

## REDDITCH BOROUGH COUNCIL

LICENSING COMMITTEE

7<sup>th</sup> April 2014

### REGULATION OF FACE-TO-FACE DIRECT DEBIT CHARITABLE STREET COLLECTIONS IN REDDITCH

Relevant Portfolio Holder	Councillor Rebecca Blake
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 Officer's from Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the Public Fundraising Regulatory Association with a view to establish an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.
- 1.2 This report provides an update to the Licensing Committee on progress to date towards this agreement.

#### **2. RECOMMENDATIONS**

**Members are asked to RESOLVE;**

**That the contents of the report on the implementation of the Council's Site Management Agreement with the Public Fundraising Regulatory Association, in relation to the control of Face to Face Direct Debit Charitable Street Collectors are noted.**

#### **3. KEY ISSUES**

##### **Financial Implications**

- 3.1 Engagement with the Public Fundraising Regulatory Association has been carried out using existing resources from within Redditch Borough Council and Worcestershire Regulatory Services.

##### **Legal Implications**

- 3.2 The regulation of charitable street collections within Redditch falls under the Police, Factories, etc. (Miscellaneous Provisions) Act 1916, which empowers the licensing authority to make regulations with respect to the place where and the conditions under which street collections may be permitted within its area.

There is no legislation which specifically regulates the activities of Face-to-Face Direct Debit Charitable Street Collectors. In the absence of any formal regulation

what is being proposed is an agreement to establish guidelines for voluntary regulation through the Council working with the Public Fundraising Regulatory Association (PFRA).

**Service / Operational Implications**

**3.3 Background**

On 12th March 2013, the Executive Committee received the final report of the Redditch Market Task Group. This group was commissioned to carry out a review by the Council's Overview and Scrutiny Committee in November 2011. The review was precipitated by concern that the market was not performing to its full potential. This in turn was having a negative impact to the town centre economy and its general image.

One of the recommendations contained in the Redditch Market Task Group's final report was that the Council should engage with the Public Fundraising Regulatory Association with a view to reaching an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.

One of the major concerns raised by market traders who had been consulted by the Group regarded the operation of charity street fundraisers, often termed 'chuggers', in the very near vicinity of the market. Members heard that the presence of the fundraisers in Alcester Street and Market Place was often having a detrimental impact on trade as this was clearly deterring potential shoppers from entering the market area in the knowledge that they would likely be approached by street fundraisers.

Furthermore, the traders reported that, on a number of occasions, the fundraisers had encroached upon the market trading area that was supposedly off-limits. Altogether, this was believed to be having a damaging impact on trade, especially as the adjacent Kingfisher Shopping Centre had already imposed a ban on charity fundraisers, offering another incentive for would be shoppers to head elsewhere from the market.

Members of the Group acknowledged that street fundraising is a crucial method for many charities in raising money for very worthwhile causes. The Group did not therefore propose that a byelaw, which would require the approval of the Secretary of State, was developed that would ban street fundraisers from operating in the town centre altogether. However, they felt that a fairer balance can and should be reached that would preserve the various charities ability to raise donations in Redditch town centre yet not at the expense of market trade.

Given that one of the Group's main recommendations was to reduce the number of general retail market operating days to no more than three days a week, the Members felt that this provided sufficient scope for street fundraisers to operate in the town centre yet outside of the market's trading days.

The Public Fundraising Regulatory Association is the charity-led membership body that self-regulates all forms of direct debit face-to-face fundraising. This would be a voluntary arrangement which was not legally binding and could not be upheld through formal enforcement action. However they had been implemented by a number of local authorities throughout the UK and had been proven to work well in minimising problems.

More than sixty local authorities across the country have already developed agreements with the Public Fundraising Regulatory Association which restricts the operation of street fundraisers to specific days and/or areas. Local examples include Worcester, Coventry, Cheltenham, Gloucester, Hereford, Rugby, Sandwell and Wolverhampton.

Members of the Redditch Market Task Group proposed that the Council replicates the action of these local authorities elsewhere in establishing an agreement with the Public Fundraising Regulatory Association that would restrict street fundraisers from operating in the town centre during market days.

This would reassure members of the public that they can freely enter the market area without fear that they might be stopped and asked for their bank details, likely increasing footfall and potential trade for the market as a consequence.

The Executive Committee, having considered the final report of the Redditch Market Task Group, agreed with this recommendation and resolved that the Council should engage with the Public Fundraising Regulatory Association with a view to reaching an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.

Since the Executive Committee meeting on 12<sup>th</sup> March 2013, officers from both Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the Public Fundraising Regulatory Association with a view to establishing such an agreement and a number of meetings have now taken place.

At a meeting on the 10<sup>th</sup> September 2013 a site visit was undertaken by officers, elected members and the then Head of Policy at the Public Fundraising Regulatory Association Dr Toby Ganley in order to establish suitable locations for collectors within the Town Centre. Following this meeting a draft Site Management Agreement was prepared and sent to Redditch Borough Council for consideration.

At a further meeting a number of additional requirements were also discussed and a summary of these requirements was sent to the Public Fundraising Regulatory Association. It is now anticipated that the final agreement will soon be agreed and made available for all parties to sign within the coming weeks.

This agreement will clearly set out the parameters in relation to where, when and how Direct Debit collectors will be able to operate. It is therefore anticipated that it will go some way in relieving the perceived problems associated with the

activities of face to face direct debit street collectors operating in Redditch Town Centre.

The Public Fundraising Regulatory Association has produced best practice guidance for face to face direct debit street fundraisers, comprising of rules and also a fines system. Their compliance team is responsible for issuing notices to fundraising organisations who are found to be in breach of these rules. The rules, which will build on the "Institute of Fundraisings code of practice", are contained in the Public Fundraising Regulatory Association rule book. A copy of the Public Fundraising Regulatory Association's street face-to-face fundraising rule book is attached at "**Appendix A**".

**Customer / Equalities and Diversity Implications**

3.4 There are no specific implications arising from this report.

**4. RISK MANAGEMENT**

4.1 None

**5. APPENDICES**

Appendix A – PFRA Rule Book

**6. BACKGROUND PAPERS**

Draft Site Management Agreement

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