

**LICENSING
COMMITTEE**

10th November 2014

**SITE MANAGEMENT AGREEMENT BETWEEN BROMSGROVE DISTRICT
COUNCIL AND PUBLIC FUNDRAISING REGULATORY ASSOCIATION**

Relevant Portfolio Holder	Councillor Rita Dent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide Members with an update on progress towards entering into a site management agreement with the Public Fundraising Regulatory Association (PFRA) to help regulate face to face fundraising in Bromsgrove Town Centre.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

- (i) To note the contents of the report and the content of the draft site management agreement, and**
- (ii) To authorise the Head of Worcestershire Regulatory Services to sign the site management agreement on behalf of Bromsgrove District Council.**

3. KEY ISSUES

Financial Implications

- 3.1 The costs involved in liaising with the PFRA are being met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.2 Section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 enables authorities to make regulations to control street collections in their area. However the legislation does not cover face to face fundraisers who ask people in the street or other public place to sign up to donating to charitable causes by direct debit.

Service / Operational Implications

- 3.3 The Council regulates charitable collections taking place in any street or public place under the Police, Factories, etc (Miscellaneous Provisions) Act 1916. The Council can regulate collections where there is a collection of money or the selling of articles for the benefit of charitable purposes (cash collections).
- 3.4 The legislation does not cover face to face fundraisers who ask people in the street or other public place to sign up to donating to charitable causes by direct debit. The Council therefore cannot regulate this type of collection. The Council could however engage with the Public Fundraising Regulatory Association (PFRA) to try and establish a site management agreement to control this type of collection.
- 3.5 At the Licensing Committee on 23 June 2014, Members resolved to authorise the Head of Worcestershire Regulatory Services to enter into discussions with the PFRA with regard to establishing a site management agreement to regulate face to face fundraising by way of direct debit in Bromsgrove Town Centre.
- 3.6 Officers have subsequently met with representatives of the PFRA in Bromsgrove Town Centre in order to discuss the contents of a site management agreement that would be acceptable to both the Council and charitable organisations that wish to conduct face to face fundraising in the town centre.
- 3.7 A draft agreement has been produced and can be seen at **Appendix 1**.
- 3.8 This draft agreement restricts fundraising to taking place in the pedestrianised area of High Street between New Road and Stratford Road. The number of collectors permitted to visit on any day is restricted to five. The agreement also makes clear that face to face fundraising can only take place on Mondays, Wednesdays and Thursdays.
- 3.9 Originally it had been intended to restrict fundraising to taking place on just two days per week (Mondays and Wednesdays) and this was the starting point during the discussions with the PFRA. However the PFRA has consulted its' membership on the proposed site management arrangements who have indicated that the demand is such that three days per week would be required in Bromsgrove.

- 3.10 Members are asked to note the contents of the report and to authorise the Head of Worcestershire Regulatory Services to sign the site management agreement on behalf of Bromsgrove District Council.

4. RISK MANAGEMENT

- 4.1 If a site management agreement is not entered into, face to face fundraising in Bromsgrove Town Centre will not be controlled in any way.

5. APPENDICES

Appendix 1 – Draft Site Management Agreement

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