

LICENSING COMMITTEE

19 NOVEMBER 2014

Present :-

Councillor Nick Cope (Chairman)
Councillors Ray Gamble, Dave Harris, Julia Havis,
Pauline Hazell, Margaret Kimberley, Michael Lilley,
Richard Martin, Philip Oxford and Lesley Scott-Boutell.

9. Licensing Team

Councillor P. Oxford reported that he had experienced difficulty in contacting members of the Licensing Team when he had been unable to attend a meeting of the Committee and asked for the arrangements to be reviewed.

Jon Ruder, Licensing and Food Safety Manager, confirmed that there had been certain issues with recent changes to the council's telephone system but that these had now been resolved. He agreed to see whether there were any other issues which needed to be reviewed.

10. Minutes

The minutes of the meetings held on 27 August and 15 September 2014 were confirmed as correct records, subject to the addition of Councillor Havis to the list of those in attendance at the meeting on 27 August 2014.

11. Face to face Charitable Collections

The Committee considered a report by the Head of Professional Services inviting the Committee to consider the adoption of a Charitable Collections Policy and seeking the Committee's views on any action in relation to 'chugging'.

Jon Ruder, Licensing and Food Safety Manager, together with Sally Harrington, Planning and Licensing Service Manager explained that the Council's current administration arrangements for House to House and Street Collections had been set out in a suggested policy document for formal adoption by the Committee. The intention was for the process of application and grant of collections and all parties' roles and responsibilities open and transparent.

It was further explained that 'chuggers' was the colloquial term used for face to face fundraisers who sought regular charity donations via direct debit from people in the street. No legislation currently existed to control this activity, although one possible means of regulation was by voluntary agreement. The report included details of agreements used by a charity led, self-regulatory membership body called the Public Fundraising Association (PFRA) that sought to balance the need of charities to raise funds against the needs of the public not to be put under undue pressure. The PFRA had management agreements in place in Chelmsford and Southend which were reported to have led to improvements.

The Committee could consider working with the PFRA, subject to more detailed discussions, to establish a Site Management Agreement which would set limits on the number of fundraisers, delineate fundraising sites and specify the days of the week that

charities could operate. The agreement would also include a penalty point scheme for breaches by charitable collectors.

Councillor Scott-Boutell referred to a recent example of intimidating behaviour by a charitable collector and welcomed opportunities to control and manage the collections but was concerned about the mechanisms to report breaches. It was explained that details in relation to monitoring arrangements would be subject to further discussions but, once an agreement was in place, the Council would relinquish the responsibility for the management of the scheme to the PFRA.

Councillor Harris considered that the identification of fundraising sites would be important as he wished to avoid the possibility of problems simply being transferred to smaller out of town shopping areas.

Members of the Committee were generally concerned about the effectiveness of the penalty point scheme and the scope for a number of major transgressions to occur without reaching the financial penalty threshold. Mention was also made of the possibility of a representative from Chelmsford or Southend attending a future meeting of the Committee to share their experience of the work of the PFRA.

RESOLVED that -

- (i) The proposed policy in relation to face to face collecting in the form of house to house collections and street collections be adopted
- (ii) The Public Fundraising Association be invited to attend a future meeting of the Committee and further discussions be undertaken with a view to entering into an agreement for the management in Colchester of the collection of direct debit details for charity, commonly known as 'chugging'