



Walsall Council

LICENSING AND SAFETY COMMITTEE

2 MARCH 2011

REPORT OF THE HEAD OF PUBLIC SAFETY

POLICE, FACTORIES, ETC. (MISCELLANEOUS PROVISIONS) ACT 1916

APPLICATION FOR A STREET COLLECTION PERMIT

FOREST DOG RESCUE

1.0 PURPOSE OF THE REPORT

- 1.1 To seek determination of an application for a street collection permit made by Forest Dog Rescue based in Kidderminster, Worcestershire

2.0 RECOMMENDATION

- 2.1 The committee is asked to determine the application having regard to the information contained in the report, and to decide whether a street collection permit be issued in these particular circumstances to Forest Dog Rescue.

3.0 FINANCIAL IMPLICATIONS

- 3.1 None. No fees are applicable to street collection permit applications. This is prescribed by legislation.

4.0 POLICY IMPLICATIONS

- 4.1 None, our current guidelines do not address this issue.

5.0 LEGAL IMPLICATIONS

- 5.1 Legal services consulted – No.
- 5.2 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.

- 5.3 There are no grounds for refusal specified in the Act. There is no statutory right of appeal against the refusal of a street collection permit, and the only way a licensing authority's actions could be challenged is by way of Judicial Review,

6.0 BACKGROUND

- 6.1 Forest Dog Rescue submitted an application for a street collection permit on the 25th October 2010. Two collection dates per year, per charity are permitted by current policy.
- 6.2 This charity is registered with the Charity Commission, however, it has been noted that this charity only operates and raises funds solely for the Worcestershire area.
- 6.3 This means that all monies raised by any collections held in Walsall will be appropriated for the sole benefit of a Worcestershire based charity.
- 6.4 The licensing unit wrote to the charity on this matter, there response is given as **Appendix 1**.

7.0 ISSUES

- 7.1 Council policy does not address this particular issue.

8.0 EQUAL OPPORTUNITIES IMPLICATIONS

- 8.1 None.

9.0 WARD(S) AFFECTED

- 9.1 All.

10.0 ASSOCIATED PAPERS

- 10.1 Appendix 1 – Applicant Letter

11.0 CONTACT OFFICER : Steve Knapper. Tel: 01922 652221