



REPORT TO:	Licensing Committee
DATE:	Wednesday, 1 February 2023
SUBJECT:	Charitable Street Collections Policy
PURPOSE:	Approval of a Draft Charitable Street Collections Policy
KEY DECISION:	N/A
PORTFOLIO HOLDER:	Portfolio Holder for Public Protection
REPORT OF:	Donna Hall - Head of Public Protection
REPORT AUTHOR:	Richard Boole – Public Protection Manager
WARD(S) AFFECTED:	All wards
EXEMPT REPORT?	No

SUMMARY

Consideration of a draft Charitable Street Collections Policy, to formalise local requirements and expectations around the application, issue and enforcement of permits under the Police, Factories, etc (Miscellaneous Provisions) Act 1916. The Licensing Committee are being asked to formally approve the policy.

RECOMMENDATIONS

That the Committee consider the draft proposed Charitable Street Collections Policy as shown at Appendix A of this report and formally approve it for implementation from 1 April 2023.

REASONS FOR RECOMMENDATIONS

To ensure that South Holland District Council maintains a consistent approach to the regulation of charitable street collections, to protect the rights of legitimate charities to raise funds in the street and to protect residents and visitors from unscrupulous or overdemanding fundraising in the street.

OTHER OPTIONS CONSIDERED

Do nothing

1. BACKGROUND

- 1.1 The Police, Factories, etc (Miscellaneous Provisions) Act 1916, includes powers for local authorities to regulate charitable street collections undertaken in its area, through Regulations made under the Act. The Regulations require that any charitable collection undertaken in a street or public place requires a permit.
- 1.2 As it stands, the Council doesn't have a formally adopted policy in respect of Charitable Street Collections, which could lead to inconsistency in the way these collections within the District are managed.

2. REPORT

- 2.1 The final draft policy is shown at Appendix A. The intention of the policy once adopted, is to provide greater clarity as to the local requirements and expectations around the application, issue and enforcement of permits.
- 2.2 The adoption of a policy will help to ensure consistency of approach and helps to a) protect the rights of legitimate charities to raise funding in the street; and b) protect residents and visitors to the District from either unscrupulous fundraising or overdemanding fundraising in one area at any given time.
- 2.3 An adopted policy also aids enforcement consistency, including decision making by the Licensing Committee / Licensing Panel when required.
- 2.4 The draft policy includes specific protections for certain date-specific collections of national importance, these being the Royal British Legion Poppy Appeal and BBC Children in Need.
- 2.5 A consultation process has taken place and further detail of the consultation responses is provided later in this report. The draft policy was published on the Council website for a period of 6 weeks and was brought to the attention of a number of charities that regularly hold collections in the District, including the Royal British Legion. A minor change has been made to the draft policy in respect of the use of animals to support collections at Section 7 (Pg 5)

3. CONCLUSION

- 3.1 The draft policy for Charitable Street Collections has now been consulted upon and any responses considered and acted upon as appropriate, having regard to the relevant legislation. The Policy can now be formally adopted.

4. EXPECTED BENEFITS TO THE PARTNERSHIP

- 4.1 This policy relates purely to the regulatory activity within the South Holland District under the remit of the Licensing Committee, however the policy aligns well with the East Lindsey District Council and Boston Borough Council Policies.

5. IMPLICATIONS

5.1 SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

- 5.1.1 To provide consistency of policy and operational arrangements for charitable organisations that operate across the Partnership and to aid efficiency and effectiveness of service delivery in each place.

5.2 CORPORATE PRIORITIES

- 5.2.1 The policy supports the Corporate Priorities and in particular supports the Priority of “Your Place” by helping to reduce and prevent crime and disorder; and enhance the wellbeing of communities. The policy also supports the priority “Your Health and Wellbeing” by ensuring Public Protection can protect and support communities through regulatory activity.

5.3 STAFFING

- 5.3.1 Adoption of the policy will result in a small amount of additional work for the Licensing Team and work is currently underway to develop options for increasing capacity within the service to ensure service standards are not compromised.

5.4 CONSTITUTIONAL AND LEGAL IMPLICATIONS

- 5.4.1 Although no formal policy is required under the relevant legislation, a formally adopted policy helps to provide a transparent and consistent approach, supports legitimate fundraising and protects the general public. The Licensing Committee has the delegated authority to set or amend the policy.

5.5 DATA PROTECTION

- 5.5.1 Data protection will be in line with other current licensing data and the existing privacy policy and data impact analysis will still apply.

5.6 FINANCIAL

- 5.6.1 None

5.7 RISK MANAGEMENT

- 5.7.1 None

5.8 STAKEHOLDER / CONSULTATION / TIMESCALES

- 5.8.1 Consultation has been carried out as detailed in this report. Consultees included the Council’s Policy Development Panel, Lincolnshire Police, the Royal British Legion and other prominent charities that collect in the District, plus other interested parties and charities that wished to respond to the online consultation. The draft Charitable House to House Collections Policy was consulted on at the same time.
- 5.8.2 There was only one response that related to the Charitable Street Collections Policy. This response asked for a wording change in respect of Section 7 (Pg 5) the use of animals to

support charitable collections. Rather than the use of the word ‘discouraged’, the draft policy has been amended to say ‘will not be permitted, other than for registered animal welfare charities and charities providing support animals, for example guide dogs and assistance dogs’

5.9 REPUTATION

5.9.1 Having a Policy provides the Council will help safeguard the Council and its reputation in the event of challenge by charitable organisations, the public or Local Government Ombudsman.

5.10 CONTRACTS

5.10.1 None

5.11 CRIME AND DISORDER

5.11.1 Lincolnshire Police will be a consultee on this policy. There are offences under the relevant legislation and so the policy will support charities to comply with the law.

5.12 EQUALITY AND DIVERSITY/ HUMAN RIGHTS / SAFEGUARDING

5.12.1 The policy will help to protect vulnerable people by ensuring tighter controls on charitable collections.

5.13 HEALTH AND WELL BEING

5.13.1 None

5.14 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

5.14.1 None

5.15 LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the follow Missions outlined in the Government’s Levelling Up White paper.	
Pride in Place	By 2030, pride in place, such as people’s satisfaction with their town centre and engagement in local culture and community, will have risen in every area of the UK, with the gap between the top performing and other areas closing.
Crime	By 2030, homicide, serious violence, and neighbourhood crime will have fallen, focused on the worst-affected areas.

6. ACRONYMS

6.1 None

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
APPENDIX A	Charitable Street Collections Policy (FINAL)

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

This report was previously considered by Licensing Committee on 29 June 2022 prior to consultation; and by Policy Development Panel (amended to reflect the consultative nature of the report) on 4 October 2022 during the consultation process.

REPORT APPROVAL

Report author:	Richard Boole Richard.Boole@sholland.gov.uk
Signed off by:	Donna Hall, Head of Public Protection John Leach, Deputy Chief Executive - Communities