regulated entertainment'
- To sell late night refreshments

When a Premises License includes the sale of alcohol there is no limit on the number of events at which alcohol may be sold. Since July 2009, Community buildings are not required to designate a designated premises supervisor (DPS) when making a new application for a premises licence, provided that the applicant committee completes the appropriate forms and supplies sufficient information to satisfy the licensing authority that the proposed management arrangements meet the requirements of the **Licensing Act 2003**.

This means that the building's management committee take responsibility for the running of the premises, rather than a specific individual. The kinds of things that are covered by 'regulated entertainment' include, but are not limited to; music / dance performances, film shows, plays, indoor sporting events etc. It is sensible to ensure that the License you obtain covers all the options you need it to, including the activities of your existing and potential hirers. There are a range of activities that considered to be exceptions, including:

- Performances of amplified music between 8am and 11pm on premises authorised to sell alcohol for consumption on the premises
- Films which are solely or mainly to demonstrate a product, advertise goods or services, or provide information, education or instruction
- TV and radio broadcasts, providing they are shown live and not recorded
- Religious meetings or services
- Entertainment in places of public religious worship
- Garden fêtes (unless held for private gain)
- Morris dancing
- Incidental entertainment – e.g. music during keep fit classes

Late night refreshment means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11pm and 5am. It includes takeaways, cafés, fast food outlets and mobile catering vehicles. Premises that provide late night refreshment need to hold a premises licence.

Temporary Events Licences (TENs)

A Temporary Event Notice (TEN) can be obtained where premises are to be used for one or more licensable activity but do not have a premises license for that activity. There are, however, limits to the numbers of TENS that can be issued in any year as follows:

- Personal licence holders can issue up to 50 in any year
- Non-personal licence holders can issue up to five in any year
- No more than 15 TENs can be given in respect of any particular premises in any calendar year, subject to a maximum aggregate duration of 21 days in any year at any individual premises

Provided that the criteria set out above are met, only the police and environmental health may intervene to prevent an event or agree a modification of the arrangements for an event covered by a TEN.

Summary of options

Bearing in mind the above there are three basic options you might consider for your community building(s):

- Do not licence the premises and secure temporary events notices (TENs) as and when you need them. This is the simplest and cheapest option, but you run the risk of running out of licenses, you will need to remember to apply in time, and the TENs holder is liable for each event which may have very strict guidelines attached.
- Licence the premises for regulated entertainment only. Simple and relatively cheap, but restrictive as you will still need to apply for a TEN if an event involves the sale of alcohol or late night refreshments. You may also receive objections from local residents or responsible authorities and the application process can take up to two months.
- Licence for regulated entertainment and for alcohol (and late night refreshment if needed). This is the most expensive but most flexible option. It will involve paying for the application (the fee is based on the rateable value of the premises) and placing an advert in the local paper. You will also need to pay an annual fee each year.

Other licenses

To undertake the kinds of activities your community wants you may need to secure other licenses in addition to those described above. The following is a brief summary of those that might be applicable:

- The Music License – is a license that will allow you / your hirers to play recorded music at your community premises. It brings together the two licenses that were previously required by the Phonographic Performance Ltd (PPL) and the Performing Rights Society (PRS). See ‘Further Information’ for details of where to apply.
- Gaming and Lottery Licenses – If you run any kind of regular raffle or lottery, organise Bingo sessions or have any kind of gaming machines then you may have to apply to your local authority for a

license(s).

Food



Food hygiene is overseen by the Food Standards Agency (FSA) an independent Government Department working to protect health and consumers' wider interests in food.

The FSA have an extensive guide to the provision of food by community organisations and at charity events available on their website. A brief summary of this guidance is provided below:

Registration

If you only supply food on an occasional and small-scale basis, it is unlikely that you will need to register with your local authority environmental health department as a food business. However, if you start to sell, cook, store / handle, prepare or distribute food on a regular and organised basis you will need to register.

- Registration is free.
- Allow at least 28 days before starting up.

The FSA has issued guidance on what might be considered to be 'occasional and small-scale' as against 'regular and organised'. Below are some examples that might be of relevance to managers of community buildings:

Registration requirement unlikely:

- Daily small-scale provision in the weekday afternoons of low-risk foods by community / charity volunteers, such as provision of tea and biscuits in a community / church hall.
- School breakfast club where volunteers supply simple breakfast foods like toast and cereal and orange juice which is given to children and/or toddlers.
- A community hall event held about six times per year where a two course hot meal is served to about sixty people including elderly persons.
- The food is cooked at home by volunteers and is reheated in the hall kitchen prior to consumption.
- A small food bank operating for just an hour or two per day on an infrequent basis by volunteers collecting tinned and packaged foodstuffs not requiring temperature control donated by for distribution to local people.

- A 'cooking club' where members bring in the food ingredients or pay the course leader to supply the ingredients. Those attending learn to cook using equipment in the building and then all sit down to eat together or take food home.

Registration requirement likely:

- Monthly provision of free hot food by a faith group in a building to local people.
- A community café opening for three days per week on a pay-what-you-can basis offering food which has been donated by other businesses and by individuals.
- A sports club serving hot meals regularly during the season.
- A charity volunteer operation organising the daily collection of sandwiches from supermarkets for distribution to homeless people.
- A small community centre supplying approximately a dozen persons with free hot food for two lunchtimes per week.
- A volunteer-run operation providing hot soup and bread to homeless persons each evening.

Food hygiene

Whether or not you need to register as a food business you will need to meet with the requirements of the Food Hygiene Regulations which is currently under the remit of EU law. If you handle, prepare, store and / or serve food as part of your community activities you should have regard to the following:

- There should be adequate facilities to prepare and serve food safely.
- Food handling procedures should avoid exposing food to risk of any contamination.
- Anyone responsible for a food business must:
- Make sure food and drink is prepared, stored, packaged, transported, handled, supplied or sold in a hygienic way.
- Identify food safety hazards.
- Know which steps in food preparation activities are critical for food safety.
- Ensure safety controls are in place, maintained and reviewed.

Food premises should:

- Be clean and maintained and be designed and constructed to allow good hygiene practices.
- Have an adequate supply of drinking water.
- Have suitable controls in place to protect against pests.
- Have adequate lighting (natural and/or artificial) and sufficient ventilation (natural and/or mechanical).
- Provide clean, adequately ventilated lavatories which do not lead directly into food rooms.
- Have adequate hand washing and drying facilities and where appropriate, have separate food washing facilities.
- Be provided with adequate drainage.

Rooms where food is prepared should have:

- Easily cleaned surfaces (including windows and doors).

- Adequate facilities for washing food and equipment and adequate facilities for the hygienic storage and disposal of hazardous and/or inedible substances and food waste.

Food handlers must receive adequate supervision, instruction and / or training in food hygiene. The environmental health service of your local council will be able to provide further help and advice, some also run training courses.

Remember that hirers of your community building must also satisfy the hygiene regulations (although, of course your building's management committee is ultimately responsible). Make sure you inform them of this and give them copies of any guidance produced. It is useful to have a leaflet listing the basic requirements.

Kitchens in centres registered as food premises have to meet higher standards. These may include having tiles or stainless steel on walls, power ventilation and increased provision of sinks.



Allergens

If your activity does not need to be registered as a food business, you don't have to provide information for consumers about allergens present in the food as ingredients. However, the FSA recommend that you do so as best practice. If you are a registered food business, you will need to follow the allergen rules (to view these go to the FSA website).

Food safety tips

- Prepare food in advance and freeze it, if you can, but ensure the food is properly defrosted before you use it.
- Wash your hands regularly with soap and water, using hand sanitisers if hand washing facilities are not available.
- Always wash fresh fruit and vegetables.
- Keep raw and ready-to-eat foods apart.
- Do not use food past its use-by date.
- Always read any cooking instructions and make sure food is properly cooked before you serve it.
- Ensure that food preparation areas are suitably cleaned and sanitised after use and wash any equipment you are using in hot soapy water.

- Keep food out of the fridge for the shortest time possible.

Chilled food

Food that needs to be chilled, such as sandwich fillings served as part of a buffet, should be left out of the fridge for no more than four hours. After this time, any remaining food should be thrown away or put back in the fridge. If you put the food back in the fridge, don't let it stand around at room temperature when you serve it again.

Use-by dates

Use-by dates show how long the food remains safe to eat or drink. Check and follow the use-by dates of the food you serve. Food cannot be supplied in any circumstances if its use-by date has passed. This also applies if you are supplying people with packaged food from a food bank.

Foods that need extra care

Some foods are more likely to cause food poisoning than others. These include:

- Raw milk
- Raw shellfish
- Soft cheeses
- Pâté
- Foods containing raw egg
- Cooked sliced meats

If you serve any of these foods, consult the 'Foods which need extra care' section in the 'Safer Food Better Business' pack produced by the FSA – reference for which is given below.

Rules and hiring agreements

As a manager of a community building it will be important for you to develop a written set of rules that all users are prepared to abide by and to produce a written hiring agreement for lettings.

The rules of the use of the building should be developed by your management committee in discussion with building users and other key stakeholders as appropriate. A copy should be sent to each hirer and displayed prominently within the building. If there are any specific restrictions on use imposed by the local authority, ensure any hirer is made aware of these.

There will be model sets of rules available to download from the internet as well as examples from other community buildings. These will be good to refer to, but it is probably best for you to devise your own rules based on your unique circumstances.

A list of the key things to consider is given below:

- A preamble that introduces the reader to the organisation.
- A brief statement that sets out your organisation's policy on 'Equalities' and 'Accessibility'.
- How a group might go about applying or booking to use your building(s).

- The hours of opening.
- The maximum capacity of each room.
- Health and Safety and Fire Safety guidelines.
- Supervision and safeguarding.
- Rules regarding the drinking and sale of alcohol.
- Rules regarding betting, gaming and lotteries.
- The staging of entertainment that might require licensing.
- Use of recorded music and PPL licensing.
- Storage availability use.
- Cleaning and security.
- Loss of property and damage.
- Car parking arrangements.
- Rules on dogs entering the building.
- Nuisances e.g. litter.

Once you have a clear set of rules in place you are in a much better position to establish your 'Hiring Agreement' which is in effect a business contract.

Terms of hire therefore need to be very clearly set out and it will be important to ensure that the hirer has read them, understands them and signs them together with you / the person from your organisation that has delegated responsibility to sign it on your behalf.

Before you hire out your premises to another organisation it will also be important to ensure that you are operating within the conditions of your lease and / or the law relating to licensing, planning law, noise limits etc. Again there are plenty of models and examples of hiring agreements that you can find on the internet, a typical agreement would include:

- Name of community building applicable.
- Date of the agreement.
- Purpose of hire.
- Period of hire – date(s) and time(s).
- Room(s) and facilities to be hired.
- Hiring fee.
- A statement confirming that the hirer agrees to observe the rules of the organisation and the standard conditions of hire (which need to be attached).
- Name of your organisation's representative, address and contact details.
- Name of hirer, address and contact details.

Further information

Licensing

[The Music License – PPL and PRS](#)

Food

Acknowledgement:

Some of the guidance above has been extracted and abridged for use from: 'Managing Your Community Building' by Community Matters and Peter Hudson (2000)