

WALSALL METROPOLITAN BOROUGH COUNCIL

REPORT OF HEAD OF DEMOCRATIC SERVICES TO

SPECIAL LICENSING AND SAFETY COMMITTEE

24TH AUGUST, 2005

STREET COLLECTION -
THE SOLDIERS, SAILORS, AIRMEN AND FAMILIES ASSOCIATION -
FORCES HELP (SSAFA)

1.0 Purpose of Report

- 1.1 The purpose of the report is to bring to the Committee's attention a request by the Soldiers, Sailors, Airmen and Families Association (SSAFA) - Forces Help (Walsall and District Branch) for a street collection permit on the dates and locations detailed below:-

Monday, 3 rd to Friday, 7 th October, 2005	-	Saddlers Centre, Walsall
Monday, 3 rd to Saturday, 8 th October, 2005	-	The Old Square, Walsall
Saturday, 8 th October, 2005	-	The Crossing, St. Pauls, Walsall

2.0 Recommendation

- 2.1 The Committee is asked to consider the organisation's request for a street collection permit on the dates and locations detailed below:-

Monday, 3 rd to Friday, 7 th October, 2005	-	Saddlers Centre, Walsall
Monday, 3 rd to Saturday, 8 th October, 2005	-	The Old Square, Walsall
Saturday, 8 th October, 2005	-	The Crossing, St. Pauls, Walsall

3.0 Financial Implications

3.1 None. There is no charge for a street collection permit.

4.0 Policy Implications

4.1 None.

5.0 Equal Opportunities Implications

5.1 None.

6.0 Environmental Impact

6.1 None.

7.0 Legal Implications

7.1 There are no grounds for refusal specified in the Act.

7.2 At present, there is no statutory right of appeal against refusal of a street collection permit and the only way a Licensing Authority's Act could be challenged would be by application to the High Court for a review of the decision.

8.0 Wards Affected

8.1 The Old Square Shopping Centre, Saddlers Centre and the Crossing, St. Pauls are within the St. Matthews Ward.

9.0 Consultees

9.1 There is no legal requirement to consult on street collection applications.

10.0 Background

10.1 Authority to issue street collections has been delegated to the Head of Democratic Services in instances where the collection would be considered to be non-controversial. Any other applications are submitted to Committee for determination.

10.2 The Council has a policy of only two street collection dates per organisation per calendar year. A variation of this policy must be submitted to the Committee for determination.

11.0 The Application

11.1 The Soldiers, Sailors, Airmen and Families Association (SSAFA) - Forces Help (Walsall and District Branch) have applied to carry out street collections.

11.2 The dates and locations requested for the collections are:-

Monday, 3 rd to Friday, 7 th October, 2005	-	Saddlers Centre, Walsall
Monday, 3 rd to Saturday, 8 th October, 2005	-	The Old Square, Walsall
Saturday, 8 th October, 2005	-	The Crossing, St. Pauls, Walsall

11.3 A copy of the application is attached at Appendix 1.

11.4 A copy of the letters of authorisation from the Centre Management at The Old Square Shopping Centre, Saddlers Shopping Centre and The Crossing, St. Pauls have been received.

12.0 Observations

12.1 There is a street collection in Walsall Town Centre on Saturday, 8th October, 2005 by the Animal Protection Agency. Members will be aware that Committee, at its meeting on 2nd September, 2004, approved a street collection application on behalf of SSAFA in the Old Square Shopping Centre from Monday, 11th October, 2004 to Saturday, 16th October, 2004.

12.2 The Local Authority has the power to issue permits for organisations to undertake collections for the benefit of charitable purposes. "Charitable purpose" is defined in the Act to mean "any charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable, within the meaning of any rule of law."

12.3 In respect of this application, the Committee is requested to consider whether to vary the policy and, if so, whether to grant a permit for the dates and area requested at 11.2.

R.F. WILLIAMS,
Head of Democratic Services.

Background papers All published

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