

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

LICENSING COMMITTEE – 12 NOVEMBER 2003

REPORT OF THE HEAD OF ADMINISTRATION

CONSULTATION ON PUBLIC COLLECTIONS

Purpose of report

To make members aware of proposals to amend legislation governing public collections.

Decision required

To respond to the consultation document on these proposals.

Policy matters

None.

Financial/staff resources

The proposals could have staffing implications.

Health/anti-poverty issues

None.

Crime and disorder

With improvement of controls over such collections, the opportunity for criminal activity or nuisance will be reduced.

Human Rights

None.

E-Government

None.

1. BACKGROUND

The Home Office has proposals for a new local authority licensing scheme. The background to this consultation paper is that at present legislation for house to house and street collections is considered to be inconsistent, fragmented, outdated and complex. It is felt to be difficult both for collection organisers to understand and for local authorities to implement effectively.

The objective of the proposed new licensing scheme is to create a fair and cost effective system of licensing which facilitates responsible fundraising but deters bogus collections and prevents nuisance to the public. An extract from the document is attached. As part of the exercise the Home Office pose a number of questions, a response to which is sought.

Licensing staff have been through the document and have offered some comments and these are set out below, the numbered response relates directly to the question number.

- 1 The proposals in principle are good.
- 2 & 3 A licence should be required to carry out face to face fundraising. This would allow local authorities to exercise tighter controls over such activities.
- 4 Public place should include private property.
- 5 Collections in shops should be licensed. Although such collections may be subject to control by the premise owners it does not necessarily follow that they are. Also, many problems are currently experienced with collectors in shops spilling out onto the streets and causing nuisance.
- 6 Yes, although a procedure giving notice should be prescribed. Also, authorities should be able to require information and have powers to prevent such a small collection taking place.
- 8 Good idea with tight controls in place to ensure that a local authority is aware of all collection activities on any given day.
- 10 Lack of individual control.
- 11 No. Although no capacity issues with the collection of goods, they are often the subject of complaint. Upon receipt of a flyer through their door many residents will contact an authority to check if a collection or collector is legitimate. With prior notification of such collections we would be able to deal swiftly with such enquiries and draw out those which were unlicensed.
- 25 Not if regulated elsewhere.
- 30 No but may be too burdensome to check, require Criminal Records Bureau or police check.
- 31 Should be over 18 so can be held accountable.
- 33 Yes.

Other comments:

The method of checking criminal convictions is not clear. It is assumed that would be via the Criminal Records Bureau rather than police at a local level.

2. RECOMMENDED:

**THAT THE COMMENTS OUTLINED ABOVE BE SUPPORTED AND MEMBERS
ADD ANY OTHERS FOR SUBMISSION TO THE HOME OFFICE IN RESPONSE
TO THE CONSULTATION DOCUMENT.**

Background papers: Home Office Consultation paper dated September 2003.

Roy Eaton
October 2003

(Contact officer – Roy Eaton – extension 454530)

r694pb