

WAVERLEY BOROUGH COUNCIL

LICENSING AND REGULATORY COMMITTEE – 16 JULY 2015

Title:

**PROPOSED AMENDMENTS TO WAVERLEY BOROUGH COUNCIL STREET
COLLECTION GUIDELINES**

[Wards Affected: All]

Summary and Purpose

The purpose of this report is to enable the Council to consider proposed amendments to the Street Collection guidelines against which applications for such collections will be considered. The Council's Street Collection guidelines were originally approved on 13 February 2002 and amended on 27 May 2010.

How this report relates to the Council's Corporate Priorities:

This report relates to improving lives in the Borough.

Equality and Diversity Implications:

There are no equality implications

Environment and Climate Change Implications:

There are no Environmental and Climate change implications in this report.

Resource/Value for Money Implications

There are no immediate resource implications in this report.

Legal implications:

Guidelines assist an applicant in assessing whether an application is likely to be granted, guide those who determine applications and reduce potential for legal challenge.

Introduction

- 1 Waverley Borough Council regulates charitable collections in the street. The Council has delegated to its officers the authority to consider and determine applications for street collections, subject to its guidelines, a copy of the current guidelines with proposed amendments added in red are attached at Annexe 1.
2. The first of these guidelines states:

The Council will usually permit four collections only per year by any individual or organisation applying.

3. The Licensing (General Purposes) Sub-Committee interprets and applies policy and may deviate from policy in exceptional circumstances/ for compelling reasons.
4. Having received an application from 'Go-Godalming' to collect at the Bandstand on fourteen separate occasions, officers requested that the Licensing (General Purposes) Sub-Committee sitting on Monday 22 June 2015 consider the application.
5. The series of events that gave rise to the 'Go-Godalming' application that were considered by the Sub-Committee on the 22 June 2015 were a repeat of similar annual programmes which have been held for each of the last nine years. The Sub-Committee felt that they could not be described as exceptional. The Sub-Committee felt that it did not have the power to sanction what had become a routine exception to policy. If such an extensive series of events were to be authorised, the Committee felt that this could only be done following an amendment to the policy and the Committee would therefore ask the Licensing and Regulatory Committee to consider making a recommendation to the Council that the policy be amended.
6. The decision of the Sub-Committee was as follows:-

“The Sub-Committee RESOLVED to grant permission for the next three concerts on 28 June, 5 and 19 July. The Sub-Committee gave conditional approval to the following dates 26 July, 9, 16, 23 and 30 August and 6 and 13 September subject to them being consistent with an amended Policy by the Council. However, if the amended policy required changes to printed promotional material, the Sub-Committee would grant exemption for this year only.”
7. The recommended amendments to the policy would be to add an additional guideline, No.14, which would state:
 14. In the event that a collection is requested for a series of community events (between 5 and 20 events) that take place in a public place, other than in the town or village centre, the Head of Policy and Governance in consultation with the Chairman and Vice-Chairman of the Licensing and Regulatory Committee, will be authorised to issue street collection permits, subject to the following conditions being met:-
 - The primary purpose of the series of events is to provide entertainment for the community. The collection of funds shall be incidental to the event.
 - Collections made should be to contribute to the cost of staging the event and/or to raise funds for charitable purposes (incidental to the event)
 - The organiser of the events cannot include, as part of the costs of staging the event, a payment in any form to him or herself other than to pay for specific costs incurred in relation to the event, supported by documentary evidence

- All applications for collections are to be submitted at least one month in advance of the first event in the series taking place
- All promotional material shall display a prominent statement that people attending will be invited to make a donation, and if relevant, to name the charity or charities which will benefit from the funds
- Collectors must remain stationary at the entrances or exits and must not move amongst those attending the event.

And to add the following additional wording to the first guideline;

“If you are organising a series of community events, please refer to guideline 14 to see if your events meet the criteria for issuing additional collections”;

And to amend one word in Guidelines 12 and 13 so that wording is consistent.

Conclusion

8. The Committee is asked to consider the proposed amendments to the Street Collection guidelines (Annexe 1) and make its recommendations to the Council that the guidelines be amended.

Recommendation

It is recommended that the Licensing and Regulatory Committee considers the proposed amendments to the Guidelines for the Grant of Street Collections in Waverley and makes the appropriate recommendation to the Council.

Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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