



Report No: Public Agenda Item: **Yes**

Title: **Street Collection Application**

Wards Affected: **All**

To: **Licensing Committee** On: **7 November 2013**

Key Decision: **No**

Change to **No** Change to **No**
Budget: Policy
Framework:

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1. What we are trying to achieve

- 1.1 This report is in respect of a non charitable street collection application that departs from Torbay Council's Street Collection Policy should it be granted.

2. Recommendation(s) for decision

- 2.1 There is no recommendation.

3. Key points and reasons for recommendations

- 3.1 By the provisions of the Borough of Torbay (Street Collection) Regulations 1976, made under the Section 238 of the Local Government Act 1972, Torbay Council is the Licensing Authority in respect of Street Collection within Torbay.
- 3.2 An application has been made by the Babbacombe Bay Business Improvement District (BID) to collect money for their Christmas 2013 and summer 2014 events. Although the Borough of Torbay (Street Collection) Regulations 1976 would legally allow an association to street collect, Torbay Council's Street Collection Policy as approved by Torbay Council on 20th May 2010 makes provision only for charities to collect in Torbay.
- 3.3 The granting of the application would depart from the agreed Policy and could set a precedent which would undermine the position of the current Policy.

For more detailed information on this proposal please refer to Appendix A.
Frances Hughes
Executive Head Community Safety

Appendix A – Supporting information to Report

A1. Introduction and history

A1.1 By the provisions of the Borough of Torbay (Street Collection) Regulations 1976, made under the Section 238 of the Local Government Act 1972, Torbay Council is the Licensing Authority in respect of Street Collection within Torbay.

A1.2 An application has been made by the Babbacombe Bay Business Improvement District to collect money for their Christmas 2013 and summer 2014 events. See Appendix 1. Although the Borough of Torbay (Street Collection) Regulations 1976 would legally allow an association to street collect, Torbay Council's Street Collection Policy makes provision only for charities to collect in Torbay. See Appendices 2 and 3.

A 1.3 The granting of the application would depart from the agreed Policy and could set a precedent for future applications by the same BID, others BID's or other associations which may undermine the position of the current Policy.

A1.4 There is no recommendation, as it would be for Licensing Committee Members to decide whether there are sufficient grounds to depart from the current Policy.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

There are no significant risks, though consideration should be given to whether the granting of the application would undermine the said Policy and set a precedent for future decisions.

A3. Options

A3.1 To agree or refuse the application.

A4. Summary of resource implications

A4.1 There are no resource implications for the Council

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 There are no equalities, environmental sustainability or crime and disorder issues.

A6. Consultation and Customer Focus

A6.1 There has been no public consultation.

A7. Are there any implications for other Business Units?

A7.1 There are no significant implications for other business units.

Appendices

Appendix 1 Application by Babbacombe Bay BID for a Street Collection Licence

Appendix 2 Borough of Torbay (Street Collection) Regulations 1976

Appendix 3 Torbay Council's Street Collection Policy

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

None