

Cabinet Member for Communities

Agenda

Date: Monday, 18th January, 2016
Time: 10.00 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Site Management Agreement to Control the Activity of Face to Face Public Fundraisers** (Pages 1 - 6)

To consider a review of the controls on the activities of face to face fundraisers in Cheshire East.

For requests for further information

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CHESHIRE EAST COUNCIL

CABINET MEMBER FOR COMMUNITIES

Date of Meeting: 18 January 2016

Report of: Steph Cordon

Subject/Title: Site Management Agreement to control the activity of 'Face to Face Public Fundraisers'

Portfolio Holder: Cllr Les Gilbert

1. Report Summary

- 1.1. This report provides a review of the way in which Cheshire East Council controls the activity of 'face to face' public fundraisers' otherwise known as Chuggers, following the Council decision in April to introduce a Site Management Agreement (SMA) with the Public Fundraising Regulatory Authority (PFRA) across 6 main towns in the Borough.
- 1.2. As a Residents First Council, the introduction of an SMA is designed to provide a positive impact in supporting the residents of local communities from unacceptable behaviour by some paid fundraisers and to give confidence to retailers whose businesses may be affected by this form of charity collection, whilst allowing the work of reputable fundraisers to continue.
- 1.3. The introduction of an SMA has positively addressed the activity of Chuggers across 6 main towns in the borough. A number of significant improvements have resulted including improved communication with the businesses and retailers being given advance notice of scheduled visits by charity organisations. Direct reporting processes to the PFRA has provided a swift and satisfactory response to identified issues on the ground and visits by Chuggers have been restricted to those days of the week acceptable to the individual town. These measures have contributed towards a marked reduction in the number of complaints received by the Council regarding this type of charity collection and provided reassurance to visitors to the towns and local business communities.

2. Recommendation

- 2.1. That members support officers to continue with the operation of the SMA across the borough to enhance the working relationship with the retail and local businesses communities.

- 2.2. That members agree to enhance closer working relationship between the Council and Town and Parish Councils and the PFRA.

3. Other Options Considered

- 3.1. The SMA is a voluntary agreement which provides the flexibility to extend membership to include other towns within Cheshire East who may experience issues relating to Chuggers.

4. Reasons for Recommendation

- 4.1. Improving the conditions within our town centres is a key factor for Cheshire East Council in putting residents first and supporting retailers and the local businesses community.
- 4.2. The introduction of the SMA provides practical solutions for town representatives to directly report any breaches of the agreement and for the PFRA to act swiftly in response to resolve issues on the ground.
- 4.3. The introduction of a monthly monitoring process agreed with town representatives has become established to allow regular and consistent recording of Chugger activity.
- 4.4. Chuggers approaching and requesting pedestrians for donations through direct debit payments will likely also ask for personal details including mobile phone numbers and e-mail addresses. This information is provided purely on a voluntary basis by the individual. Cash collections fall outside the scope of the SMA and are required to apply to the local authority for permission to operate under separate legislation.
- 4.5. The monitoring process is directly linked to the information contained in the monthly diary schedules regularly distributed to town representatives in advance of visits by the charity organisation. Information Includes the name of the visiting charity, the date of the visit and the number of collectors operating on site.
- 4.6. This facility has greatly improved channels of communication with the retail and business community in all of the towns involved with the scheme, leading to a marked reduction in the number of recorded complaints and has encouraged retailers to take responsibility in notifying their town representatives of any unscheduled Chugger visits.
- 4.7. The PFRA also have provided amendment notices highlighting any changes in the schedules which are also be passed to retailers and businesses providing further evidence of the benefits provided under the operation of the SMA.
- 4.8. The diary schedules have provided the opportunity for the town representatives to closely monitor chugger activity on those days when

collectors are due and to ensure they are adhering to all the relevant conditions applicable to their town in accordance with the criteria in the SMA.

- 4.9. Throughout the monitoring period (22nd June 2015 to 22nd November 2015) a total of 193 visits have been scheduled across the 6 towns. Town representatives in Crewe and Nantwich have reported around 20% of their scheduled visits have not attended.
- 4.10. Congleton are the only town able to compare the number of charity visits with the previous year and whilst the number of visits is likely to increase in 2015, the town centre manager has commented "I believe the number of visits are more evenly spread and not on consecutive days which means there has been less complaints".
- 4.11. The monitoring process has recorded a total of 11 incidents where the PFRA have been contacted by town representatives to report a breach. In all cases the PFRA have effectively resolved the issues quickly and to the satisfaction of the reporting town representative.
- 4.12. All town representatives are pleased to report the collectors are sticking to their appointed days and respecting the rules relating to the number of operatives permitted on site. This is a significant improvement prior to the SMA being in place as complaints to the Local Authority were regularly received regarding the number of collectors operating at any given time.
- 4.13. An area of significant improvement has been the opportunity for town representatives to be able to directly contact the PFRA to obtain advice or proactively deal with specific breaches of the SMA.
- 4.14. All the town representatives have commented on the positive responses they have received from the PFRA in any direct dealings they have had since the introduction of the SMA.
- 4.15. Town representatives in Macclesfield and Nantwich have advised members of the public wishing to make a complaint about 'chuggers' do so via e-mail. This has resulted in single figure complaints taking into account the terms of the SMA which permits Macclesfield up to 3 charity visits per week. Complainants are reassured when the current arrangements are explained to them.
- 4.16. Sandbach Town Council declined an initial invite to join the scheme as at the time chugger activity was not identified as an issue in the town. Complaints have since been made by a retailer and the Town Council are considering adding their town to the SMA.
- 4.17. The introduction of the SMA in the 6 towns has achieved the levels of controls anticipated prior to entering into the agreement. Complaints have significantly reduced to both Cheshire East Council and to Town Councils and Town Centre Managers and the scheme has been well received by the business community echoed by positive articles published in the press.

5. Background/Chronology

- 5.1. Cheshire East Council received a number of complaints regarding the large number of chuggers operating in towns within Cheshire East Council. This activity was having a detrimental effect on both shoppers and retailers.
- 5.2. A working group was established to consider the options on how best positively respond to these issues and invites to join the group were made to all Town Councils and Town Centre Managers within Cheshire East.
- 5.3. 6 towns responded based on the issues they had experienced with chugger activity including Crewe, Congleton, Knutsford, Macclesfield, Nantwich and Wilmslow.
- 5.4. Following full consultation with the 6 town representatives, The Council signed a Site Management Agreement with the PFRA on the 24th April 2015 to place the responsibility on Chuggers to adhere to agreed visiting schedules and agreed working practices.
- 5.5. The 6 towns each nominated a representative known as a 'gatekeeper' to report any breaches of the SMA directly to the PFRA and to undertake a monitoring role of chugger activity in their towns.
- 5.6. The first monthly visiting schedules commenced in June 2015, detailing the name of charity visiting and the number of collectors permitted for each town.
- 5.7. An initial assessment period of 6 months was agreed to review the introduction of the SMA.

6. Wards Affected and Local Ward Members

- 6.1. Crewe Central, Macclesfield Central, Wilmslow East, Congleton West, Nantwich North and West and Knutsford

7. Risk Management & Implications of Recommendation

- 7.1. There are no implications associated with Site Management Agreements. Any risks are mitigated through excellent communication channels with the PFRA the body to which complaints are made via town representatives and action is taken within a short time scale to alleviate any issues.
- 7.2. The membership to the PFRA of charities is not comprehensive and there have been examples of unauthorised fundraisers operating on high streets who are beyond the control of the PFRA ie "Big Issue sellers" and Pop up shop organisations.

8. Access to Information

- 8.1. All relevant information and copies of documents associated with this report are available from the report writer (details below).

9. Contact Information

Contact details for this report are as follows:-

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