



Brixham Town Council

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Town Clerk: Mrs Tracy Hallett

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Report Type	Public	Meeting	F&GP Committee
Contact Officer	Tracy Hallett	Job Title	Town Clerk
Report Title	Room Hire Charges / Terms and Conditions		

Summary

The Town Council rents / hires a number of rooms within the Town Hall, these are:

Room	Capacity
Berry Room	Occupied by Tenant
Conference Room	Adhoc hire for meetings; max 10 people
Furzeham Room	Occupied by Tenant, available for hire March 2022
Function Room	Evenings and Weekends only; 60 people
Scala Hall	Max 200 people

Research was undertaken in January 2021 to compare the Town Council hire rates to other local venues and it is considered that the charging rates are still competitive. However, it is considered that some changes should be made to the Terms and Conditions.

In January 2021, the Town Hall Committee resolved that the Council should be flexible in its uses of the following rooms:

- Furzeham Room
- Conference Room
- Berry Room

Thereby enabling the rooms to be hired on a tenancy agreement. This has served the Council well and seen the Furzeham Room and Berry Room used on a tenancy occupancy rather than adhoc hire.

Recommendations

1. It is considered that the Council's charging structure is at a competitive rate and it is not recommended that the Council increases its charges. However, the Council should continue in its best endeavours to attract hirers – both new and old – to increase the income levels.
2. To increase the cleaning deposit to £100
3. Insert the following statement on the Council booking form:
"Brixham Town Council supports Brixham Fairtrade and has made a Climate Emergency. The Council urges avoidance of single use plastics and use of Fairtrade products where possible."

Supporting Information Fees and Charges

Scala Hall Room Hire

Individuals / Commercial:			
Room	Capacity	Hourly Rate	Full Day
Scala Hall	200 people	£15	£180
Community Groups & Charities:			
Scala Hall	200 people	£15	£100
Youth Groups (under 16):			
Per hour		£10	

Function Room Hire

Individuals / Commercial:			
Room	Capacity	Hourly Rate	Full Day
Function Room	60 people	£15	£180
Community Groups & Charities:			
Function Room	60 people	£15	£100
Youth Groups (under 16):			
Per hour		£10	

Meeting Room Hire

Meeting Room	Capacity	Price per hour	Community Groups & Charities per hour
Furzeham Room *	12 people	£12 per hour	£6 per hour
Conference Room	10 people	£12 per hour	£6 per hour
Berry Room *	3-4 people	£8 per hour	£4 per hour
Summercombe Room **	12 people	£12 per hour	£6 per hour

* Currently not available due to tenanted occupation.

** Currently occupied by the Town Lengthsmen.

Additional Charges

In addition to the above, the following are charged:

Function Room / Scala Hall:

PRS Licence	Surcharge of 20% of hire fee if music is played
Hallkeeper set up (optional extra)	£20 per hour

The hallkeeper set up fee is based on the hourly rate for the cost of employment plus 20%.

Meeting Rooms:

Access to Tea & Coffee Making Facilities	Town Council provide hot water urn, mugs and spoons. Hirer provides their own tea, coffee and sugar.	£10.00
Tea & Coffee	Town Council to prepare, provide and serve.	£1.10 per person

Deposits and Cancellations

Deposit	25% non-refundable required at time of booking
Cancellation Charges	Cancellation charges will be applied as detailed in the Terms and Conditions
Balance	8 weeks prior to booking or if inside 8 weeks, at time of booking
Cleaning	£20.00 refundable deposit required at the time of booking to cover any additional cleaning / clearing up / rubbish removal that may be necessary
Crockery, Cutlery, Mugs and Glasses. Max 60 people	£150 refundable deposit, required at the time of booking to cover any breakages / missing items
Payment of hire fees & deposits	Hire fees & deposits should be paid to Brixham Town Council's bank account. Repayments of refundable deposits will be made direct to your bank.

It is considered that the refundable cleaning deposit is not sufficient and this should be increased to £100. We have recently introduced this as a trial and hirers have not queried the refundable fee.

Terms and Conditions

A copy of the Council's hire terms and conditions of hire can be found in annex one.

Summercombe Room

This room is occupied by the Town Lengthsman and has therefore not been available to hire. However, there is a tenant in the building who is keen to occupy a ground floor room.

Brixham Foodbank, who used to occupy the Torbay Room, have recently moved away from the Town Hall and it is considered that the room that was used by them could be

used as a store for both the Lengthsmen and the Facilities Manager equipment and consumables.

This does not take away the need for the Lengthsmen to have a dedicated depot for all equipment. The size of the Torbay Room is similar to that of the Summercombe Room and therefore is not large enough to house all of their equipment. It is considered that this would be a suitable temporary location freeing up the Summercombe Room for tenant.

A desk share facility will be provided for the Town Lengthsman Supervisor and the Facilities Manager in the Council office for such times where they need access to the PC. It is not considered that this provision will change when a suitable depot has been approved by the Council.

Health and Safety

Insurance and Risk Assessment

Hirers should undertake a risk assessment to quantify hazards that might arise during the event and devise procedures to minimise any hazard. In addition, hirers are responsible for ensuring that all activities comply with the requirements of the Health & Safety at Work Act 1974.

However, we recognise that this is not always possible if it is an individual hirer holding a small birthday party, for example. Therefore, the Council will support the hirer with their risk assessment.

Attendance of Staff out of hours

The Town Council does not actively enforce staff to be on duty when the Scala Hall is occupied by adhoc hirers. If the Facilities Manager attended every out of hours booking, this would reduce the hours they are work during the working week and affect the day to day operation of the Town Hall.

It is recognised that this is not always possible, especially for events such as adult parties and the Town Clerk will arrange for a staff member to be on duty during this time.

As the Town Hall becomes increasing occupied with bookings, this will become more of an concern for the Council. A Town Hall Sustainable meeting has been organised for Friday 11th March at 10am at the request of the Finance and General Purposes Committee. The outcome of which will be reported to the next available Committee meeting and relevant information will be fed into the Town Hall Regeneration Task and Finish Group.

Whilst a staff member may not be on duty for out of hours hire, the Town Council does take its responsible for health and safety seriously and therefore the Facilities Manager meets with hirers and go through a checklist of requirements with them ensuring that they are aware of the fire exits, fire instruction booklet, access to the hall and who to contact in the event of an emergency. Both parties are required to sign the checklist to confirm that the health and safety tour of the Scala Hall has been carried out. A copy of the checklist is in Annex Two.

In addition to this, an end of hire checklist has been put together which is emailed to all hirers prior to their hire and is also located in noticeboards in the relevant rooms.

Annex One

Terms and Conditions of Hire

Deposit

A 25% deposit and the fully completed booking form will confirm your booking and must be received by Brixham Town Council. No provisional bookings will be accepted.

Use of the facilities

Rooms will only be available for the times specified when making the booking. Please ensure you allow adequate time for set up and vacation of the rooms. Overrunning of your session is not possible as the room may be booked by others.

The hirer and representatives shall:

- Make all efforts to comply with health and safety and any other regulations in place in the building
- Not allow any disorderly, improper, dangerous or destructive conduct whilst on the site and shall comply with any reasonable request made by the Officers of Brixham Town Council
- Use the room for the purpose stated on the booking form only, and for no other purpose whatsoever

The hirer shall, during the period of hiring, be responsible for supervision of the premises, protection of the fabric and contents, safety from damage however slight, or change of any sort, and the behaviour of all persons using the premises, whatever their capacity, including proper supervision of car parking arrangements so as to avoid obstruction of the highway.

The hirer shall repay to the Council on demand the cost of re-instating or replacing any part of the room or any property in or upon the room which shall be damaged, destroyed, stolen or removed during the period of hire.

Set up

Set up is only permitted on the day of your booking and the hirer will need to ensure that sufficient time is allocated to allow for set up / breaking down within the booking. Except in the case of the Scala Hall where for a full day or am booking, subject to availability, set up is available after 4pm on the evening prior to your booking. No charge will be made but your set up times will not be confirmed until the day before your booking. If you wish to guarantee your setup booking, you will be charged.

Times of events

Public dancing, singing, music or other public entertainment of the kind shall only take place **inside** the said premises on the following days, during the hours specified and only with the approval of the Town Council.

Specified hours:-

Monday to Sunday 08.30 Hours to Midnight

A request for an event to extend beyond the times stated above is subject to a Temporary event Notice (TEN) and the approval of Brixham Town Council.

Selling Alcohol at Events

The Town Hall Premises Licence does not cover the selling of alcohol.

Any event at which alcohol is to be supplied is subject to a **Temporary Event Notice (TEN)**. If you wish to supply alcohol at your event, please contact Torbay Council Licensing. A copy of the approval **MUST** be supplied to Brixham Town Council prior to the event.

Stewards

In accordance with the requirements of the Health and Safety Act and/or the Public Entertainments Licence, the hirer shall be responsible for nominating stewards for their event in the Scala Hall / Function Room, as follows:

(a) Where the event includes Public Dancing, Singing, Music or other Public Entertainment of the like kind: A minimum of **four** stewards must be named, all of whom must be over 21 years of age.

One of the stewards must be the Authorised Person and be on the premises at all times.

In addition to the above, where most of those present are under the age of 16, the number of stewards shall not be less than 1 for every 100 or part of 100 attending.

(b) Where the event comes under the description of Markets, Fairs, Lectures, Meetings and any other event that does not include public dancing, singing or music or any other public entertainment of the like kind: A minimum of **two** stewards must be named, both of whom must be over 21 years of age.

At any event, the following conditions must be observed:

- Stewards shall be in attendance at all times whilst the hall is open to members of the public.
- Stewards must wear distinctive clothing or armbands to make their role obvious to those attending, and to any fire or police officer.
- Stewards must make themselves aware of the fire exits and have contingency arrangements to evacuate the building if the need arises. An information pack is available in each room to aid the stewards.
- **If a TEN has been approved, there may be conditions included within the approval regarding Door Staff. The Town Council may require additional staff to be employed. Please note that only Registered Door Staff are able to stop any member of the public entering an event, or use reasonable force to evict a member of the public from an event. Door staff or stewards that are not registered cannot use physical force to prevent anyone entering your event. If you do not have Registered Door staff and it is likely that members of the public will try and gain entry, without authorisation, you may not be able to adhere to these Conditions of Hire in terms of keeping Good Order.**
- The Town Council reserves the right to impose a condition that Registered Door Staff be employed and the number of Registered Door Staff to be employed.

Health and Safety

Hirers should undertake a risk assessment to quantify hazards, which might arise during the event and devise procedures to minimise any hazard. In addition, hirers are responsible for ensuring that all activities comply with the requirements of the Health and Safety at Work Act 1974.

Good Order

The hirer shall be responsible for keeping good order in the Scala Hall / Function Room and, if the Council directs, provide and pay for additional stewards as the Council considers necessary for the proper conduct of the function. Any decision made by the Council is final and not negotiable.

Please note: The hirer should be aware that the Town Hall is situated in a residential area and that every reasonable precaution must be taken to prevent disturbance to occupiers of neighbouring properties, both during and after the event. The hirer should advise their audience / clients to leave the area of the hall in a quiet and responsible manner.

The Council shall not be responsible for any loss or damage due to any breakdown of machinery, failure of the power supply, leakage of water or gas, fire, government restriction or Act of God which may cause the hall to be closed and the hiring interrupted or cancelled. The hirer shall indemnify the Council against any claim which may arise out of the hiring or which may be made by any person or agent of that person who has suffered any loss, damage, injury or death whilst they were in the hall during the period of hire.

Food Hygiene

Persons supplying and handling food must satisfy current food safety legislation and have received appropriate training and instruction in food hygiene. Advice can be obtained from Torbay Council on 01803 208025.

Cleaning

Tables must be washed down after use and any spilt drinks / food must be cleaned up immediately. Clear arrangements must be made for cleaning the room before departing unless agreed otherwise by Brixham Town Council. All rubbish from the Town Hall premises must be disposed of in the allocated bins. Damages/breakages must be reported. In the interest of other users, the room must be left as you found it. **If it is not, the cleaning deposit will not be refunded. Any extra cleaning charge will be made, at the discretion of the Council.**

Parking

The hirer is responsible for ensuring that the Highway is kept clear at all times. Vehicles are only permitted to park in the designated parking bays. No overnight parking permitted.

All hirers are reminded that consideration must be given to other users of the Town Hall and it is not acceptable to attempt to block the car park, entrance or access lane.

Scala Hall: A **maximum** of two parking spaces will be available for evening and weekend hire.

Function Room: A **maximum** of two parking space will be available for evening and weekend hire.

Meeting Rooms: A **maximum** of one parking space will be available for evening and weekend hire.

No parking is available Monday to Friday 8am – 5pm.

Payment

The hirer agrees to pay Brixham Town Council by the due dates specified on invoices.

A deposit is required at the time of booking.

No provisional bookings will be accepted.

Balance is due 8 weeks prior to event.

Cancellation and Amendments

Cancellation by the hirer:

Cancellation notifications must be confirmed by letter, email or telephone and will become effective on the date received by Brixham Town Council.

The following cancellation charges will apply:

- a) Between 15 – 21 days notice: 25% room hire charge
- b) Between 8 – 14 days notice: 50% room hire charge
- c) Between 0 – 7 days notice: 100% room hire charge

Cancellation by Brixham Town Council:

Brixham Town Council may cancel the booking at any time if:

- a) The building or any part of it needs to be closed for urgent maintenance work or other reasons beyond reasonable control.
- b) It is considered that the event may be detrimental to the reputation of Brixham Town Council.
- c) The hirer becomes insolvent or enters into liquidation.

Amendment of bookings

If you wish to alter the date, time or room of your booking you may do so more than 7 working days in advance of your original booking, subject to availability. Otherwise cancellation charges may apply.

Liability

Brixham Town Council will not be liable to the hirer or persons attending an event for any personal injury or loss or damage to property except on the occasion that, and to the extent to which it has been negligent.

Any loss or damage to Brixham Town Council's property including fixtures, fittings, walls, furniture and equipment (including that hired in for use) shall be the liability of the hirer. Any cost of replacing or repairing Brixham Town Council's property whether caused by damage, breakage or removal shall be charged to the hirer.

Brixham Town Council takes all reasonable steps to ensure that information contained on its website is as accurate as possible.

Please note that by using these facilities the hirer accepts responsible for making arrangements to insure against any third party claims which may lie against him/his association whilst using the Town Hall. (The Council is insured against any claims arising out of *its own* negligence.)

The hirer shall, if selling goods in the Town Hall premises, comply with Fair Trading Laws and any local code of practice issued in connection with such sales. In particular, the hirer shall ensure that the total prices of all goods and services are prominently displayed, as shall be the organiser's name and address, and that any discounts offered are based only on Manufacturers' Recommended Retail Prices.

Specific restrictions on use:

Smoking:	Smoking is not permitted anywhere within the curtilage of the building.
Prohibition:	no nails, tacs, screws, pins or other like objects shall be driven into or fixed to any part of the hall; nor shall placards, tape or other articles be fixed thereto that shall cause damage to the paintwork, plaster or any other part of the fabric of the building.
Dogs	The Scala Hall hirer has the right to allow dogs on leads in the Scala Hall only. The hirer must provide adequate precautions where food is prepared, handled or stored. The hirer is also responsible for the control and cleanliness of any dogs entering the Scala Hall. No dogs (except guide dogs) are permitted to enter any other part of the Town Hall.
Flyposters:	You are advised that 'fly-posting' is illegal and could lead to prosecution. This includes advertising notices attached to road signs, lamp-posts and other fixed or temporary places. Hanging of banners across any part of the exterior of the hall is prohibited except that, with the permission of the Town Clerk, a banner may be hung on the external fire escape staircase above the Scala Hall entrance doors. The Town Council does have a notice board at the front of the Town Hall and next to the Scala Hall entrance and this is available to hirers to advertise their event. Please ensure that all posters to be displayed are handed in to the Town Council office.
Copyright:	No copyright dramatic or musical work shall be performed or sung without the consent of the owner of the copyright.
Removal of property:	Unless prior arrangements have been made with the Town Clerk, all persons and equipment must be off the premises by the time stated on the booking form. The Council accepts no responsibility for any property left on the hall premises.
Electrical Equipment	The hirer shall ensure that any electrical appliances brought by them into the Hall and used there shall be safe, in good working order, and used in a safe manner in accordance with the Electricity at Work Regulations 1989. Where a residual circuit breaker is provided, the hirer must make use of it in the interest of public safety. All equipment must carry a PAT certificate.
Accidents	The hirer must report all accidents involving injury to the public to the Council as soon as possible.

Access Arrangements:

Should your booking be out of normal working hours, please contact Brixham Town Council one week prior to your booking to arrange collection of a key.

Right of Entry

The Council reserves the right to enter any part of the hall during the period of hire.

Security for Contingencies

The Council may, at any time, without stating a reason, demand, by way of letter addressed to the hirer, such security as the Council may deem necessary to cover any contingency. If such security is not forthcoming within the period stated in the letter, the Council has the right to terminate the hire.

The person signing the Booking Form will be treated by the Council as the Authorised Person. When the Authorised Person is signing the Booking Form on behalf of an Organisation, Club, Society, Association or Company he/she must have the authority to sign and bind the organisation to the Conditions of Hire.

Notices and Letters

Any notice, letter, demand or request by the Council to, or upon, the hirer may be sent by ordinary pre-paid post addressed to the hirer at the address quoted on the booking form.

Compliance with the Children Act 1989

The hirer shall ensure that any activities for children under eight years of age comply with the provisions of The Children Act and that only fit and proper persons who have passed the appropriate DBS checks have access to the children. Checks may also apply where children over eight and vulnerable adults are taking part in activities. The hirer shall provide the Council with a copy of their Child Protection Policy on request.

Annex Two



BRIXHAM TOWN COUNCIL
SCALA HALL HIRE
H&S CHECKLIST

HIRER/S.....
DATE OF HIRE (IF APPLICABLE).....

	CHECKED
Key safe location and demonstration	
Entering the kitchen using blue fob	
End of hire checklist	
Entry into the hall	
Fire Exits	
Fire Instruction booklet	
Smoking	
Lights demonstration	
Secure force introduction and notice	
Wi-Fi & Password notice	
Toilets	
Entering the car park from Scala Hall	
Confirmation of parking spaces (if applicable) BDC x2	

I/We confirm that we have completed the health and safety tour of the Scala Hall and that I/We agree to comply with the terms and conditions of hire as documented in the booking form supplied by Brixham Town Council, should we proceed to a confirmed booking.

SIGNED (HIRER/S).....

SIGNED (BTC STAFF MEMBER).....

DATE OF VISIT.....



BRIXHAM TOWN COUNCIL **SCALA HALL END OF HIRE** **CHECKLIST**

ALL HIRERS OF THE SCALA HALL MUST ENSURE THAT

- Tables & chairs, where applicable, are stacked tidily
- Internal fire-doors / doors are closed and locked
- Food is removed from the building. All used kitchenware is washed and tidied away. The kitchen worksurfaces must be clear and cleaned
- Windows in hall (where applicable) to be closed
- The hirer's property is removed at the end of the hire period unless previously agreed with the Facilities Manager
- All internal lights including corridor and toilets are switched off
- Return keys to key-safe on car park gate
- Return parking permits (where applicable) to Scala Hall kitchen
- Ensure car park gate is closed

Thank you for your co-operation

**ANY DEFECTS MUST BE REPORTED TO THE FACILITIES
MANAGER OR OFFICE STAFF AS SOON AS POSSIBLE**

**BINS MUST NOT BE OVERFILLED AND ANY EXCESS
RUBBISH, INCLUDING EMPTY BOTTLES AND CANS, MUST BE
REMOVED FROM SITE**

**IN THE EVENT OF AN OUT OF HOURS EMERGENCY PLEASE
CALL SECUREFORCE 01626 36 24 24**