

TITLE: CHARITY STREET COLLECTION PERMITS

COMMITTEE: LICENSING COMMITTEE

DATE: 20 JUNE 2018

AUTHOR: SENIOR LICENSING OFFICER

[T34]

1.0 ISSUE

1.1 To approve amendments to the charity street collection policy.

2.0 RECOMMENDATION(S)

2.1 That Members consider the information in this report and resolve to:

(i) adopt the amended policy with immediate effect.

3.0 BACKGROUND

3.1 East Cambridgeshire District Council, as the Licensing Authority, is empowered under Section 5 of the Police, Factories, & c. (Miscellaneous Provisions) Act 1916, as amended by the Local Government Act 1972, to make regulations which govern collections made in 'any street or public place' for 'charitable or other purposes' within the Council's district boundary.

3.2 The Council in its role as regulator issues permits to those wishing to collect within the district. To collect without permission is an offence, unless the collection falls outside of the scope of the regulations.

3.3 There is no legal requirement for the Council to adopt a policy on how it proposes to carry out its functions under this legislation, however, it is considered best practice for the Council to adopt such a policy to encourage consistency and transparency in the way applications for street collection permits are considered and granted. To this end, the Council adopted a Charity Street Collection policy in November 2012, and this came into force on 1 January 2013 (**Appendix 1**).

4.0 SUMMARY

4.1 The existing policy mentioned above has now been in place just over five years, and although it has proved itself to be a very useful tool during this time, it has also become apparent that there are areas where improvements can be made.

4.2 **Appendix 2** to this report contains the amended policy in full. The following paragraphs explain the proposed changes.

4.3 The existing policy is very wordy, and quite hard to follow. Officers have stripped out all text which is of no relevance to the process of obtaining permission to run a charity collection, and changed the layout of the policy so that it is a little friendlier to read.

- 4.4 Clearer guidance regarding the minimum level of proceeds from a collection that the Council would normally expect to see benefitting the chosen charity, and clearer guidance on collecting for personal challenge type events has also been introduced.
- 4.5 It has been made clear that invalid applications will not be processed, and how Officers will deal with such applications.
- 4.6 The hours between which collections may occur has been changed from “10am to 6pm” to “9am to 8pm” to reflect the fact that most street collections occur during shop trading hours.
- 4.7 The restriction of not allowing applications to be submitted for collections more than six months in advance has been amended to “the current and following calendar year” to allow more time for charities to organise collection volunteers knowing they’ve already secured permission.
- 4.8 The number of applications to be permitted from each charitable organisation has been increased from “four” per calendar year, per area to “five”. This limit does not affect applications supported by written permission given by the Market’s team, or for collections taking place on private land where permission has been given by the landowner, as per the current policy.
- 4.9 Clarification has been provided regarding the exemption for collecting “at a meeting in the open air” which is contained in the regulations. This exemption is widely misinterpreted, and it is hoped that this clarification will reduce the number of applications received where no permission is actually required.
- 5.0 CONCLUSION
- 5.1 The proposed changes will continue to enable legitimate charitable collections to occur within the district, and will result in a more concise document.
- 5.2 The additional clarification provided will hopefully reduce unnecessary paperwork and time wasting for all parties.
- 5.3 Officers believe the small increase in the number of collections permitted, and the number of hours per day that a collection may be held will help charities to raise vital funds, whilst still ensuring a balance exists to ensure that undue nuisance is avoided, and that all charities have a fair chance to collect in the district.
- 5.4 Allowing applicants to apply further in advance of their proposed collection will reduce the pressure on them to get everything in place to hold a successful collection (once they have successfully obtained permission to hold the collection).
- 5.5 Adding the section regarding how invalid applications will be dealt with will remove the current situation where officers spend a great deal of time chasing applicants for additional information due to them not following the correct procedure.

- 5.6 Officers believe the proposed amendments will result in a clearer policy that will benefit legitimate collectors, and reduce the amount of administration currently experienced in this area of licensing.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There is no fee for these types of applications, and so the amendments will have no financial impact on those applying. A cost will be incurred if a consultation is required.
- 6.2 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community if Members follow the Officer recommendations.

7.0 APPENDICES

- 7.1 Appendix 1 – Existing Charity Street Collection Policy
Appendix 2 – Proposed Charity Street Collection Policy

Background Documents

Police, Factories, & c.
(Miscellaneous Provisions) Act
1916

Location

Room SF208
The Grange,
Ely

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