

WILTSHIRE COUNCIL

LICENSING COMMITTEE

18th FEBRUARY 2013

STREET COLLECTIONS POLICY

Executive Summary

This report is to seek Members' views on the need to review and amend the Council's current Policy in relation to Street Collections.

Recommendations

It is recommended that:

The Licensing Committee consider the detail of the current Policy on Street Collections attached as Appendix 1.

The Licensing Committee agree to the proposed changes to the Council's current Policy in relation to Street Collections Attached as Appendix 2.

Reason for Proposal

To provide some flexibility in the number of days one charity can carry out collections on the streets throughout the Wiltshire Council area.

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Purpose of Report

1. This report is to seek Members' views on the need to review and amend the Council's current Policy in relation to Street Collections.
2. It outlines the performance of street collections under the current policy and highlights the challenges that deviating from the existing policy may bring.

Background

3. At its meeting on the 6th February 2012 the Licensing Committee approved a new harmonised street collections policy for the Wiltshire Council area. The new policy and the associated Regulations were implemented by the Licensing service from the 1st April 2012.
4. From the 1st of April 2012 to the end of December 2012 nine hundred and seventy two street collections have been permitted across the Wiltshire Council area.
5. During this time period the Council received one complaint from a local branch of a national charity that they wanted more than the two days permitted to collect money in the streets of the Wiltshire Council area.
6. No complaint was received from the administration team of the charity's head office and no other local branch contacted the Council to object to the two days that had been permitted.
7. In contrast the Council received six complaints from members of the public concerning the number of charity collectors present on the streets of Wiltshire. The current policy allows a charitable collection to be carried out on streets in the Wiltshire Council area seven days a week, fifty two weeks of the year.
8. It should be borne in mind that street collect permits only control charitable collections on publicly maintained Highway. A permit is not required to carry out Direct Debit sign-up for charitable donations; however the public often view all collectors in the same light. Charitable collections can be carried out on private land and buildings without the need to obtain a permit from the Licensing Authority.
9. In the current economic climate all charities are facing difficulties in raising funds; this has been reflected in the return amounts that the Council are receiving from the collections that have been permitted.
10. The current Policy allows equal access to collect money on all streets of Wiltshire to all charities regardless of whether they support local or national causes. The introduction of additional collection days for one charity over another could be construed as favouritism .If however the suggested change is made to the existing Policy it would allow additional days where requested if no other permit has been granted on the same dates .

Equality and Diversity

11. The implementation of Wiltshire Council's harmonised Policy over the last nine months has allowed for equitable access to all charities across the County of Wiltshire, with no singular charity being favoured over another.

Risk Assessment

12. If the Licensing Authority deviates from the existing Policy there is a risk that the Council could be accused of favouritism and be open to challenge.

Financial Implications

None

Legal Implications

A policy does not have the same status as a formal statutory requirement and it is always permissible to make exceptions to an adopted policy, where justified by the individual circumstances of a particular case.

Conclusion

It is recommended:-

The Licensing Committee do amend the current Street Collection Policy to allow additional collection days if no other permits have been granted for the same days or locations.

Background Papers

- Model Regulations

Appendices

Appendix 1 –Current Wiltshire Council Street Collection Policy
Appendix 2- proposed amended policy