

Charitable Collections Licensing Policy

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Key Decision? YES NO (delete as appropriate)

Local Ward Members All Wards



REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 This report give members feedback on the outcome of the consultation for the Draft Charitable Collections Policy and seeks approval from committee members that the Policy as attached at Appendix A is submitted to full council for adoption.
- 1.2 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 provide a framework for consistency in decision making. The aim of the policy is to give detailed guidance on the application of the law relating to charitable collections and 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 That Members approve the new charitable collections policy for submission to full council for adoption.
- 2.2 That the chair of Regulatory & Licensing Committee together with the Head of Regulatory Services, Housing & Wellbeing be delegated to make any minor amendments to the 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 make clear the requirements for 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.

- 3.6 Last Summer the Regulatory & Licensing Committee recommended that the Draft Charitable Collections Policy be sent out for consultation. The following were consulted:
- Organisations that were granted a House to House permit during 2018
 - Organisations that were granted a Street Collection permit during 2018
 - Institute of Fundraising
 - Three Spires Shopping Centre
 - Staffordshire Police
 - Staffordshire County Council Highways
- 3.7 The consultation commenced on 30th January 2019 and concluded on 12th April 2019. The consultation was in line with the guidance issued by the better regulation office dated 2018.
- 3.8 4 responses were received. These responses are summarised at appendix B. Points raised in these responses have been incorporated within the Policy.

Alternative Options	1. The Council could choose not to introduce a policy on charitable collections, however to do so would be contrary to best practice and would not ensure that an adequate proportion of resident donations directly benefit the named charity.
Consultation	1. A list of those consulted is set out in paragraph 3.6. Points raised in these responses have been incorporated within the Policy.
Financial Implications	1. The introduction of a policy regulating the issuing of charitable collection permit/licences does not have a budget implication as the administrative function involved is already carried out.
Contribution to the Delivery of the Strategic Plan	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	1. An Equality Impact Assessment will be undertaken once the consultation is complete.
Crime & Safety Issues	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 – Charitable Collections Policy

Appendix B – Consultation Responses

Relevant web links

None