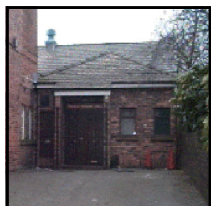


Province of West Lancashire



*a code of practice for
the management of*

Masonic Halls



FOREWORD

by the R.W. Provincial Grand Master



I have always been impressed with the hard work and dedication of those responsible for our Masonic Halls, and in the past their work has been undertaken on the basis that there was a relatively constant and predicable supply of customers. Times have changed.

In our West Lancashire structure, we have four important parts, namely, the Province, the Groups, the Lodges and the Masonic Halls. In the twenty first century, it is of fundamental importance that we recognize that the four parts are dependent and inter-dependent on each other. We must all work together as a team, we must understand and appreciate the importance of each part, but at the same time we must never forget that Masonic halls were set up to serve Lodges within each Group and not the other way round.

In these circumstances, it is of fundamental importance that Masonic Halls and their respective Groups should regularly consult and work closely with each other, so that the business and Masonic plans of each are balanced and appropriately related one to the other. If either party fails to consult and work closely with the other, this represents, in my opinion, a serious breach of duty.

Assistant Provincial Grand Master John Moore and his team have undertaken a comprehensive survey of the Masonic Halls in the Province, which has led to a better understanding of the present situation. Following on from this, they have now produced this excellent Code of Practice. It has been prepared as a helpful guide to those responsible for our Masonic Halls, and I commend it as an essential tool in running and managing a Masonic Hall. I congratulate and thank John Moore and his team for all their good work.

Our constant aim must be to act and work for the good of Freemasonry and for the good of the Province. Well run and effectively managed Masonic Halls, which are user friendly and attractive, play a major role in our achieving that aim.

Peter Hosker

INTRODUCTION

John V. Moore, *M.B.E.*, Assistant Provincial Grand Master



In producing this report, I was under no illusion as to the complexity of the project, especially as Halls throughout the Province of West Lancashire are run in a diverse number of ways.

Freemasonry is evolving and the result of this report highlights the need for all Groups and Halls to coordinate and plan on a regular basis. Mark Twain wrote 'If you don't know where you are going, you are sure to end up somewhere else'.

It is intended that this report and the attendant information will act as a catalyst for such planning and coordination. However, it is not unknown that plans are produced, distributed, discussed, filed and forgotten. Such action is a waste of effort, talent, time and money.

For those who resist change, it is worth mentioning that not all wisdom is vested with a few. If we are to survive and progress it is important that account is taken of what is real and relevant to 'the customers' in our organisation and to plan accordingly. It is irrelevant whether such a plan is called a business plan, strategic plan or forward plan. What is important is that it is not a secret plan and that every member of each Group has a degree of knowledge and ownership of it.

Halls are reliant on user participation and exist for the benefit of Freemasons, and not vice versa.

Sometimes we belatedly react to circumstances which are forced upon us. However, if Group Chairmen and Hall Chairmen liaise on a regular and planned basis in order to keep the local situation under review, then change can be anticipated and any potentially negative aspects can be eradicated or at least controlled.

Occasionally a Lodge may move to another Hall in the anticipation that it will receive better accommodation, parking, catering or security. Group Chairmen and Hall Chairmen will be aware that if you are not looking after 'the customer' then someone else will.

Through a system of Provincial assistance, coupled with the planned ability to download current information from the Provincial website, we have a format available to assist us toward the goal of having a continuing number of successful Masonic Halls throughout West Lancashire.

I have been fortunate in having the assistance of many talented brethren, both on the committee and elsewhere. Their contributions have proved to be relevant and invaluable. I record my thanks and appreciation and their names are recorded within this report. I am encouraged that the ongoing implementation of this report has been given to my colleague Assistant Provincial Grand Master, Frank Wilkinson, and I am confident that in his capable hands it will prove to be useful for the continued success of our Province.

I am sure that if we grasp the opportunity and stay away from the mindset of 'We've always done it this way', then we can anticipate a bright future for the benefit of all. In the words of Arthur C. Clarke 'The future ain't what it used to be'.

DISCLAIMER AND IMPORTANT NOTE

This report is produced and made available on the strict understanding and basis that no liability is accepted for any errors contained in it, whether they are errors of fact or opinion or otherwise. Appropriate advice should be obtained before applying the information to particular circumstances.

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1 The Management of Masonic Halls

1.01 Introduction

Masonic Halls are an essential part of our whole Masonic organisation. We owe a considerable debt of gratitude to those who undertake their management and make possible the splendid and well run Halls we all enjoy.

Managing a Masonic Hall is very different to most other services to Freemasonry. It involves running a business with all its attendant concerns and responsibilities. Finance, sales, premises, employment, forward planning and compliance with legislation are among the many aspects of management to be considered.

Above all, our Masonic Halls have to meet the needs and reflect the principles of our Masonic institution. Our meeting places are the public face of Freemasonry; their well running is not only a commercial necessity but is important to the good name of Freemasonry itself. And of course they need to meet, and when necessary adapt to meet, the changing needs of their Masonic members.

For all these reasons the Provincial Grand Master has a proper interest in ensuring that Halls are well run, and that good communications exist with the local Assistant Provincial Grand Master and the Chairman of the Masonic Group. In particular, there is a continuing need to manage change. Smaller Lodge memberships and amalgamations present new challenges both to the Masonic Province and to those who run our Masonic Halls. It is vital that all concerned work together to meet them.

It is hoped that this Code of Practice will provide a source of information and advice, and hopefully of encouragement and support, for brethren who take on these responsibilities.

1.02 Building a Management Team

One of the great strengths of Freemasonry is the many and varied skills of its members. This is of great value when appointing

members to be Directors, Trustees or part of the Hall management team.

Directors or Trustees of Masonic Hall companies will in many cases be appointed by the members. To achieve a proper balance of skills, every effort should be made to guide the membership towards the appointment of suitable candidates. One step towards this may be to co-opt suitably skilled brethren to assist in particular areas of work. This can prepare the way to recommend them for appointment as Directors or Trustees.

It is impossible to suggest an optimum size or composition of a management team; much depends on the circumstances of the Hall and the available skills of its members. Many Masonic Halls operate as limited companies and most are fortunate in having brethren with appropriate experience to undertake the important offices of Secretary and Treasurer. Halls will benefit from appointing members with experience of building and maintenance work, together with a mix of members with other business experience e.g. catering, employment, marketing etc. The appointment of a Chairman will be especially important.

It is sensible to keep the management team fairly small, but this need not prevent other brethren with particular skills from being co-opted to take on particular responsibilities. This is an excellent way of developing candidates as future Directors or Trustees.

1.03 Working with the Masonic Group and A.Pr.G.M.

Good communications between those running the Masonic Hall and the Group Chairman are essential, both for the day to day running of the Hall and for long-term planning.

How this is achieved will be a matter for each Hall and each Group. In some cases, the Group Chairman has a formal, constitutional role in the management of the Masonic Hall. In one Group, the Group Chairman and

1 The Management of Masonic Halls (Cont.)

Vice-Chairman become ex-officio Chairman and Vice-Chairman of the Masonic Hall company. In others the Group has no direct role in running the Hall but the Group Chairmen or other Group Officials attend meetings or work closely with Hall managements.

Whatever arrangements apply, the important thing is that they should exist - and work! Hall Chairmen and Group Chairmen should periodically review them to ensure that they are working correctly and meeting the needs of all concerned. It is suggested that Hall Chairmen should attend Group Meetings and be invited to give a short report (but not to answer questions), with a reciprocal invitation to the Group Chairman to attend the Annual General Meeting or equivalent of the Masonic Hall.

It is also important to keep the Assistant Provincial Grand Master informed about matters affecting Masonic Halls in his area. The A.Pr.G.M. will **not** have any ambition to take over the management of the Hall but he does have a legitimate interest in its well running and in ensuring that the present and future needs of Freemasonry are provided for in its business plan. He may also be able to offer advice or support.

To this end, it might be useful if Hall and Group Chairmen meet periodically with the A.Pr.G.M. (perhaps twice a year, and together with any other Hall or Group Officials they wish to be present). It may also be helpful to consider discussing the appointment of Hall Chairmen and Vice-Chairmen with the Group Chairman and A.Pr.G.M.

1.04 Planning for the future

As with any business, those who manage Masonic Halls need to anticipate and plan for changes in their operating environment. The last half of the 20th century saw a considerable reduction in Masonic membership with Masonic Halls suffering a corresponding loss of income from rents, capitation, bar and catering sales. Many

Halls experienced severe difficulties, and some have closed.

Today most Masonic Halls have developed other sources of income, e.g. bookings for private social functions, business meetings, etc. Some are fortunate to have an independent income, e.g. from investments or commercial or domestic property. Others have considered selling, subletting or other means of exploiting under-used assets.

It is recommended that the management of every Masonic Hall should prepare a rolling business plan, and keep it up to date.

The core business of any Masonic Hall (indeed its *raison d'être*) is to serve the requirements of the local Freemasons. The rate of utilisation of meeting and dining rooms will be a key factor to consider. It is essential that Group and Hall Chairmen share information, in confidence if necessary, about the likely future size and composition of the Masonic Group, or the part of the Group served by the Hall.

There are encouraging signs that the steady loss of membership in the 1990's is bottoming out and there is a new optimism about the future. But the distribution of gains and losses is not uniform, with some Lodges and Chapters growing strongly but a number of smaller ones likely to amalgamate or close. Hall managements may need to plan for changing patterns of Masonic use, e.g. with Lodges and Chapters becoming larger but fewer.

The additional or 'Side' Degrees should not be forgotten; in many Halls, these represent a significant proportion of the Masonic business. Mark, Royal Ark Mariners, O.S.M., Knights Templar, Rose Croix and other Orders do not come within the jurisdiction of Group Chairmen and Masonic Hall managements may need to contact these Orders direct to ascertain their future requirements.

The starting point for a business plan will clearly be the projected needs of the Masonic membership. The trend towards fewer but

1 The Management of Masonic Halls (Cont.)

larger Lodges and Chapters will have a significant impact on room utilisation. This will present both challenges and opportunities, i.e. to develop and expand the non-Masonic use of the Hall. Collaboration with the Group Chairman is important; for example in encouraging some Masonic users to consider changing their meeting dates to help realise the commercial potential of the Hall (Fridays and Saturdays have a greater marketing potential than mid-week evenings).

The preparation of a rolling business plan will enable those managing the Hall to plan for changing patterns of Masonic usage and to develop other ways of exploiting the commercial potential of our Masonic Halls. Most Halls have a range of meeting rooms, bar and dining facilities which can be marketed for many purposes, from weddings and social functions to club meetings, business breakfasts, conferencing or for exhibitions. Where a business plan forecasts prolonged and serious under-use of facilities there may be opportunities for subletting.

Developing new ways of using our Masonic Halls will require flair and imagination and it may be appropriate to bring in brethren with commercial experience and marketing skills to generate fresh ideas.

1.05 Fund raising

Masonic Halls vary considerably in their running costs. For some Halls, the revenue from Masonic and non-Masonic sources may still be insufficient to meet the running costs. This is especially likely to arise with older and possibly listed buildings, where the costs of maintenance and restoration may be disproportionately high.

It is very worthwhile considering the establishment of a fund-raising body specifically to help meet the costs of the Hall. As with any Masonic institution, this should be properly constituted and financially accountable. It is suggested that the constitution should specify which costs this body is set up to support (e.g. structural restoration, not day to day running costs).

Experience has shown that Lodges, Chapters and other Masonic users will contribute generously to such a fund if it is well presented and they can see evidence of the results.

1.06 Share certificates

Where a Masonic Hall is run as a limited company the Lodges, Chapters and other Orders meeting in it are usually shareholders. There may also be a number of private shareholders, as this was once seen as a means of raising capital or recognising service or donations.

When Lodges and Chapters close or amalgamate it is important to rationalise and update share ownerships. Private shareholders present a problem that requires handling with sensitivity, as following their deaths there is a danger that shares may become untraceable or pass to relatives with no involvement in Freemasonry. Should the Masonic Hall company ever need to realise its assets (e.g. on the closure of a Hall) this may result in legal difficulties and a possible loss of asset value.

A tactful approach to private shareholders may be appropriate, to invite them to consider returning their shares to Masonic ownership.

1.07 Payments in kind

Masonic Halls have a substantial annual turnover and the sums of money paid to some suppliers or contractors may be quite large. Directors and Trustees are reminded of the need to observe caution and commonsense in accepting gifts or favours that could be construed as payment in kind.

2 Masonic Halls and the Law

2.01 Introduction

As with all small businesses, managements of Masonic Halls face a constant challenge to keep abreast of ever-burgeoning legislation on employment, health and safety, fire safety, food safety, disability discrimination and others.

As Freemasons it is very important that we conduct our business affairs responsibly, are good employers and manage Masonic premises in compliance with the applicable legislation. This is not only essential to the running of our Halls, but is also pertinent to the good reputation of the Craft. Non-compliance can result in civil and criminal legal proceedings, with potentially heavy fines and damaging adverse publicity for the Masonic Hall and for Freemasonry.

Halls may be operated as limited companies, members' clubs or, in a few cases, as charitable trusts. Whichever applies, it is vital that Directors, Club Officials or Trustees understand the responsibilities that come with their appointment. Directors should be aware that they have personal responsibilities under the Companies Act and other legislation for the proper running of the Masonic Hall and for compliance with the legislation that applies to it. The fact that duties may be undertaken voluntarily and are unpaid does not diminish these responsibilities. Should an offence be committed, Directors and managers as well as the Masonic Hall Company or Club may be liable to legal proceedings leading to a fine or even imprisonment.

This is unlikely to arise in a well managed Hall, but it does remind us of the need for brethren running Masonic Halls to be aware of and ensure that the Hall complies with the applicable legislation.

2.02 Legislation applying to Masonic Halls

Some of the main areas of legislation likely to apply to Masonic Halls are briefly described in the following paragraphs. This Code of Practice is not intended to be and should not be regarded as a being a complete or

authoritative guide to the legislation and the disclaimer and important notice on page 2 should be noted. It is hoped that it will be of help in suggesting issues to be considered and sources of further information and advice.

2.03 Companies Act

If a Masonic Hall is run as a limited company, the administration and activities of the limited company will be governed by The Companies Act 2006.

The Act governs the provisions for shareholdings and the appointment of Directors and the Company Secretary. The shareholders are the people who own the company and are responsible for its overall direction. The Directors deal with the day to day management of the company and need not necessarily be shareholders themselves. The Secretary is an officer of the company and can be one of the Directors.

As a limited company the provisions of The Companies Act will lay down the requirements for the preparation of accounts, and for the filing of the same at Companies House. Based on turnover and asset value it is unlikely that the Act will require the accounts for a Masonic Hall company to be professionally audited, or a full financial statement to be filed at Companies House. (Nevertheless, Directors will wish to observe Masonic propriety with regard to auditing.) So far as filing is concerned, Companies House will accept an abbreviated set, which gives brief detail the position of the company at its year end.

The accounts have to be filed with the Registrar within nine months after the accounting year end. In the case of a Masonic Hall operating under the auspices of a limited company, it would be usual for the shareholders to be the individual Lodges etc. meeting at that centre. Control of those shares within the individual Lodges could be vested in, say, the Worshipful Master, the Secretary or Treasurer for the time being, or a representative appointed for that purpose.

2 Masonic Halls and the Law (Cont.)

Some Masonic Hall companies may have a small number of private shareholders; where this is the case, it is very desirable to persuade the holders to return their shares to the company (see 01.06). This will avoid difficulties which may otherwise arise following the death of shareholders, when shares held privately are liable to be lost or pass to non-Masonic family members.

The Directors will be elected and appointed by the shareholders and this can be for a stated length of time or for an indefinite period until resignation or removal by a resolution passed by a majority of the shareholders.

It is not now a statutory requirement for a company of the size envisaged to manage a Masonic Hall for an Annual General Meeting to be held, although it is strongly recommended that one should be held to keep the shareholding Lodges informed and give them a voice. The only other meeting that is likely to be convened is an Extraordinary General Meeting at which some items of business requiring a Special Resolution would be considered.

2.04 Duties of a Company Director

The starting point is to recognize and accept that the Province of West Lancashire, the Groups and the Masonic Halls should be working together as a team, in good faith, for the benefit of Lodges and for the good of Freemasonry in general.

In law and in practice, those running and managing Masonic Halls are normally Company Directors, and it is important to understand clearly the duties of Company Directors. These can be found in the Companies Act 2006 and in case law.

Masonic Halls are there principally to serve Freemasonry and Lodges, and normally this will be reflected in the company's constitution.

Here is some general guidance for Company Directors:

- act in the company's best interest, taking everything relevant into account,
- obey the company's constitution (the Memorandum and Articles of Association) and decisions taken under it,
- be honest, and avoid any conflict of interests,
- be diligent, careful and well informed about the company's affairs,
- seek external advice where necessary.

It is important that Company Directors take everything relevant into account when planning, making decisions and taking action. In particular, it is essential that Company Directors consult and work with their respective Groups and Lodges, properly and fully, so that Masonic Halls can act in the best interests of Freemasonry and Lodges.

It is good practice for Company Directors to engage in forward planning, and to prepare a rolling business plan (perhaps for 5 years), which is thereafter constantly reviewed and updated. Such a business plan can only be prepared, and reviewed and updated if the Company Directors consult and work with the Groups and Lodges at all times.

If Company Directors do not consult and work with their respective Groups and Lodges, as indicated above, they are likely to be in breach of their duties. If that breach of duty results in loss and damage to the company and its shareholders, the Company Directors may face personal liability. That said, if Company Directors discharge their duties in a diligent, careful and well informed manner, having consulted fully and properly, and taken everything relevant into account, they will avoid personal liability.

2 Masonic Halls and the Law (Cont.)

Those who are most likely to be affected by a breach of duty are the shareholders, and in most cases the shareholders will be the Lodges (or their representatives) – which means Freemasonry. In some cases, there may be other individual shareholders who will be affected by the breach of duty.

2.05 Employment Legislation

Employment legislation covers recruitment, pay and contracts of employment, hours of work, holidays and other time off, maternity and other parental rights, trades union membership, equal opportunities, pensions, dismissals and redundancy.

All employees should receive and sign a contract of employment, which should include written particulars of:

- job title,
- date of commencement of employment,
- rate of pay, including any overtime and bonus pay,
- pay interval,
- hours of work,
- holiday entitlement,
- length of sick pay,
- disciplinary procedures and
- a written description of the duties.

2.06 Health and Safety

Health and safety legislation is extremely wide ranging and requires employers and persons in control of premises to assess and control the risks from work activities. Duties are placed on employers, directors, managers and employees. The legislation applies to all work activities in Masonic Halls and to the condition of the Hall itself, which should be safe and without risks to the health of staff, visitors and members.

The starting point is a health and safety policy, which should be in writing where five or more persons are employed. Specimen health and safety policies are available, but should be tailored to the Masonic Hall and

cover the organisation and arrangements and for carrying it out. This will help to show all concerned, including staff and local authority inspectors, that risks have been considered and controlled.

The range of Acts, Regulations and Codes of Practice is daunting but much of it amounts to a commonsense, risk based approach to health and safety. The premises should be properly maintained to avoid tripping or slipping hazards. Gas and electrical installations and appliances should be properly maintained and regularly inspected. Lifts should have an insurance inspection every year. Inflammable or hazardous materials should be safely stored and used. Cleanliness is important. There should be safe means of access and egress, adequate lighting, handrails where necessary on steps, etc.

Offices, bars, dining and Masonic meeting rooms are relatively low risk areas and most requirements will be satisfied by good housekeeping, instruction and supervision. A risk assessment should be carried out, with points to consider including lifting and carrying, safe use of all chemicals and cleaning agents (COSHH assessments), any work at heights, e.g. cleaning or changing light bulbs, cash handling and security and the employment of young persons. Other topics for consideration may include asbestos, lone working and how to deal with possible aggression or violence towards staff. Not all risk assessments need be put in writing, but it is advisable to record agreed systems of work for certain jobs and to specify how to report faults and hazards.

The kitchen is likely to be the highest risk area in a Masonic Hall, with numerous health and safety hazards including slipping, scalding, burning and the use of machinery. Specific health and safety requirements apply and it is important that a comprehensive risk assessment is carried out. A copy of HSG55 Health and Safety in Kitchens & Food Preparation Areas is essential reading. Where kitchen staff are employed by a caterer or franchise holder these

2 Masonic Halls and the Law (Cont.)

responsibilities may be his, but close cooperation is essential. The Masonic Hall will retain certain responsibilities as the owner of the premises. The catering contract or franchise agreement should make clear the respective responsibilities of the caterer or franchise holder and the Masonic Hall Company.

Building or maintenance work will require close cooperation between the Masonic Hall management and contractors. Both are responsible for assessing risks to health and safety from activities under their control. It is essential that any person working on the premises should be made aware of the existence of any asbestos. Older premises especially should be surveyed for the presence of asbestos, which should be clearly marked, and a copy of the report kept on site. Work on hot and cold water pipes and tanks should be inspected for compliance with water by-laws, and the system chlorinated after completion of work.

It is advisable to draw up a set of rules for contractors, which should be brought to their attention at the tender stage as well as when working on site. Further advice about construction work on Masonic premises is given elsewhere in this report.

2.07 Fire Safety

UK fire safety legislation changed in October 2006. The previous Act and regulations were scrapped, along with the requirement for fire certificates. Fire certificates are replaced by a risk assessment approach, in line with health and safety legislation. Employers are now solely responsible for fire safety within their workplaces.

Fire safety covers fire fighting equipment and fire alarms, emergency escape routes and exits, assembly points, provision of training and information, control of risks from inflammable substances and keeping fire routes and doors operational and unobstructed.

The Regulations require the appointment of a 'responsible person' to take responsibility for

fire safety. It is the duty of the responsible person to prepare a fire risk assessment, and to keep it up to date. Consultants can be engaged to assist in carrying out this assessment, but responsibility rests with the Masonic Hall. A copy of 'Fire Safety Risk Assessment for Small and Medium Places of Assembly' (ISBN 1851128204) will provide the responsible person with the necessary information to carry out the assessment.

Fire risk assessments for Masonic Halls should include the emergency evacuation of all areas of the premises, including Masonic meeting rooms. Lodge rooms are commonly on upper floors and a point to consider is that older members, or members with disabilities, may be unable to negotiate stairs without assistance. Masonic brethren need to know the procedure to be followed in case of fire, and Directors of Ceremonies may require training to direct an emergency evacuation.

2.08 Electrical Safety

The Electricity at Work Regulations 1989 will apply to the installation and use of fixed and portable electrical installations and appliances in Masonic Halls. All electrical installation and maintenance work must be carried out by a qualified electrician. Electrical equipment must be suitable for where and how it is to be used, and be adequately protected.

The law requires all electrical installations and appliances to be maintained to prevent danger. For fixed installations, the Institute of Electrical Engineers Wiring Regulations, which have been adopted as a British Standard, require testing for safety at least once every 5 years. A certificate should be obtained and kept for insurance purposes. Fire alarms should be tested each month, and emergency lighting every 3 months, and a record of tests kept.

Portable electrical appliances should also be periodically inspected. Recommended inspection periods vary according to the likelihood of damage, from 6-12 months for kettles, floor cleaners etc. to 2-4 years for

2 Masonic Halls and the Law (Cont.)

rarely moved items e.g. computers and photocopiers. A record of inspections should be kept. A free booklet: 'Maintaining portable electrical equipment in offices and other low risk environments' (INDG236) is available on the Health and Safety Executive's web site (<http://www.hse.gov.uk/>). It is also advisable to consult the Hall's insurers about their requirements for inspections.

Employees should be reminded to make a visual check when using portable electrical appliances. Any damaged or suspected faulty equipment should be immediately reported and taken out of service until it has been suitably repaired or replaced.

2.09 Gas Safety

Gas installations and appliances must comply with safety standards designed to prevent danger from gas leaks, fire and explosion risks and the toxic products of combustion. The practical effect of gas safety legislation is that all work on the installation and maintenance of gas appliances must be carried out by an installer registered with CORGI (Confederation of Registered Gas Installers).

Gas appliances should be tested every year, including kitchen equipment, and gas pipe work installations tested every 3 years.

As with electrical appliances, employees should immediately report any damaged or suspected faulty gas appliances, which should be taken out of service until it has been suitably repaired or replaced.

2.10 Food Safety

Legislation on food safety has expanded considerably with the establishment of the Food Standards Agency. Today it has a high public profile with controls covering all aspects of food safety from production to point of sale.

Food safety covers food storage, preparation and handling, including the cleanliness of premises and equipment, temperature control and segregation of food storage, personal

hygiene and food hygiene practices. As with other legislation, emphasis is placed on managerial responsibility, training, supervision and record keeping. A comprehensive information and record keeping pack "Safer food, better business" is available free of charge from the Food Standards Agency (<http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/sfbb/>).

In Masonic Halls responsibility for food safety may rest primarily with a contract caterer or franchise holder. This does not mean that those running Masonic Halls can safely disregard compliance in this area, as the business and reputation of a Hall will be severely harmed in the event of food hygiene problems.

It is important to be aware that official local authority food hygiene ratings for food businesses, including Masonic Halls, are now publicly available through the Internet based 'Scores on the Doors' public information service. Food hygiene is rated on a scale from zero to five stars, with an accompanying assessment of confidence in management. No punches are pulled in these reports. *A poor rating will reflect badly on the Hall and the Craft and is likely to have a very adverse effect on business.*

It is advisable to make explicit in the contract or franchise agreement that the caterer must comply with all relevant food safety standards and that managers and all food handlers must possess or acquire an appropriate qualification in food safety. The caterer should inform the Masonic Hall management whenever an inspection has been made by the local authority, and provide a copy of the report.

As with health and safety requirements, certain responsibilities may remain with the Masonic Hall Company, e.g. structural matters, painting and decoration, ventilation, maintenance of machinery and equipment. The catering contract or franchise agreement should make clear the respective

2 Masonic Halls and the Law (Cont.)

responsibilities of the caterer or franchise holder and the Masonic Hall Company.

It is worth considering engaging the services of a consultant to make a periodic independent inspection of food hygiene standards, and report on issues requiring action.

2.11 Alcohol and Entertainment Licensing

Masonic Halls in which alcohol or entertainment is provided will need the relevant authorisation under the Licensing Act 2003. This replaced the previous separate licensing regimes and a single licence can now authorise premises to be used to supply alcohol, to provide regulated entertainment and to provide refreshment late at night. Licensing may overlap with other legislation, e.g. in requiring risk assessments and food hygiene qualifications for all food handlers.

The 2003 Act created separate Licences for premises and individuals. Personal Licences are granted for 10 years, and are renewable. All sales of alcohol must be made by or authorised by a Personal Licence holder. Premises Licences remain in force indefinitely (unless revoked) on payment of the annual Licence fee.

The first step in obtaining the necessary authority is to consult the local licensing authority (usually the local authority). Masonic Halls will generally require one of two types of Licence, i.e.:

- Premises Licence. This may or may not have conditions as to membership, and usage. There must be a Designated Premises Supervisor (DPS), who must hold a Personal Licence and is the contact point for the Licensing Authority. The DPSs must have their Personal Licence and Licence Badge with them whilst supervising the sale of alcohol. When not on the premises, the DPS may issue another person with written authority to serve alcohol. It is important that the DPSs should be replaced

immediately if they leave; it is recommended that at least one member of the Hall management committee obtain a Personal Licence, for emergencies.

- Qualifying Club Certificate. This will have restrictions as to members and the keeping of records of members (membership book), records of visiting guests (visitor's book), accounts, brewery contract etc. There is no requirement for a DPS. It is recommended that Halls holding Qualifying Club Certificates consider whether it may be advantageous to convert to a Premises Licence.

Licences will be held by whoever administers the Masonic Hall, normally the Masonic Hall Company or in some cases possibly a franchise holder. It is advisable to review licences periodically to ensure that they continue to meet the requirements of the Hall. In all cases the Licence or Club Certificate must be kept available for inspection by Licensing or Police Officers, and the Licence or Certificate Summary must be displayed in the premises.

2.12 Disability Discrimination

The Disability Discrimination Acts give disabled people a right to goods, facilities and services. The legislation applies to services provided to the public, e.g. to areas of Masonic Halls not restricted to Masonic members only. It may not apply to parts of Masonic Halls used only for private Masonic activities but it is clearly desirable to do all that is reasonable to ensure that our own members with disabilities have access to the facilities.

A first step is to carry out a survey to ensure that the Hall is accessible to disabled people, that corridors, bars, dining rooms and toilet facilities are negotiable in a wheelchair and that disabled access is possible to upper floors, if applicable. The Acts do not specify what is 'reasonable' but practical measures can include the provision of wheelchair ramps

2 Masonic Halls and the Law (Cont.)

(fixed or portable), lifts or stair lifts and the widening of doorways. At least one WC cubicle should be wide enough to accommodate wheelchair access, and be fitted with handrails. The provision of loop audio systems may be reasonable to help those with hearing difficulties to participate in what is going on.

2.13 Smokefree Legislation

Since July 2007 smokefree legislation has banned smoking in virtually all enclosed public places and workplaces, including Masonic Halls. Statutory no-smoking signs must be displayed and managements have a legal responsibility to prevent people from smoking. Smoking rooms and indoor smoking areas are no longer allowed. An outdoor smoking shelter may be provided, but must not be enclosed.

The preparation of a smokefree policy is required, which should identify the person responsible for implementing the policy and state how cases of noncompliance will be dealt with.

2.14 Listed Buildings

Some Masonic Halls are listed under legislation designed to protect historic buildings. The cachet of listed building status comes at a price: it becomes an offence to carry out any works of alteration or extension to a listed building in any manner which would affect its special interest, internally or externally.

In practice this means that external maintenance or restoration work (and sometimes internal work, according to the character of the building) must be carried out in consultation with the local authority Conservation Officer. Where windows and guttering etc. are replaced this must usually be done to the same appearance and using the same materials as the original, which can considerably increase costs.

The draft Heritage Protection Bill is expected to introduce a complete overhaul of the planning system in relation to listed buildings,

which will become known as registered heritage assets. One major proposed change is for consultation with the owner of the building before designation. These changes in the planning system may come into force by 2010.

2.15 Where can further advice be obtained?

Members' Experience

The Masonic community is rich in the range of skills and experience possessed by our brethren and it will often be found that a member has a background in a particular area, and is willing to assist.

The Enforcing Authority

There is an understandable reluctance to approach local authority inspectors but in fact most will be very helpful if asked for advice or interpretation. (However inspectors are not 'free consultants' and will expect duty holders to have made reasonable efforts to acquaint themselves with the relevant requirements.)

Consultants

Where there is insufficient in-house experience and the requirements of the legislation are complex, consideration should be given to engaging the services of a consultant, e.g. on employment, food hygiene or fire safety issues. This can be a sound investment when weighed against the possible consequences of failing to comply with these requirements.

Government Departments and Agencies

Government Departments and Agencies such as Food Standards Agency and the Health and Safety Executive have web sites which provide a wide range of information, with copies of the legislation and guidance material being available to order or download, often freely. A good starting point is the Direct Government web site:

<http://www.direct.gov.uk/en/index.htm>

2 Masonic Halls and the Law (Cont.)

Some useful public sector web sites are listed below. Many other sites are to be found by entering a few key words into a search engine such as Google, e.g. entering the words 'alcohol' and 'licensing' quickly finds a wealth of information on the Licensing Act. As well as information from the public sector there are numerous private Agencies offering commercial services.

Employment Legislation

<http://www.berr.gov.uk/> (Click on 'employment matters')

Health and Safety Executive

<http://www.hse.gov.uk/>

Health and Safety Policies

<http://www.hse.gov.uk/lau/lacs/38-3.htm>

Risk Assessments

<http://www.hse.gov.uk/pubns/indg163.pdf>

Fire Safety

<http://www.communities.gov.uk/fire/firesafety/firesafetylaw/>

Electrical safety at work

<http://www.hse.gov.uk/electricity/>

Gas Safety

<http://www.hse.gov.uk/catering/index.htm>

CORGI

<http://www.trustcorgi.com/Pages/index.html>

Health and Safety in Catering

<http://www.hse.gov.uk/catering/index.htm>

Food Standards Agency

<http://www.food.gov.uk/>

Licensing

http://www.opsi.gov.uk/acts/acts2003/en/ukpgaen_20030017_en_1

Disability Discrimination

<http://www.dwp.gov.uk/employers/dda/>

Listed Buildings

<http://www.english-heritage.org.uk/server/show/category.1378>

Smokefree Legislation

<http://www.smokefreeengland.co.uk/>

3 Reporting & Planning

3.01 Lodge Attendance Reports

It may be helpful to the future planning of both the Masonic Hall and the Group if Lodges and Chapters etc. keep a record of the number of Brethren attending and dining.

If this is split to record members and non-member guests who dine it can help to give a good indication of the general strength of the Lodge or Chapter, and its number of guests. Over time this pattern of attendance can be a

useful barometer of a Lodge's health and future prospects.

This information will be useful tool for the Assistant Provincial Grand Master and Group Chairman in providing information about the Lodges under their care, and to the Chairman of the Masonic Hall in monitoring satisfaction with the catering and in planning to meet future requirements.

A sample form is given below.

3.02 Sample Reporting Form

Individual Lodge Meeting Information

Lodge / Chapter Name

Lodge / Chapter Number

Meeting Date

Meeting at:

Lodge Membership.....

Total at Lodge Meeting

Total Number Dining

Non Members Dining

Signed by Secretary / Scribe E.

Date

**Please return to Group Secretary or Registrar as soon as possible,
but no later than the next Summons**

Appendix 1 The Legal Set-up for a Masonic Hall

1. In 1911, under the auspices of Sir Arthur Stanley, the Provincial Grand Master from 1910 to 1919, the Lodges of the Province were organised geographically into a series of Groups, twenty two in all. The principal reason for this was to achieve a more efficient and effective structure to run and manage the then Festival for the Royal Masonic Institute for Boys. Arthur Foster, the Provincial Grand Master from 1933 to 1952, developed the idea of the Group system, and he took the idea a few stages further. He was particularly careful in the choice of Group Chairman, whom he considered should play an important part in providing contact with individual lodges. In due course, these Groups brought together the Masters of Lodges to the great benefit and strength of the Province.

2. Although there were many factors leading to the development of Masonic Halls in the Province, it would seem that the Group system was one of the main drivers in the creation of Masonic Halls for Lodges within Groups. Thus, Masonic Halls were specifically set up to bring together and serve Lodges within each Group. It was not the other way round.

3. There is, therefore, an important connecting link in all of this, namely, the Province, the Groups, the Lodges and the Masonic Halls. If we are to recognise this connecting link and build upon it, for the benefit of Freemasonry in the Province and generally, then each part of the link must indeed be linked and play a part in the whole. This has become increasingly important in the twenty first century, having regard to the changing face and make-up of Freemasonry. These four elements do not stand alone, and should not logically stand alone, because they are dependant and inter-dependant one upon the other three.

4. It is therefore suggested that a Masonic Hall should be set up and run so that the four elements of the said connecting link are involved and represented.

5. Clearly, the Province has no interest in

running and managing a Masonic Hall on a day to day basis, but Freemasonry in the Province can only function efficiently and effectively if the whole Provincial structure, and its four parts, are administered and managed as one.

6. Likewise, it is important for the Groups and their Lodges to work closely with their respective Masonic Halls, so that business and Masonic plans are balanced and related one to the other. If one accepts that Masonic Halls are there to serve the Groups and their Lodges, which clearly they should be, then the Masonic plans of the Group and their Lodges must surely form the basis for the business plans of Masonic Halls. Putting it the other way round, the Masonic Halls should be driven by the Masonic plans of the Groups and their Lodges.

7. In reality, there should not be a problem between the Groups and their Lodges on the one hand and their respective Masonic Halls on the other hand. Put simply, each Group is made up of a number of Lodges, and more often than not those Lodges are the shareholders/owners of the Masonic Hall. And yet, the two are often run and managed entirely separately.

8. Accordingly, the starting point is an acceptance of the premise that Masonic Halls are there to serve the Groups/Lodges. If this premise is correct, it must follow that because the Groups and their Lodges are part of the Province there is a clear connecting link between the Province, the Groups, the Lodges and the Masonic Halls.

9. The more difficult question is how to translate the above principles into reality and 'law'. The question is complicated by the fact that a number of Masonic Halls have taken on outside lets/activity to supplement the income of the Halls. Generally, that is not a problem, when the outside lets/activities represent only the tail of the dog. But when the outside lets/activities become a major business activity, so that Freemasonry is the tail of the dog, then the connecting link becomes much more confused and complex.

Appendix 1 The Legal Set-up for a Masonic Hall (Cont.)

10. Ideally, to reflect what has been said above, it is recommended that a Masonic Hall should be owned by a company limited by guarantee (not shares), in which the members of the company are: first, each Lodge occupying the Masonic Hall (the Master or his representative); secondly, the Group to which the Lodges belong (the Group Chairman or his representative); and thirdly, the Province (the PrGM or his representative). Thus each connecting link will have an interest in the company, although the Lodges will obviously have the most number of members. The Province and the Group will each be a single member.

11. The appointment (and removal) of Directors is critical because it is the Directors who will run and manage the company on a day to day basis. There should be, say, seven Directors, of which one should be appointed by the Group, and one should be appointed by the Province. The other five Directors will be appointed by the members as a whole.

12. It is accepted that there may be good reasons for a different legal set-up, but the different legal set-up must be very carefully considered, with proper advice, and there should be very clear and cogent reasons why the different set up is preferred.

13. To operate a Masonic Hall through the vehicle of a charity is not recommended, particularly in the context of recent legislation, and the concept of public benefit. It can be done, but the preferred route is to keep the structure as simple as possible without any charitable element in the legal structure.

Appendix 2 SWOT Analysis

(for Group Chairmen and Hall Chairmen)

A SWOT (Strengths, Weaknesses, Opportunities, Threats) exercise is a useful starting point for developing a forward plan. It is obvious that the current and future health of a Group will directly impact on the ability of a Masonic Hall to survive and flourish.

In the SWOT exercise, participants record under each heading how they currently see their Group or Hall (its strength and its weaknesses) and how they see its future (opportunities and threats that may need to be faced). In using a SWOT exercise the following things may happen:

- People sometimes find it easier to list weaknesses and threats than strengths and opportunities. It is important that each participant identifies a minimum number of strengths.
- What some see as a weakness others might see as being a strength.

- Sometimes things move around in the middle and they are perceived as neither an opportunity nor a threat. The question necessary for strategic planning is “what do we need to do to ensure that an initiative is a positive opportunity.”
- People often spend most of their time focussing on what they can do to overcome any current or potential future weaknesses. However, it is recommended to spend time on the strengths list and to identify the critical factors that give strength to the Group or Hall. Importantly, they should ask what needs to be done to maintain a strength and to build upon it.

A SWOT exercise is a very useful planning tool and careful consideration should be given prior to completing the matrix.

| | |
|---|--|
| <p><u>S</u>trengths</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> | <p><u>W</u>eaknesses</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> |
| <p><u>O</u>pportunities</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> | <p><u>T</u>hreats</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> |

Appendix 3 An Example of a Hall Management Structure

Background

The domestic issues of the Hall are managed by a Hall Committee which is comprised of a Chairman, Two Vice Chairmen, Treasurer, Secretary, Letting Secretary and one member from each Lodge and Chapter in the Group. This full committee meets once every six weeks.

The Chairman, Vice Chairmen, Treasurer, Secretary and Letting Secretary meet every fortnight as an "Executive" of the full Committee.

Application

A review of income, expenditure, fixed costs and reporting procedures are conducted monthly with information provided by the Treasurer and Secretary. The Group Secretary and/or Registrar provides figures on numbers dining divided into members and visitors, these figures are formulated from information provided by secretaries/scribes, noting on the summons sent to the Group Secretary, the numbers of the last meeting. These provide an indication of trends when taken collectively as a comparison with the figures produced by the Hall Treasurer based on the commission calculation.

At the regular meetings of the full Committee any one or number of the Group Officers may be invited by the Management Committee Chairman to attend to add weight or impetus to any issue which may be of a contentious or where issues may overlap between Group and Hall. There is a regular dialogue between the Group Chairman and the Hall Chairman; this is usually of a "briefing" nature on day to day matters.

The two Vice Chairmen have defined areas of responsibility, one is responsible for Catering and Bar, the other for Fabric and Administration.

The catering and bar are let on a franchise basis with a percentage of turnover taken by

the Hall as commission. This applies across the board to private functions as well as Lodge and Chapter meetings. The percentage is paid monthly after agreement with the Hall Treasurer.

Generally

The nominations for the positions of Hall Chairman and the two Vice Chairmen are approved by the Group Chairman and the Assistant Provincial Grand Master before being put forward for election.

The Hall Chairman, Treasurer, Secretary and Letting Secretary all attend the Group Meeting and are invited to give a report to the Group Representatives as a regular input to the meeting, which is recorded in the minutes and distributed throughout the Group.

The main source of income at this time is from the per capita fee, commission, donations by Lodges and Chapters and funds raised by the "Friends of the Hall".

A business plan has been formulated to generate income from private letting of the banqueting facilities which are separated from the Masonic meeting rooms, which can be kept completely private.

The banqueting facilities are marketed for private social functions, to local political groups for meetings and to the local authority for seminars and meetings.

Appendix 4 Construction and Building Procurement

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Section A

- (1) Maintenance (planned, preventative, annual and emergency) Overall plan.
- (2) Planned development of buildings.
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Section B

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- (1) Income generation (hall foundation, froth, donations, bequests).
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- (3) Accountability.
- (4) Compliance with statutory requirements (planning, building regs., CDM regs.)

Appendix 4 Construction and Building Procurement (Cont.)

Section A

(1) Maintenance (planned, preventative, annual and emergency) Overall plan.

Maintenance of buildings falls into four main categories, Planned, Preventative, Annual and Emergency and an overall plan of requirements should be prepared with a one to five year time scale. Approximate predicted costs can be applied to each category to give an indication of how much expenditure will be needed overall to meet the demand.

Planned maintenance should cover the five year period with provision for annual revision to take account of works executed in other categories which may affect the plan i.e. emergency works.

Preventative maintenance will overlap with the planned element but should include major elements such as roof works, external and internal decorations, rainwater disposal and drainage systems.

Annual maintenance will include items such as overhauling heating systems, air conditioning, electrical testing, sanitary fittings, alarm systems, kitchen fittings and any mechanical systems.

Emergency Maintenance such as leaks on roofs, plumbing system, failure of heating systems, broken windows, breakdown of air conditioning and accidental damage.

(2) Planned development of buildings.

If development of a building is planned then this should be properly planned in terms of feasibility, size, time scale, extent and cost. Above all one must ask the question "is this achievable within our resources?"

(3) Budgets (formulation, realistic, achievable).

It is important that budgets are prepared realistically and are prepared by someone with the appropriate knowledge in the mechanics of budgeting. The budget should

be realistic and relate to what is proposed, guesswork should be avoided. It is vitally important to make the budget a realistically achievable proposition within existing and proposed resources.

(4) Supervision of work (competent persons).

Any work undertaken will probably have to be done in accordance with some regulation or other, gas work to CORGI standards, electrical work to IEE regulations, building work may require Building Regulation Approval or Planning Consent or both. There are also safety issues which must be complied with on certain works, HSE notification and approval, risk assessment plans Construction Design and Management Regulations. It is therefore essential that qualified competent persons are given the responsibility of supervision.

(5) Consultants (engage independent professionals).

If the planned scheme is of a significant size the services of industry professionals should be used, they have proper indemnity insurance, membership of an institutional body, knowledge and experience of the requirements of compliance and an interlinking relationship with professionals in other disciplines.

Although fees will be attracted by their services it is a good investment to ensure that the right product will be the result.

Section B

(1) Selling premises (VAT, Capital Gains, and professional fees).

If the sale of premises is contemplated provision should be made in any calculations for cost such as VAT, Capital Gains Tax, ground rent agreements and professional fees for legal and estate agents services, outstanding loans/mortgages, all of which will affect the net gain of the sale. Again professional advice should be sought.

Appendix 4 Construction and Building Procurement (Cont.)

(2) Buying premises (ditto).

In buying premises similar considerations, as listed in item 1, must be made with the possible additions for consideration of rights of way, restrictive covenants and the planning category of the building, your professional advisors should pick up all these items but it is always worth asking the question "have you considered ?"

(3) Property consultants (sellers, finders).

Where the time element can be a major consideration it is wise to consider engaging the services of a "Property Finder" and or a "Selling Agent" who are familiar with the market and have "contacts" in their particular field. The important issues like completion date, date for possession, date for vacation and date of occupation can be built into the brief of these professionals.

(4) Managements of change (steering committee).

It is important to have a positive approach to the "Management of Change". It is a great advantage to form a "Steering Group" to manage the process of change, the group should ideally comprise of four or five people from differing professions/ disciplines who will contribute differing skills i.e. solicitor, surveyor, chartered architect, chartered builder, businessman/manager. This group should then meet at regular intervals and deal with the issues and the paid professional advisors.

(5) Sharing/Leasing/Renting premises.

If a Masonic Hall is faced with the prospect of selling its building and will not be in a position to buy or build new premises consideration should be given to the options of sharing premises, leasing premises or renting accommodation in other function buildings i.e. golf club, rugby club and the like.

These arrangements have proved satisfactory in certain instances but not without certain drawbacks, very careful

consideration should be given to leasing arrangements, usage restrictions, car parking, period of notice and security of tenure in such a move. It is important that constant communication is maintained with the members throughout.

Section C

(1) Income generation (hall foundation, froth, donations, bequests).

Every Masonic Hall has to be financially viable and have a regular source of income together with a supplementary income to cover running costs. Most Halls will have an organisation in place to raise funds in addition to the income from the rental charges or per capita fee paid by the Lodges and Chapters who meet regularly at the Hall. These supplementary fund raisers will take various forms such as a "hall foundation", a "friends of the Hall" organisation, regular and occasional donations and bequests. However income is raised regular reviews must be conducted to ensure income is greater than expenditure.

(2) Insurance of buildings.

Insurance of buildings and their contents are an important aspect of any Hall and there are many competitive packages available and alternative competitive quotations should be obtained. Regular reviews should be made on contents and any alterations notified to the insurance company together with any re-valuations of building value by virtue of extensions and or inflation to ensure adequate cover is maintained.

(3) Protection of buildings and property (alarm systems – maintenance costs)

Protection of buildings and property is an essential measure for any Hall and can take the form of perimeter fencing, external security lighting, fire and intruder alarm systems, CCTV systems internally and externally, security locks, car park security and admission devices. All of which should

Appendix 4 Construction and Building Procurement (Cont.)

be regularly serviced and maintained in accordance with the planned maintenance schedule.

(4) Cost control/monitoring systems.

The “Hall Management Committee” or equivalent should ensure that there is in place an efficient and regularly maintained cost control, authorisation and monitoring systems which properly record the income and expenditure associated with the management and maintenance of the Hall. These systems must provide a full audit trail for the verification of the balance sheet for presentation to the members at regular intervals with a full audited account presented to the AGM of the Hall.

Section D

(1) Tender processes (larger schemes, proper documentation).

Where larger schemes are proposed it is essential that the services of a Chartered Architect are secured. He will prepare plans, produce specifications, manage the tendering process, recommend the appointment other consultants, appoint the contractor and supervise the works to ensure that all the statutory and other requirements are met. The RIBA have a set scale of charges depending on the size of your “brief” to the Architect, who will be able to quote his charges to you with a degree of accuracy.

(2) Supervision of work (competent persons).

The responsibility of supervision of building projects lies with the Client, the Architect and the Contractor and is largely defined in the Construction (Design and Management) Regulations 1994, compliance with which is a statutory requirement. The appointed Architect will guide the Client in the discharge of their responsibilities in this respect.

(3) Accountability.

On schemes of a major nature the responsibility for the financial management of the contract on behalf of the Client will rest with the Architect and/or Surveyor in accordance with the type of contract entered into with the Contractor. Most major building contracts allow for a monthly valuation of work completed and value of materials on site which is certified by the Architect for payment by the Client to the Contractor, usually within fourteen days of certification. Upon completion the Architect/Surveyor will produce a “final account” which will show the final cost of construction together with the amount of retention held against latent defects.

(4) Compliance with statutory requirements (planning, building regs., CDM regs.)

Compliance with statutory requirements has been mentioned in previous paragraphs and awareness of the need for compliance cannot be over emphasised in every aspect of repair and maintenance or new build. There is a requirement to comply with health and safety regulation, CORGI testing and approval, electrical work to be compliant with the IEE regulations, compliance with building regulations, planning laws, the disability discrimination act and civil responsibilities for example duty of care.

The maze of compliance is best addressed by the use of competent professional advice and although this has a cost what price safety?

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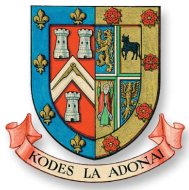
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Availability to download

It is intended that copies of this Code of Practice and any future revisions will be available to download from the Masonic Province of West Lancashire web site, <http://www.westlancsfreemasons.org.uk>



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