

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Licensing Committee **DATE:** 30<sup>th</sup> September 2015

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**WARD(S):** All

### **PART I**

#### **FOR DECISION**

#### **HOME OFFICE MODEL STREET COLLECTION REGULATIONS**

1. **Purpose of Report**

For Members to note the recommendation of the report to re-adopt the Home Office Model Street Collection Regulations.

2. **Recommendation(s) n**

That the Committee:

- (a) Resolve to re-adopt the Home Office Model Street Collection Regulations.
- (b) Recommend the re-adoption of the Home Office Model Street Collection Regulations to Full Council.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The Council does not currently have in place specific policies for Street Collections or House Collections. The Licensing Team has recently reviewed the current processes and procedures, which has resulted in new draft policies being prepared for both types of collections. As a matter of transparency with the new draft policies being prepared a recommendation is being made for the Home Officer Model Street Collection Regulation (previously adopted in June 1974) to be re-adopted.

3a. **Slough Joint Wellbeing Strategy Priorities –**

As the report outlines a recommendation is being made to re-adopt the Home Office Model Street Collection Regulations in light of new specific policies for Street Collections and House to House Collections.

The new draft policies have been prepared with the essence being that proceeds (other than holders of Home Office Exemption Orders) will be used for

the benefit of Slough's community.

To emphasise the fact that all collections are to be made correctly and legally and in line with the new draft policies it is recommended that the Home Office Model Street Collection Regulations are to be re-adopted.

The recommendations within the report will contribute the the following wellbeing themes.

- Economy and Skills
- Safer Communities

Cross-Cutting themes:

Approving the recommendations will promote the benefits of living and working in Slough and will contribute to the cross cutting theme of **Improving the image of the town.**

3b. **Five Year Plan Outcomes**

The report outlines fully the reason for the recommendation to ensure that all charitable collection are conducted legally ensuring that there is no risk to the public which will therefore contribute to the Five Year Plan with the specific outcome of:

- Slough will be one of the safest places in the Thames Valley

4. **Other Implications**

(a) Financial

There are no financial implications involved in the recommendation

Risk Management

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
As detailed in Point 2.	None	With new Street Collection and House to House Collection polices being prepared it is essential that the Council operates in a transparent fashion and the re-adoption of the regulations will emphasise this.

(b) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Parts I & II of The Human Rights Act 1998 apply:

Article 1 – Every person is entitled to the peaceful enjoyment of his or her possessions including the possession of licence and shall not be deprived of the possession except in the public interest

Article 6 – That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

(c) Equalities Impact Assessment

An initial EIA has been completed which indicates that in approving the recommendation there are no negatives or adverse impacts on any equality group.

**5. Supporting Information**

- 5.1 The Council does not currently have in place specific policy documents in relation to 'Street Collections' and House to House Collections and currently deal with such applications using Slough Borough Council (SBC) House to House Model Guidance for Public Charitable Collections, House to House Regulations, SBC Street Collections Guidance and the SBC Model Street Collection Regulations.
- 5.2 In light of this the Licensing team have recently conducted a review of the processes and procedures for 'Street Collections' and 'House to House Collections' and in doing so have prepared new draft policies for both types of collections to include those documents referred to in (5.1 above) which will be formally put before the Committee and consulted upon in due course.
- 5.3 In order that all Charitable Collections are conducted legally and correctly, on 4<sup>th</sup> June 1974 The Borough of Slough formally adopted the Home Office Street Collection Regulations as contained within The Charitable Collections (Transitional Provisions) Order 1974. A copy of the 1974 Order and Model Conditions are attached at **Appendix A**.
- 5.4 As the Borough of Slough originally adopted the Home Office Model Street Collection Regulations in 1974, that new draft policies have been prepared and of a matter of transparency for the new policies to be approved and consulted upon, the Committee are asked to resolve to recommend to Full Council to re-adopt the regulations.
- 5.5 Once a resolution has been passed by Full Council, the procedure to re-adopt the regulations will be in accordance with Section 5 of the Police, Factories, & C. (Miscellaneous provisions) Act 1916. A copy of the 1916 Act is attached at **Appendix B**.

**6. Comments of Other Committees**

None

**7. Conclusion**

The Committee is therefore requested approve the recommendations of the report.

**8. Appendices Attached**

‘A’ - Copy of ‘The Charitable Collections (Transitional Provisions) Order 1974’ and ‘Model Street Collection Regulations’.

‘B’ - Copy of the Police, Factories & C. (Miscellaneous Provisions) Act 1916

**9. Background Papers**

None