

## **Latest Corona Virus information from ACRE 5<sup>th</sup> November 2020 updated 11<sup>th</sup> November 2020**

*We have added a note on financial support in Section 1, Section 2 addresses questions that have arisen relating to permitted activities and Section 3 contains the relevant legislation (previously Section 2)*

**Village and community halls are required to close from Thursday 5<sup>th</sup> November to Wednesday 2<sup>nd</sup> December, except for the purposes outlined below.**

Outdoor exercise on recreation fields and use of children's playgrounds is permitted. People are permitted to meet one other person from another household for this purpose.

### **Section 1**

#### **Permitted activities at village and community halls**

1. Pre-schools, education (e.g. primary school use, home schooling, forest schools) and childcare (e.g. before and after school clubs)
2. Work purposes, where people cannot work from home (this would include the hall being hired to provide a socially distanced workplace).
3. Food and essential retail e.g. Community shop, indoor market selling food, post office.
4. Essential voluntary and public services such as food banks, blood donations, medical services.
5. Takeaway food and drink services
6. Organised support groups providing mutual aid or therapy or other forms of support may continue with up to 15 participants e.g. victims of crime, new parents and guardians, people with long term illnesses, bereavement support and people in drug and alcohol recovery (see paragraph below for further information)

The following premises are required to close, which means the relevant activities held at village and community halls will not be permitted:

- a) Indoor and outdoor leisure facilities, including gyms, dance studios, soft play facilities
- b) Theatres, concert halls, cinemas, museums and galleries, bingo.
- c) Social clubs, bars, cafes, except for takeaway food and non-alcoholic drink.
- d) Youth centres, except for 1:1 youth work.

## **Action by village and community halls**

If your hall is likely to remain open (e.g. for pre-school and/or essential services) other bookings will need to be cancelled until 3<sup>rd</sup> December.

If your hall is likely to close, you should inform your insurer and follow any guidance they issue with respect to maintaining heating, shutting down water supply and security systems/checks.

## **Some village halls and community centres employ staff and will need to be aware of the following information:**

### **Job Support Schemes**

Workers can retain their job, even if their employer cannot afford to pay them, and be paid at least 80% of their salary up to £2500 a month.

The flexibility of the current CJRS will be retained to allow employees to continue to work where they can.

Employers small or large, charitable or non-profit are eligible and because more businesses will need to close, they will now be asked to pay just National Insurance and Pensions contributions for their staff during the month of November – making this more generous than support currently on offer.

The Job Support Scheme will not be introduced until after Coronavirus Job Retention Scheme ends Wherever you live, you may be able to get financial help through the:

- [Coronavirus Job Retention Scheme](#)
- [Job Support Scheme](#) (from 1st November)
- [New Style Employment and Support Allowance](#)

**Places of worship** are closed except for funerals, broadcast acts of worship and private prayer or childcare. Funerals can be attended by a maximum of 30 people. Linked ceremonial events such as ash scatterings can continue with up to 15 in attendance. Weddings and civil partnership ceremonies are not permitted except in exceptional circumstances. Wakes and wedding reception s are therefore not permitted.

### **Financial Support**

The Local Restrictions Support Grant and Additional Restrictions Support Grant have been made available to help businesses currently affected by restrictions. They are delegated to local authorities. Unfortunately, the wording of these Schemes refers throughout only to business. However, they appear to be based on rateable value (RV) of premises occupied by businesses either required to close or significantly affected by restrictions, with discretion to provide grants to businesses not occupying premises with a RV, just as with the Retail, Hospitality and Leisure Grant offered earlier in the year. At that time, it was quickly clarified that charities and voluntary organisations were eligible.

Many community halls are currently required to remain open e.g. for Pre-schools and essential services while facing reduced income and unsustainable losses. ACRE has therefore

asked Government to issue clarification that they are eligible for the Restrictions Support Grant as soon as possible.

## **Section 2**

### **Addressing Questions Arising Over Permitted Activities at Village and Community Halls**

Guidance has been issued for different sectors which are collectively difficult to interpret in relation to the hundreds of different uses made of multi-purpose village and community halls. Where there is conflict over the National Restrictions from 5<sup>th</sup> November 2020, Guidance defers to the Regulations.

In addressing common queries below, ACRE is mindful that while Regulation 18 sets out a very limited list of purposes for which a Community Centre or Hall can remain open, in practice other parts of the Regulations clearly allow a wider range of functions to take place within the premises.

#### **Businesses permitted to stay open**

The Regulations list those businesses which are permitted to remain open to the public. Consequently, a hall is permitted to open for these specific business purposes, not only the limited list in Regulation 18 (9). The following businesses listed in Part 3 are likely to be relevant to Community Halls. Food retailers, including food markets, licensed shops selling alcohol, pharmacies and chemists, Newsagents, Post offices, dry cleaners, dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health, Veterinary surgeons, storage and distribution facilities, including delivery drop off or collection points, for businesses in this list. Public toilets.

ACRE has taken the view that visiting post offices in village halls are considered “urgent public support services”, in view of the limited facilities for accessing cash in many rural areas and are therefore permitted.

Workplaces are also permitted to remain open e.g. to operate postal distribution and for training purposes. A Community Centre or Village Hall can be hired by a business as a workplace so as to provide socially distanced facilities e.g. training for care home staff, packaging facilities, meeting facilities for workplace meetings which cannot take place online, providing it is not open to the public.

#### **Performing Arts**

The Guidance for performing arts explains that professionals may continue to rehearse and train and perform for broadcast or recording purposes. Consequently, a group of professional musicians may rehearse in a village or community hall, as it would form their business venue and would not be open as a Village or Community Hall. Non-professional activity, such as amateur choirs and orchestra, cannot take place.

#### **Support Groups exemption**

It is important to note that the current Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 Reg. 11 (6) (8) gives a list of examples of support groups. This is not an exclusive list of the only support groups that are permitted. All the COVID Secure arrangements must be in place and the group must be less than 15 people

(excluding children under 5), but the list in the Regulations can be regarded as examples to guide the exercise of good local judgement.

Examples similar and permitted activities include: Parent and Toddler groups, an Age UK "support meeting" with clients and Barnardo's "family group conference meetings".

### **Libraries and IT facilities**

Libraries are permitted to remain open for the purpose of providing IT facilities to those who can otherwise not access such facilities. Bearing in mind the emphasis on encouraging everyone to use the internet the provision of IT facilities should be permitted under exemption (9)(a), as an urgent public support service, providing the usual COVID – 19 secure arrangements are made.

### **Childcare Exemption**

It is clear from the Guidance for schools, early years and childcare providers that pre-schools and supervised before and after school activities will be able to remain open where providing childcare is reasonably necessary for parents and guardians to work, search for work, attend training or education.

The difficulty arises over organised music, dance and sport activity taking place after school, which is not clearly held out as 'childcare' but in practice tends to serve as childcare for numbers of children, extending the working day where there is no after school care as such.

Guidance on the phased return of sport and recreation indicates these can continue to take place in a childcare capacity. This would indicate that allowing them to do so after school would hopefully avoid the risk of challenge.

Weekend activities appear more likely to present an issue.

### **Sport and Exercise**

The guidance issued by the relevant governing body for sport following consultation with the Department for Digital Culture Media and Sport (DCMS) should be followed. In most cases it will be clear that classes and clubs cannot take place until 2<sup>nd</sup> December.

### **Playgrounds and Outdoor Gyms**

While children's playgrounds are permitted to remain open, Government Guidance for Playgrounds indicates that Outdoor Gyms should be closed. It would appear this is for consistency with indoor gyms and leisure centres and outdoor facilities such as tennis courts,

However, the practicalities of closing unsupervised outdoor gym equipment have not been addressed. Trustees who have tried to tape them off have found the tape removed. The only reasonable measure which can be taken is to post a notice near the entrance to the ground or equipment, or on a website, saying the adult gym equipment is closed until 2<sup>nd</sup> December.

## **Meeting in groups: Voluntary activity, training, and education**

See also the Guidance:

<https://www.gov.uk/guidance/new-national-restrictions-from-5-november#where-and-when-you-can-meet-in-larger-groups>.

As well as leaving home for work purposes, people can do so to provide voluntary or charitable services where they cannot do this from home. People can leave home to fulfil a legal duty. Examples would be for hall trustees to attend a trustee meeting online by accessing at a hall IT facility to which those trustees do not have access at home, preparation of lunches or “coffee and cake” for delivery to people who would otherwise usually attend a luncheon club or coffee morning and are now isolated, hosting an online quiz using the hall’s IT facilities.

Adults can leave home for education or training. The wording used in the Guidance is ‘formal provision, rather than extracurricular classes such as music or drama tuition’. Classes organised by a local FE College and classes providing vocational skills likely to be used in the workplace e.g. upholstery, languages or to enable people to access employment e.g. IT skills are therefore likely to be permitted, and now particularly important.

## **Section 3**

### **Extracts from relevant legislation**

#### **Part 3 Restrictions on Gatherings**

##### **Regulation 18**

(9) A person who is responsible for a community centre or hall must ensure that the community centre or hall is closed except where it is used—

- (a) to provide essential voluntary activities or urgent public support services (including the provision of food banks or other support for the homeless or vulnerable people, blood donation sessions or support in an emergency),
- (b) for the purposes of education or training,
- (c) for the purposes of support groups, or
- (d) for the purposes of—
  - (i) childcare provided by a person registered under Part 3 of the Childcare Act 2006, or
  - (ii) supervised activities for children.

#### **Part 2 Restrictions on leaving home**

##### **Regulation 5**

(1) No person may leave or be outside of the place where they are living without reasonable excuse.

(2) For the purposes of paragraph (1)—

(a) the circumstances in which a person has a reasonable excuse include where one of the exceptions set out in regulation 6 applies (*see below*);

(b) the place where a person is living includes the premises where they live together with any garden, yard, passage, stair, garage, outhouse or other appurtenance of such premises.

(3) This regulation does not apply to any person who is homeless.

The **Regulation 6** exceptions to this restriction on individuals, relevant to activities that might happen in Village Halls, are:

- To access services provided by voluntary or charitable services, including food banks
- To access critical public services
- To donate blood
- Attend a meeting of a support group that consists of no more than 15 persons and is reasonably necessary for members of the group to be physically present at the gathering. A support group means a group, or one to one, support which is organised by a business, a charitable, benevolent or philanthropic institution or a public body to provide mutual aid, therapy or any other form of support to its members or those who attend its meetings, for example those providing support—
  - (a) to victims of crime (including domestic abuse).
  - (b) to those with, or recovering from, addictions (including alcohol, narcotics, or other substance addictions) or addictive patterns of behaviour.
  - (c) to new parents.
  - (d) to those with, or caring for persons with, any long-term illness or terminal condition or who are vulnerable.
  - (e) to those facing issues related to their sexuality or identity including those living as lesbian, gay, bisexual, or transgender.
  - (f) to those who have suffered bereavement.
  - (g) to vulnerable young people
- To attend a commemorative event celebrating the life of a person who has died
- Access childcare

**For further information:** [www.gov.uk/guidance/new-national-restrictions-from-5-november](https://www.gov.uk/guidance/new-national-restrictions-from-5-november)