

**TO: LICENSING AND SAFETY COMMITTEE
7 JANUARY 2016**

**STREET COLLECTION POLICY
Chief Officer: Environment and Public Protection**

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider the adoption of a Policy in respect of the licensing of street collections held in the Borough.

2 RECOMMENDATION

- 2.1 **That, subject to any amendments made, the Committee agrees the proposed changes to the current Policy and approves the revised Street Collection Policy as highlighted and set out in Annex A.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The current Policy requires minor amendments to better reflect local needs.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None, officers are of the view that the Policy will assist applicants for street collection permits and no current document exists for this purpose.

5 SUPPORTING INFORMATION

- 5.1 Street collection permits are a means of enabling collections for charitable or other purposes to take place on streets or in public places where it is appropriate to do so under the provisions of the Police, Factories etc. (Miscellaneous Provisions) Act 1916. In accordance with Section 5 of the 1916 Act, the Council has made regulations to control these activities.
- 5.2 This Policy does not impact on the collections carried out for direct debit mandates to give regular amounts to charity. These collections are controlled under a Site Agreement with the Public Fundraising Regulatory Association, which is due for review later in 2016.
- 5.3 In 2003, the Licensing and Safety Committee limited the total number of street collections during any one year for specific locations, for example 50 within Bracknell Town Centre. Officers are of the view that a limit of 1 collection per location per week would be easier to monitor, and in addition would avoid situations where there are collections on a number of consecutive days in summer weeks for different charities. The proposed point 5 of the Policy would replace the existing arrangements.
- 5.4 At present, no persons under the age of 16 are permitted to act as collectors. The proposed point 8 of the Policy would allow supervised children over the age of 11 to assist with collections. Otherwise the Policy document reflects current working practices which have been in place for a number of years.
- 5.5 The revised Policy assists applicants for street collection permits to understand the principles applied by the Council in determining their application. It seeks to ensure that charity collections are beneficial to the charities involved and that persons in the areas where collections take place are not bombarded with requests to part with money.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The legal implications are identified within the report.

Borough Treasurer

- 6.2 There are no significant financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

- 6.4 There are no implications arising from the recommendation in this report.

7 CONSULTATION

Principal Groups Consulted

- 7.1 None.

Method of Consultation

- 7.2 N/A

Representations Received

- 7.3 N/A

Background Papers

None

Contact for further information

Laura Driscoll
Licensing Team Leader
01344 352517
laura.driscoll@bracknell-forest.gov.uk

Annex A

STREET COLLECTION POLICY

1. This Policy applies to all street collections taking place in the Bracknell Forest Council area. Each application will be assessed on its merits and individual circumstances, but the below guiding principles shall be applied.
2. Applications should be submitted no later than one month prior to the date of the collection.
3. Permits will be issued on a first come first served basis, except for applications for the following calendar year which will be stored on file and processed in the last week of November.
4. Where an organisation's preferred date(s) cannot be granted, alternative dates may be suggested where practicable.
5. Only one street collection is permitted per location per week unless there are exceptional circumstances and save for the exceptions detailed in point 6 below. A permit may cover multiple areas.
6. In order to allow as many organisations as possible an opportunity of collecting, no organisation will be granted more than two collections per calendar year. Each collection will last no more than one day. The following exceptions will apply:
 - a) Poppy appeal collections organised by the Royal British Legion will be permitted for up to a maximum of 7 days in November of each year.
 - b) "Children in Need" collections will be permitted on both the Friday and Saturday to coincide with the "Children in Need" Appeal.
7. The Council reserves the right to make more detailed enquiries about an applicant and the proposed collection in certain circumstances. Failure to provide adequate information may result in a delay or refusal of the application. The Council may take into account information or advice received from the Police, Charity Commission and/or other local authorities in deciding whether to grant a permit.
8. Cadets, Scouts, Guides and members of similar organisations are permitted to collect for their particular organisation, but must not be less than 11 years old and must collect or sell under the direct supervision of an adult and dress in the uniform of their organisation.
9. If the applicant is wishing to carry out a collection on privately-owned land which is open for public access, such as the area outside supermarkets, a copy of written permission from the landowner must be submitted with the application.
10. There is no right of appeal against a decision by the Council not to grant a permit unless challenged by way of an application to the High Court for a judicial review of the decision.
11. In exceptional circumstances, a charity or organisation may hold more than 2 collections in any one calendar year, or they may hold a collection in the same area on the same day as another collection. The Head of Regulatory Services or the Chief Officer can authorise this only in exceptional circumstances, such as national or international disasters, or in agreement with the Chair of the Licensing and Safety Committee.