

REVIEW OF STREET COLLECTION POLICY

Relevant Portfolio Holder	Councillor P Thomas
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

The Council has adopted a policy in relation to the control of street collections. This policy has been reviewed and Members of the Licensing Committee have previously resolved that officers should carry out a consultation exercise to obtain views on the policy and any amendments that could be made to it.

This consultation exercise has now taken place and the responses received are being reported back to the Licensing Committee for consideration.

2. RECOMMENDATIONS

Members are asked to consider the responses received during the consultation exercise and RESOLVE to adopt the revised version of the Council's Street Collection Policy, which is shown at Appendix 2 with effect from 1st October 2022.

3. KEY ISSUES

Financial Implications

- 3.1 There are no fees payable in respect of applications for street collection permits.
- 3.2 The costs of the consultation exercise were met from existing budgets held by Worcestershire Regulatory Services.

Legal Implications

- 3.3 Section 5 of the Police, Factories, etc (Miscellaneous Provisions) Act 1916 enables authorities to make regulations to control street collections in their area.

Service / Operational Implications

- 3.4 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).
- 3.5 Street collections are an important method of fund raising for charitable causes; however they can cause annoyance to the public if not suitably controlled and managed. This can lead to the public avoiding certain areas where they believe they will be asked to donate money every time they visit.
- 3.6 It is also important that those that are authorised to carry out street collections represent genuine charitable causes and are not seeking to defraud the public by pretending to collect for a charitable cause and actually using the money collected for other purposes.
- 3.7 In order to ensure that street collections are suitably controlled and managed, and that applicants for permits represent genuine charitable causes, the Council has adopted a policy for dealing with street collection permit applications.
- 3.8 The current policy was approved at the Licensing Committee on 22nd September 2014 and took effect from the 1st January 2015. It has therefore been a number of years since the policy was last subject to review.
- 3.9 It is important to recognise that 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.
- 3.10 The Council has however entered into a site management agreement with the Institute of Fundraising (previously the Public Fundraising Regulatory Association or PFRA) to control this type of collection.

- 3.11 During a review of the policy, officers identified at least two parts of the existing policy document that needed to be updated.
- 3.12 Firstly, the policy needed to be updated to reflect the fact that the Council has now entered into a site management agreement with the Institute of Fundraising to control direct debit street collections.
- 3.13 Secondly, the address for submission of applications needed to be updated as the Council no longer occupies the Council House in Burcot Lane.
- 3.14 A revised version of the policy was therefore created and that can be seen at **Appendix 1**. The Licensing Committee has previously resolved that officers should carry out a consultation exercise on the revised version of the policy.
- 3.15 This consultation exercise was undertaken between 23rd June 2022 and 27th August 2022.
- 3.16 The following were all contacted and asked for their views on the updated policy document:
- Those who had applied for permits in recent years
 - Local charities
 - Representatives of charitable organisations
 - Parish Councils
 - Bromsgrove District Councillors
 - Bromsgrove Centres Manager
 - Markets Manager
- 3.17 Additionally the consultation exercise was made available via the Council's website and publicised via the local press and social media channels.
- 3.18 During the consultation exercise, the only responses received were from the Bromsgrove Centres Manager and the Markets Manager.
- 3.19 The Centres Manager noted that the regulations set out in the policy document include one that says "collectors must remain within the location as defined in the Permit and must remain stationary." The Centres Manager has asked if Licensing Officers could work with herself and the Markets Manager to identify suitable locations for collectors to be positioned on Bromsgrove High Street. Officers are happy to do this but do not consider that any changes to the revised policy are required to facilitate this.

- 3.20 The Markets Manager has asked whether additional requirements could be included in the regulations to stop any collectors from being within the immediate vicinity of any market trader to ensure that anyone who does not wish to make a donation to the charitable cause is not dissuaded from visiting that market trader.
- 3.21 The Markets Manager has also asked whether the regulations could make it explicit that collectors should not shake their tins, which he considers to be a form of harassment of those who do not wish to make a donation.
- 3.22 Officers can see no particular concern with including these additional matters within the policy document and have therefore made amendments to the version of the policy consulted upon. This further revised version of the policy can be seen at Appendix 2.
- 3.23 Members are asked to consider the responses received during the consultation exercise and to resolve to adopt the revised version of the Council's Street Collection Policy, which is shown at Appendix 2 with effect from 1st October 2022.

4. RISK MANAGEMENT

- 4.1 If street collections are not appropriately controlled this could cause annoyance to the public and increase the risk that the public could be defrauded by people who are not collecting for genuine charitable causes.

5. APPENDICES

Appendix 1 – Draft Revised Street Collection Policy Consulted On

Appendix 2 – Further Revised Street Collection Policy

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