



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Environment Overview and Scrutiny Committee

30 November 2021

Report of: Councillor Linda Wootten

Cabinet Member for Corporate Governance and Licensing



New Street Collection and House to House Collection Policy

This report proposes the introduction of a new Street Collection and House to House Collection policy and a 4-week consultation period with the public, local businesses, partner agencies and other organisations.

Report Author

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Corporate Priority:	Decision type:	Wards:
Healthy & Strong Communities	Non-Key	All Wards

Reviewed by:	Anne-Marie Coulthard (Assistance Director Operations and Public Protection)	15 November 2021
Approved by:	Gary Smith (Director, Commercial and Operations)	17 November 2021
Signed off by:	Councillor Linda Wootten (Cabinet Member for Corporate Governance and Licensing)	18 November 2021

Recommendation (s) to the decision maker (s)

1. **Considers the draft South Kesteven District Council Street Collection and House to House Collection Policy and agrees it, with or without amendments as the basis for public consultation.**

1 The Background to the Report

- 1.1 Street Collections are the collecting of cash or articles from a stationary position in the street, usually for charitable purposes. They are governed by the Police, Factories etc (Miscellaneous Provisions) Act 1916. This Act allows the Council to control the places where collections may be permitted and the conditions under which permits can be issued. To date, the Council has issued permits in accordance with the Regulations but has not had a policy providing a framework to support this.
- 1.2 On average 28 Street Collection permits are issued each year. The legislation does not permit a fee to be charged.
- 1.3 House to House Collections are regulated by the House to House Collections Act 1939. This Act requires the promotor to obtain a permit from the Council to collect cash or goods for charity by going door to door before a collection can be carried out. The Council must grant a permit on application unless one of the grounds set out in the Act for refusing the licence applies. To date, the Council has issued permits in accordance with the Act but has not had a policy providing a framework to support this.
- 1.4 On average 40 House to House Collection permits are issued each year. The legislation does not permit a fee to be charged.
- 1.5 There is no statutory requirement for a local authority to adopt a Street Collection or House to House Collection Policy. However, the adoption of a Street Collection and House to House Collection Policy (“the draft new policy”) will give clarity to the public, partner agencies and applicants. It also provides a framework for Officers and Members to enable consistent decision making and transparency.
- 1.6 The Licensing Committee reviewed the new draft policy at their meeting on 12 November 2021, no adverse comments were made.
- 1.7 The draft new policy is provided in **Appendix 1**.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 The Licensing Committee in their meeting held on 12 November 2021 took the opportunity to review the draft new policy. No amendments were proposed.
- 2.2 There is no legal duty placed upon the Council to consult on the implementation of this Policy. However, it is good practice to consult with the public, local businesses, partner agencies and other organisations. It is therefore recommended that a 4-week consultation is undertaken. It is anticipated that this will commence in early January 2022 to allow for the Christmas period.

3 Available Options Considered

- 3.1 The Environment Overview and Scrutiny Committee are asked to review the draft new Policy, providing relevant feedback and agreement that the draft new Policy is suitable as the basis for a 4-week public consultation.

The committee may decide that there is no need to implement a new Policy and the existing arrangements should stay in force.

4 Preferred Option

- 4.1 The Environment Overview and Scrutiny Committee review the draft new Policy and provide relevant feedback to be incorporated prior to public consultation.

5 Reasons for the Recommendation (s)

- 5.1 The draft new Policy supports the Authority in fulfilling its statutory duties associated with street collections and house to house collections.

6 Next Steps – Communication and Implementation of the Decision

- 6.1 Any feedback from the Environment Overview and Scrutiny Committee will be incorporated into the policy. It is then intended that a 4 week public consultation will be undertaken.
- 6.2 Following analysis of the consultation feedback, subject to no major concerns being raised which may alter the intent of the Policy, the draft new Policy will be presented to Cabinet for final agreement.

7 Financial Implications

- 7.1 There are no direct financial implications associated with the recommendations in this report.

Financial Implications reviewed by: Alison Hall-Wright, Head of Finance & ICT

8 Legal and Governance Implications

- 8.1 Whilst each individual licensing application or enforcement decision will be judged on its own merits, a Policy ensures a transparent and consistent approach to licensing that will reduce the opportunity for challenge through the Courts. Any departure from the Policy should be based on material evidence and documented giving clear and compelling reasons.

Legal Implications reviewed by: Mandy Braithwaite, Legal Executive

9 Equality and Safeguarding Implications

- 9.1 An initial equality impact assessment has been undertaken and is at **Appendix 2**. It has not identified any significant negative impacts.

10 Risk and Mitigation

- 10.1 No specific risks have been identified.

11 Community Safety Implications

- 11.1 It is important that the public, businesses in the locality and those using highways are able to do so safely. The draft Policy puts into place conditions and standards for all street and house to house collectors to adhere to maintain community safety.

12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

- 12.1 The changes proposed do not impact upon the declared climate emergency.

13 Other Implications (where significant)

- 13.1 None identified.

14 Background Papers

- 14.1 [Current Street Collection Guidance on our website](#)
- 14.2 [Current House to House Collection Guidance on our website.](#)

14 Appendices

- 15.1** Appendix 1 – Draft new Street Collection and House to House Collection Policy
(incorporating feedback from the Licensing Committee)
- 15.2** Appendix 2 – Equality Impact Assessment