

Charitable Collections Licensing Policy

Enter title of relevant Cabinet Member

Date: 5 July 2018
Contact Officer: Susan Bamford
Tel Number: 01543 308170
Email: Susan.bamford@lichfielddc.gov.uk
Key Decision? YES NO (delete as appropriate)
Local Ward Members n/a



REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 This report seeks approval from committee members for consultation to begin on a proposed charitable collections policy, included as Appendix A.
- 2 This policy document forms the Council's Charitable Collections Policy ("local policy") that will apply to Street and House to House Collection activities in the Lichfield District area to ensure consistency in decision making. The aim of the policy is to give detailed guidance on the application of the law relating to charitable collections, provide a clear idea of the requirements that charitable organisations, promoters and collectors must meet before, during and after collections take place. It also sets out the administrative procedures involved in obtaining a permit/licence.

2. Recommendations

- 2.1 It is recommended that Members approve for consultation the new charitable collections policy.

3. Background

- 3.2 Lichfield District Council has responsibility for licensing charitable collections within the District. Charitable collections consist of two categories - street collections and house to house collections.
- 3.3 Charitable collections licensing is regulated by two acts of Parliament. These are the 'Police, Factories, etc., (Miscellaneous Provisions) Act 1916' which regulates collections of money or sales of articles for charitable purposes in streets and public places and 'The House to House Collections Act 1939' which regulates collections of money or other articles made by means of going from house to house. Charities must obtain a permit or licence from the Council before a charitable collection takes place.
- 3.4 Currently the Council does not have a Policy covering Charitable Collections in the District meaning we cannot effectively regulate house to house collections.
- 3.5 An approved Policy will assist applicants for a charitable collection permit/licence, and provide guidance to enable the Council to make consistent decisions when determining applications. It will also provide residents who wish to donate to charity in this way with confidence that an adequate proportion of their donation will directly benefit the named charity and help to avoid street collectors becoming a nuisance for residents and visitors to the District.

Alternative Options	<ol style="list-style-type: none"> 1. The Committee could consider not consulting on the proposed policy; however this would not accord with good governance or best practice. 2. The Council could choose not to introduce a policy on charitable collections, however to do so would be contrary to best practice and may lead to a lack of clarity on the application of the legislation.
Consultation	<ol style="list-style-type: none"> 1. If approved for consultation, the proposed new policy would be issued to the following agencies for consultation: <ul style="list-style-type: none"> • Staffordshire Police • Staffordshire County Council • Ward members 2. The policy would also appear on the Lichfield District Council website for public consultation.
Financial Implications	<ol style="list-style-type: none"> 1. The introduction of a policy regulating the issuing of charitable collection permit/licenses do not have a budget implication as the administrative function involved is already carried out. 2.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The policy will support objectives contained within the District Council's Strategic Plan 2016 -20. In particular healthy and safe communities by ensuring that the community and voluntary sector can access a source of income whilst ensuring charitable collections are well regulated.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment will be undertaken once the consultation is complete.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. The policy will assist the Local Authority is exercising its duties and responsibilities under the 'Police, Factories, etc., (Miscellaneous Provisions) Act 1916' and the 'The House to House Collections Act 1939' and ensure that all collections are bona fide collections and operate in accordance with the policy and legislation.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A			State if risk is Red (severe), Yellow (material) or Green (tolerable) as determined by the Likelihood and Impact Assessment.
B			
C			
D			
E			

Background documents
Appendix A - Statement of Policy and Guidelines for the Licensing of Scrap Metal Dealers

Relevant web links

None