

REDDITCH BOROUGH COUNCIL

LICENSING COMMITTEE

3rd November 2014

**SITE MANAGEMENT AGREEMENT BETWEEN PUBLIC FUNDRAISING
REGULATORY ASSOCIATION AND REDDITCH BOROUGH COUNCIL**

Relevant Portfolio Holder	Councillor Yvonne Smith
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 Officers from Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the Public Fundraising Regulatory Association with a view to establishing an agreement to regulate the working days and areas of charity street fundraisers in Redditch Town Centre.
- 1.2 The agreement has now been finalised and this report provides Members with the details of what the agreement includes.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

That the contents of the site management agreement between the Public Fundraising Regulatory Association and Redditch Borough Council be 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 PFRA 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 could 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 PFRA 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 PFRA 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 PFRA 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 PFRA 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 12th March 2013, officers from both Worcestershire Regulatory Services and Redditch Borough Council have been engaging with representatives of the PFRA with a view to establishing such an agreement and a number of meetings have now taken place.

In April 2014, the Licensing Committee received a report updating them on progress in relation to the establishment of the agreement. Changes in personnel at both the PFRA and Redditch Borough Council have meant that there has been a slight delay in completing the agreement.

However the agreement has now been finalised and clearly sets 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 agreement restricts the number of fundraisers to be present on any one day to three. The agreement also sets out areas within which a maximum of one fundraiser may be positioned. The agreement restricts fundraising to taking place on not more than 3 non-consecutive days per week. The agreement can be seen in full at Appendix 1.

Members are asked to note the contents of the agreement.

Customer / Equalities and Diversity Implications

3.4 There are no specific implications arising from this report.

4. RISK MANAGEMENT

4.1 Without a site management agreement, there will be no regulation of face to face direct debit fundraising in Redditch.

5. APPENDICES

Appendix 1 – Site Management Agreement between Public Fundraising Regulatory Association and Redditch Borough Council

6. BACKGROUND PAPERS

None

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