

**LICENSING AND SAFETY COMMITTEE
2 OCTOBER 2008**

**FACE-TO-FACE DIRECT DEBIT COLLECTIONS – SITE AGREEMENT
(Chief Officer: Environment and Public Protection)**

1 INTRODUCTION

- 1.1 The collection of direct debit mandates or 'face-to-face' collections taking place in the street does not require any formal authorisation from the Council as the Police, Factories etc (Miscellaneous Provisions) Act 1916 only provides for the collections of money or goods.
- 1.2 This report seeks a formal approval of the agreement held with the Public Fundraising Regulatory Association (PFRA) to determine whether it is an appropriate document for the circumstances of Bracknell Forest. The draft agreement is attached as Appendix A.

2 RECOMMENDATION

- 2.1 **That the PFRA site agreement at Appendix A is approved as the document governing face-to-face collections within the town centre carried out by members of the PFRA, subject to consideration of the comments made by the Town Centre Manager as specified in paragraph 3.5.**

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 The legal implications are identified within the report.

Borough Treasurer

- 3.2 There are no significant financial implications arising from the recommendations in this report.

Equalities Impact Assessment

- 3.3 There are no implications arising from the adoption of this recommendation.

Strategic Risk Management Issues

- 3.4 There are no strategic risk management implications arising from the adoption of this recommendation.

Other Officers

- 3.5 Graham Mountford, Town Centre Manager, has requested that Stanley Walk should not be used by collectors as it is too narrow and therefore not a suitable location.

4 SUPPORTING INFORMATION

- 4.1 The Council is unable to restrict direct debit mandate or 'face-to-face' collections taking place in the street because of the wording of the Police, Factories, etc (Miscellaneous Provisions) Act 1916, which states that permits are required for collections of money or goods. A direct debit mandate has no particular worth at the point of collection, as it is simply a promise to make payment by issuing an order to a bank or building society.
- 4.2 The Charities Act 2006 (due to come into force in 2009) will introduce regulations to permit and control such collections in the future.
- 4.3 The situation is currently monitored and controlled by an agreement with the Public Fundraising Regulatory Association (PFRA), a self-regulating umbrella body with which the Council has worked to ensure that there are no clashes with permitted street collections.
- 4.4 The Licensing Section has liaised with the Town Centre Manager, Graham Mountford, who has agreed in principle with the document with the exception of the location of collectors within the town centre. Mr Mountford's comments are included in paragraph 3.5 and relate to point 2 in the draft site agreement.

Background Papers

Police, Factories etc (Miscellaneous Provisions) Act 1916

Charities Act 2006

PFRA Site Agreement

Contact for further information

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