

Report to: Licensing and Enforcement Sub Committee



Date of Meeting 02 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## **Application for a Street Collection Permit – Sidmouth.**

Report summary:

To consider an application under the Police, Factories ect. (Miscellaneous Provisions) Act 1916 for a Street Collection Permit to permit a collection outside the terms of the council's policy.

### **Is the proposed decision in accordance with:**

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Licensing & Enforcement Sub-Committee determine an application for a street collection outside the terms of the current street collection policy.

Reason for recommendation:

Departure from current policy.

Officer: Phillippa Norsworthy, Licensing Manager, PNorsworthy@eastdevon.gov.uk

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Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☒ Coast, Country and Environment
- ☐ Council and Corporate Co-ordination
- ☐ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

### **Equalities impact Low Impact**

If choosing High or Medium level outline the equality considerations here, which should include any particular adverse impact on people with protected characteristics and actions to mitigate these. Link to an equalities impact assessment form using the [equalities form template](#).

### **Climate change Low Impact**

**Risk:** Low Risk;

**Links to background information** [Who We Are – Sidmouth Coastal Community Hub CIC](#)

## [Link to Council Plan](#)

Priorities (check which apply)

- ☐ Better homes and communities for all
- ☐ A greener East Devon
- ☒ A resilient economy

## Appendices

**APPENDIX A** – Police, Factories & etc. (Miscellaneous Provisions) Act 1916 (5) Regulations of street collections.

**APPENDIX B** – Regulations made by East Devon District Council – Street Collections.

**APPENDIX C** – East Devon District Council's Street Collection Policy.

**APPENDIX D** – Application.

**APPENDIX E** – Artist's Impression of proposed disabled access.

**APPENDIX F** – Information Flyer

**APPENDIX G** – Return of proceeds form 2024.

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## Report in full

### 1

- 1.1 Charity Street Collections are governed under the Police, Factories etc, (Miscellaneous Provisions) Act 1916. A copy of the relevant section from the legislation can be found at **APPENDIX A**.
- 1.2 District councils, as specified in the act may make regulations within their district as to where and the conditions of which persons may collect or sell articles for the benefit of charitable purposes. For the benefit of clarity, a 'street' includes any highway and any public bridge, road, lane, footway, square, court, alley, or passage whether a throughfare or not. A copy of the adopted regulations by East Devon District Council on 15 February 2017 are found at **APPENDIX B**.
- 1.3 East Devon District Council last reviewed the charity street collection policy on 15 February 2017 and the policy attached at **APPENDIX C** is the adopted current policy.

### 2

- 2.1 A previous application for a permit(s) to conduct multiple occasion street collections under the Police, Factories etc (Miscellaneous Provisions) Act 1916 was received from the Sidmouth Coastal Community Hub Community Interest Company (SCCH CIC) on 26<sup>th</sup> April 2024. At a sub-committee hearing on 26<sup>th</sup> June 2024, the licensing sub-committee granted permission for the SCCH CIC to conduct multiple occasion street collections at a location on Millenium Walk, Sidmouth to raise funds for a disabled access ramp at Chit Rocks.
- 2.2 An application was received from the SCCH CIC on 26<sup>th</sup> January 2025, requesting permission to conduct multiple occasion street collections in 2025, at the same location on Millenium Walk, Sidmouth to continue to raise funds for the disabled access ramp at Chit Rocks. The application can be found at **APPENDIX D** and an artist's impression of the proposed disabled ramp can be found at **APPENDIX E**.
- 2.3 The reason for requesting permission to hold additional street collections in 2025 is due to a delay in the larger beach management scheme in Sidmouth. Due to the delay, the organisation would like to continue to maintain awareness and gather support and funding for the disabled access ramp project.

- 2.4 Sidmouth Coastal Community Hub (SCCH) Community Interest Company (CIC) are a community company focussing on community engagement through events, education, the arts, sustainability and responsible tourism. A link to their public website can be found at '[links to background information](#)'.
- 2.5 SCCH are not a registered charity, however they are recognised as a Community Interest Company (CIC) and hold a registration number to certify this.
- 2.6 The current policy states:
- An organisation applying for a permit to collect does not need to be a registered charity.*
- Where an application is received that is considered not to be in the public interest the licensing manager, in consultation with the head of legal, licensing and democratic services, may refuse the application.*
- 2.7 The application to engage in multiple occasion street collections is in relation to a community project to raise funds to provide a disability ramp at Chit Rocks, Sidmouth. An information flyer of the proposed location of the ramp and a plan of the proposed ramp project are found at **APPENDIX F**.
- 2.8 A returns form has been completed to show the amount raised during the collections in 2024. This is attached as **APPENDIX G**.

### 3

- 3.1 SCCH have applied to collect on multiple dates at the same location at Millenium Walk, Sidmouth, between the hours of 10:00 to 18:00, with a maximum of two collectors. The dates applied for are as follows:

- 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, 28<sup>th</sup>, June 2025.
- 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup> July 2025.
- 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup> August 2025.
- 6<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, 27<sup>th</sup>, September 2025.

This amounts to a possible total of 15 separate occasions of street collecting with each collection taking place on a Saturday over several consecutive weeks. This is an increase of five collections from the previous year. The total amount of collections which took place in 2024 was 10.

At the time of writing this report no other street collections in Sidmouth are due to take place on the dates specified above.

- 3.2 Under the current policy, adopted by East Devon District Council on 15 February 2017, the policy states at *Specific Policy Areas* (1) (a)

*That a collection for one day will be permitted per week in each of the towns in the district including Axminster, Seaton, Honiton, Ottery St Mary, Colyton, Beer, **Sidmouth**, Budleigh Salterton and Exmouth. Saturday is the day on which most collections take place with the exception of Axminster where Thursdays is the preferred choice of many organisations because of the market. The District Council will always attempt to be flexible and permit an organisation to collect, with prior agreement, on any day they wish providing always there is only one collection held in that town in that week.*

- 3.3 At section 2 of the policy, *The following exceptions will apply to the policy*, lists the nature of various scenarios that may be considered as an exception to the policy, either at the discretion of the Licensing Manager, the Licensing & Enforcement Committee or their sub-committee. In this instance, the scheme of delegation to determine this application is set out below at (6) of the policy.

*Occasionally the District Council will receive applications for permits to enable street collections in circumstances outside the terms of the council's policy. An example might be where an organisation/charity wishes to collect for longer periods or more often than the policy permits. In these circumstances the Licensing and Enforcement Committee or a Sub Committee of the Committee will consider the application.*

3.4 Members are asked to take note of the policy at *Specific Policy Areas (d)*

*Permits will be issued to permit collections between 10.00 am and 6.00 pm on the day approved for the collection. Exceptions to these times will be considered at the discretion of the Licensing Manager.*

**4**

- 4.1 Members are asked to consider the application and to decide whether or not they wish to use their discretion to depart from the current policy to permit SCCH to operate multiple street collections across a number of dates, as they have requested on the application.

## **Report Summary**

**5**

- 5.1 An application has been made by the SCCH to conduct a street collection, every Saturday commencing on 7<sup>th</sup> June to 27<sup>th</sup> September 2025, with a two week break in between, from 2<sup>nd</sup> August to 9<sup>th</sup> August 2025 when no collections are due to take place.
- 5.2 The application at **APPENDIX D** requests that only two collectors will be collecting at each occasion which is permitted in the current policy, and the location of the collecting will be situated at the Millennium Walk, Sidmouth only. The applicant has requested that the collections are to take place between the hours of 10:00 to 18:00.
- 5.3 Members are asked to have consideration to the legislation, Police, Factories & etc. (Miscellaneous Provisions) Act 1916, The Regulations and East Devon District Council's Street Collections Policy **APPENDICES A, B and C**, when making their determination whether or not to permit multiple street collections as applied for.

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Financial implications:

There are no financial implications in this report.

Legal implications:

The legal framework is set out within the report and requires no further comment at this time.