

TITLE	Wokingham Borough Site Management Agreement
FOR CONSIDERATION BY	Licensing and Appeals Committee on 19 March 2019
WARD	Non-specific
LEAD OFFICER	Sean Murphy – Public Protection Manager

OUTCOME / BENEFITS TO THE COMMUNITY

This report is to present to the Committee the proposal for the introduction of an Institute of Fundraising ('IoF') Site Management Agreement ('SMA') to monitor and control face to face direct debit collections made within the borough.

Should the Committee wish to introduce a Site Management Agreement within the borough, the Licensing Department will work with the Institute of Fundraising to draft an agreement which will be presented back to the Committee before it is signed off.

RECOMMENDATION

That the Committee confirms whether they wish the Licensing Department to work with the Institute of Fundraising to develop a Site Management Agreement for Wokingham Borough.

SUMMARY OF REPORT

A Site Management Agreement is an agreement between the IoF and the Council to monitor and control the prevalence of face to face direct debit collectors. Having an agreement in place gives the authority a degree of control over this activity that is not restricted by legislation.

Background

The collection of direct debit mandates 'face to face' in the street does not require any formal authorisation from the Council as the Police, Factories etc (Miscellaneous Provisions) Act 1916 only provides for the collection of money or sale of goods for charitable purposes. A direct debit mandate has no particular worth at the point of collection, as it is simply a promise to make payment by issuing an order to a bank or building society.

The Institute of Fundraising is the professional membership body for UK fundraising with over 600 organisational members and over 6,000 individual members. The IoF monitors member organisations, through a programme of random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the Code of Fundraising Practice, Fundraising Regulator Rules, and Site Management Agreements. The IoF can give appropriate penalties or sanctions to those not abiding by the rules.

Analysis of Issues

In the absence of legislation applying to direct debit forms of fundraising, the IoF can work with local authorities to establish co-regulatory agreements. These SMAs set controls on where and when fundraising can take place.

The Local Government Association recommends voluntary SMAs as an effective solution for those that want to have "more control over face to face fundraising", because they bring together IoF's expertise in controlling fundraising and Councils' knowledge of local conditions.

A typical SMA will specify:

- The location(s) in which fundraisers may work - this usually includes a map and specific instructions such as "High Street between Church Street and Main Road".
- Which days of the week fundraisers may attend - the number of days will vary according to the size and footfall of the location.
- How many fundraisers may attend - the number of fundraisers will vary between 2 and 6, according to the size and footfall of the location.
- Other local considerations.

An example of an SMA is attached at **Annex A**.

When an SMA is in place, the IoF send notifications of which of its member organisations will be collecting on any given day. This will allow the Council to coordinate any street collection permits it issues, to minimise the number of charities collecting in the same area on the same day. This will benefit both collectors, who will be less likely to have competition on their collection day, and also our residents, who will be able to go about their business without intrusion from multiple collectors in the same area. A newly renovated town centre is likely to be an attractive proposition for charity collectors, and with an SMA in place the Council will be the best position to have an influence over the activities of charity collectors.

If the Committee wish to introduce a SMA for the borough, the Licensing team will work with the IoF to develop an agreement, which would be presented back to the Committee before it is signed off.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Officer time to develop agreement with IoF	N/A	N/A
Next Financial Year (Year 2)	Officer time managing	N/A	N/A

	agreement		
Following Financial Year (Year 3)	Officer time managing agreement	N/A	N/A

Other financial information relevant to the Recommendation/Decision

There is a cost associated with the officer time spent on implementing and managing a SMA, however, though the experience of having an SMA in place elsewhere within the PPP shared service, it is not expected for there to be a burdensome

Cross-Council Implications

N/A

List of Background Papers

None

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