

AGENDA

Regulatory Panel

Wednesday, 16 December 2015 AT 14:00
In the Flensburg Room, Civic Centre, Carlisle, CA3 8QG

Apologies for Absence

To receive apologies for absence and notification of substitutions.

Declarations of Interest

Members are invited to declare any disclosable pecuniary interests, other registrable interests and any interests, relating to any item on the agenda at this stage.

Public and Press

To agree that the items of business within Part A of the agenda should be dealt with in public and that the items of business within Part B of the agenda should be dealt with in private.

Minutes of Previous Meetings

3 - 6

To approve the minutes of the meetings held on 9 September 2015
[Copy Minutes in Minute Book Volumes 42(3)]

To note the minutes of the meetings held on 14 October 2015 and
18 November 2015
(Copy Minutes herewith)

PART A

To be considered when the Public and Press are present

A.1 REVIEW OF CHARITABLE COLLECTIONS AND STREET COLLECTIONS 7 - 22

The Licensing Manager to submit a report proposes the amalgamation of Street Collection and Charitable Collection policies and recommends that the Council enter into a Site Management Agreement.

(Copy Report GD.89/15 herewith)

PART B

To be considered when the Public and Press are excluded from the meeting

-NIL-

Members of the Regulatory Panel:

Conservative – Bowman S, Layden, Morton, Mrs Parsons, Shepherd, Collier (sub), Higgs (sub) Nedved (sub)

Labour – Bell, Cape, Ms Franklin, Miss Sherriff, Stothard, Mrs Warwick, Wilson, Ms Patrick (sub), Mrs Atkinson (sub), Miss Williams (sub)

**Enquiries, requests for reports, background papers,
etc to Democratic Services Officer: Rachel Rooney – 817039**

REGULATORY PANEL

WEDNESDAY 14 OCTOBER 2015 AT 2.00PM

PRESENT: Councillor Bell (Chairman), Bowman S, Layden, Morton, Mrs Parsons, Shepherd, Cape, Ms Franklin, Mrs Stevenson and Wilson.

OFFICERS: Assistant Solicitor
Licensing Manager

RP.32/15 APOLOGIES FOR ABSENCE

There were no apologies for absence submitted.

RP.33/15 DECLARATION OF INTEREST

There were no declarations of interest submitted.

RP.34/15 MINUTE'S SILENCE

It was with deep sadness that the Chairman reported the death on 11 October 2015 of Councillor Terry Scarborough who had served on the City Council from 2003 representing Botcherby Ward.

The Chairman indicated that Councillor Scarborough's passing was indeed a sad loss to the City and Members stood for a minute's silence as a mark of respect to the memory of Councillor Scarborough.

RP.35/15 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meetings held on 9 September 2015 be agreed as a correct record of the meetings and signed by the Chairman.

RP.36/15 DEREGULATION ACT 2015 – CHANGES TO DRIVER AND OPERATOR LICENSING

The Licensing Manager submitted report GD.66/15 which set out the changes to the duration of Hackney Carriage and Private Hire driver licences and Operator licences following the implementation of the De-regulation Act 2015.

The Licensing Manager reported that the De-regulation Act amended the Local Government (Miscellaneous Provisions) Act 1976 and introduced, for Private and Hackney carriage driver licences, a 3 year licence, and, for Private Hire Operators, a 5 year licence. There was an option for the Council to grant a licence for a lesser period where the District Council thought it was appropriate in the circumstances of the case.

Carlisle City Council issued annual licences which ensured the appropriate checks were undertaken each year and three yearly checks were undertaken with external agencies such as criminal record and driving licence status checks.

To date guidance had not been issued from the Department of Transport in relation to the changes and guidance was being sought from the Institute of Licensing and the Local Government Association on all aspects of the implementation.

The Licensing Manager stated that discussions with the Trade had indicated that they would prefer to maintain annual licences. A detailed time and activity exercise was being undertaken to quantify the nature of the tasks performed by the Licensing Section which would allow the calculation of the appropriate fee for three yearly driver licences and five yearly operator licences.

In addition the Council needed to consider the circumstances under which a licence may be issued for a 'lesser period' and what the lesser period may be.

A Member asked if it would be possible to change both the driver licences and operators licences to three years and the Licensing Manager explained that it was possible to consider three years for both, however, the operators licences did not cause a lot of administration or issues with compliance.

The Panel raised concerns that the change to three years may have an adverse effect on the high standard of taxi drivers within the District.

RESOLVED –1) That report GD.66/15 be welcomed;

2) That the existing arrangements with regard to the issuing of Hackney Carriage and Private Hire driver licences and Private Hire operators licences continue until such time as guidance from the Department of Transport is published, guidance from the Institute of Licensing and the Local Government Association is obtained, consultation has been completed and costings are available to calculate fees;

3) That an updated report be presented to the Regulatory Panel at its meeting on 27 April 2016.

(The meeting ended at 2.15pm)

REGULATORY PANEL

WEDNESDAY 18 NOVEMBER 2015 AT 2.00PM

PRESENT: Councillor Bell (Chairman), Bowman S, Cape, Ms Franklin, Mrs Parsons, Ms Patrick (as substitute for Councillor Stothard), Shepherd, Miss Sherriff, Mrs Warwick and Wilson.

OFFICERS: Assistant Solicitor
Licensing Manager

RP.37/15 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Layden, Morton and Stothard

RP.38/15 DECLARATION OF INTEREST

There were no declarations of interest submitted.

RP.39/15 PUBLIC AND PRESS

It was agreed that the items of business in Part A be dealt with in public and the items of business in Part B be dealt with when the public and press were excluded.

RP.40/15 MINUTES OF PREVIOUS MEETING

RESOLVED – 1) That the minutes of the meetings held on 9 September 2015 be noted.

RP.41/15 REVIEW OF CHARGES 2016/17 - LICENSING

The Licensing Manager submitted report GD.64/15 setting out the proposed fees and charges for areas falling within the responsibility of the Licensing Section of the Governance Directorate with the exception of those under the Scrap Metal Dealers Act 2013 which falls to the Executive.

The Licensing Manager reported that the Corporate Charging Policy, which was part of the Strategic Financial Framework approved by the Executive and full Council, set out the City Council's policy for reviewing charges.

She added that it was recognised that licence fees (that could be determined by local authorities) could only be set at a level which recovered the cost of administration, inspection and in some cases compliance of existing licences which arose out of carrying out their licensing functions under the various legislation. New Licence fees could not include an element of enforcement against unlicensed operators. The case of Hemming v Westminster City Council 2013 confirmed this but the case had been referred to the European Court of Justice. The case did confirm in April 2015 that enforcement costs were lawful within an existing licence granted and was consistent with European Directive.

It was the Council's policy to maximise charges to maintain full cost recovery wherever possible, and this should be the case when setting charges. Licensing were operating at an income level that was achieving full cost recovery.

Recognition should be made of the risk that licensing income levels could be subject to market forces out with the Council's overall control, including new responsibilities and the repeal of other legislation. This reinforced the message that any practice of simple annual increments in line with inflation was inappropriate without taking into account local factors as well as the Council's priorities.

In addition the Policy recognised that each Directorate was different and required Directors to develop specific principles for their particular service or client groups.

The Licensing Manager then outlined for Members the summary of income generated and the proposed increases to vehicle and Miscellaneous licences, as detailed within her report.

In response to Members questions the Licensing Manager explained that the Auctioneer licences covered auctioneers who sold livestock. She also explained that Live and Recorded Music Licences were the responsibility of the Performing Rights Society and Phonographic Performance Licence Ltd not Local Authorities.

RESOLVED – That the fees and charges for areas falling within the responsibility of the Licensing Section of the Governance Directorate, as set out in Appendices A and B to Report GD.64/15, be agreed with effect from 1 February 2016, with the exception of the Scrap Metal Act fees which had been determined by the Executive and be effective from 1 December 2013, subject to any required advertising for hackney carriages and no objections being received.

(The meeting ended at 2.12pm)

Report to Regulatory Panel

Agenda
Item:

A.1

Meeting Date: 16th December 2015
Portfolio: Cross Cutting
Key Decision: No
Within Policy and Budget Framework YES
Public / Private Public

Title: REVIEW OF CHARITABLE COLLECTIONS AND STREET COLLECTIONS
Report of: Director of Governance
Report Number: GD.89/15

Purpose / Summary:

The Council grant consents for collections of cash for charitable collections and street collections to take place in public places. These consents are to allow local charities or local branches of national charities to collect in the City Centre. A more recent development has been the use of professional fund-raising companies by national charities, who canvass for donations via regular direct debit payments rather than cash contributions.

This report proposes the amalgamation of Street Collection and Charitable Collection policies into one policy and also recommends that the Council enter into a Site Management agreement between the City Centre Management Team and the Public Fundraising Regulatory Association who will ensure on the Council's behalf, that professional standards are met from those soliciting for direct debit collections.

Recommendations:

Members are asked to consider the report and approve the new 'Charitable Street Collection' Policy.

Members delegate authority to the Director of Governance to enter into a Site Management Agreement with the Public Fundraising Regulatory Association in relation to the control of Direct Debit Collections.

1. BACKGROUND & PROPOSALS

- 1.1 Under the Police, Factories etc (Miscellaneous Provisions) Act 1916, the Council has authority to grant permits for sales of goods and collection of cash for charitable purposes undertaken in public places.
- 1.2 Collections are regulated to ensure collectors are properly authorised; that the money is collected in a secure way and that the total proceeds collected are properly accounted for. Permit holders are required to submit returns to the Council within one month of the collection showing the amounts raised and the amounts spent on any expenses associated with the collection. It is a criminal offence to organise or collect money for charitable purposes without a valid permit.
- 1.3 Permits are issued free of charge and subject to long standing regulations approved by the Council. This report does not propose any changes to those regulations and are attached to this report at **Appendix 1**.
- 1.4 However it is proposed that changes are approved to the internal policy and procedure for approving cash collections.
- 1.5 Currently the Council issues two types of Permits:
- Street Collection (SC)** – these requests are received from mainstream Charities. Prior to November 2014 they were granted once yearly at Committee. Following a decision by Regulatory Panel on 3/9/14 this power was delegated to Officers who now grant requests as and when they are received.
- Charitable Collection (CC)** - similar to Street Collections other than the collection is ancillary to the main event taking place. Requests for a CC are primarily from local charities or persons acting on behalf of such charities, for example CFM Cash for Kids, the Mayor of Carlisle Charity Collection during the Carlisle Pageant and Cumbria Pride collection during the city centre 2015 Pride event.
- To date in 2015, 14 permits have been issued for Street Collections and 56 for Charitable Collections.
- 1.6 The majority of collections are within the City Centre and historically, requests for both street collections and charitable collections have been made to both Licensing in the Governance Directorate and the City Centre Management Team based in Environmental Services. The request would be dealt with by the section who received it. This has often led to duplication and/or omission of tasks and can cause confusion to the applicant.
- 1.7 This report makes proposals to streamline the process for the approval of collections and also to propose a policy to introduce a single '**Charitable Street Collection**' (CSC) replacing the current Street Collections and Charitable Collections policies.

- 1.8** Applicants are able to apply online (via www.gov.uk) or can be provided with a form to complete manually.
- 1.9** It is proposed that in the first instance all CSC applications to be held in the City Centre will be forwarded to the City Centre Management Team (CCMT) who will be responsible for checking that the proposed collection date(s) are not already booked. Once permission is granted by CCMT a permit will be issued by Licensing Officers.
- 1.10** The criteria for street collection applications were agreed by Regulatory Panel in January 2009 (report LDS 03/09) and it is suggested that this criteria will be used for the proposed Charitable Street Collection. This can be found at **Appendix 2**.

Direct Debit Collections

- 1.11** According to the Public Fundraising Regulatory Association (PFRA) direct debit collection started in the UK in 1997 and are now a familiar feature of many town centres. Charities use this technique as a secure means of collection that allows them to predict regular income streams and is usually used by very large charities such as Shelter, Marie Curie and Guide Dogs for the Blind.
- 1.12** Legal opinion differs as to whether or not direct debit collections are within the remit of the 1916 Act and proposals to clarify the situation through the Charities Act 2006 have not been implemented. The Council does not issue a licence for Direct Debit collectors but generally, requests are granted by letter if there are no other City Centre Collections taking place on the dates requested.
- 1.13** The PFRA was established in response to the growing number of direct debit collections and is a charity-led self-regulatory body for all type of face-to-face fundraising. It works as a bridge between councils and charities who engage in face-to-face fundraising and is overseen by a board, including representatives of charities and fund-raising companies, as well as observers from the Institute of Fundraising, the Charity Commission, the Association of Town Centre Managers, the Institute of Licensing and the Local Government Association.
- 1.14** The PFRA publish codes of practice for direct debit fund-raisers and also help councils manage the allocation of space to ensure better compliance with its professional standards. The PFRA enter into Site Management Agreements (SMA) with local authorities – an approach strongly advocated by the LGA (Local Government Association). The PFRA then manages the diary for booking charities into town centres for those authorities with a SMA.
- 1.15** Preliminary discussions have taken place between Officers and the PFRA to develop a draft Site Agreement for Carlisle city centre.
- 1.16** The draft agreement is attached at **Appendix 3** and key features of this agreement are:
- The agreed areas that can be frequented by fundraisers are

- Site 1 - the Pedestrianised area of Scotch Street between East Tower Lane and 72 Scotch Street (Costa) and
- Site 2 – the Pedestrianised area of English Street between Devonshire Street and Bank Street
- Capacity: maximum of 5 fundraisers across the 2 sites, no more than 3 fundraisers at any one site (unless the Scotch Street site is unavailable, where 5 fundraisers will be permitted on English Street site).
- Frequency: Monday, Tuesday and Friday only permitted between the hours of 10am and 6pm, unless otherwise specified.
- Only one charity will be present on any one site on any one day.

2. CONSULTATION

- 2.1** The amalgamation of street and charitable collections is primarily an administrative change and therefore it is not proposed to have any consultation on this proposal.
- 2.2** The collection by way of direct debit is permitted in law, therefore there is no specific consultation required.
- 2.3** The PFRA has been involved, with the full backing of their member charities throughout this review process.

3. RECOMMENDATIONS

- 3.1** Members are asked to consider the report and approve the new 'Charitable Street Collection' Policy.
- 3.2** That delegated authority is given to the Director of Governance to enter into a Site Management Agreement with the Public Fundraising Regulatory Association in relation to the control of Direct Debit Collections.

Contact Officer:	Nicola Edwards	Ext: 7025
Appendices	1. Regulations	
attached to report:	2. Proposed Charitable Street Collect Criteria	
	3. PFRA Site Management Agreement	

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:

Included within report

CORPORATE IMPLICATIONS/RISKS:

Chief Executive's - none

Economic Development – none

Governance – contained within the report

Local Environment –

Resources - none

Regulations with regard to Street Collections

By virtue of the powers conferred upon them by the Police, Factories, etc (Miscellaneous Provisions) Act 1916, the Carlisle District Council made the following Regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place within the City of Carlisle to collect money or sell articles for the benefit of charitable or other purposes:-

1. No collection of money or sale of any article shall be made in any street or public place within the City of Carlisle unless the person, society, committee or other body of persons responsible for such collection or sale shall have obtained from the Council of the said City a permit for such collection or sale.

2. Application for a permit shall be made in writing not later than one month before the date on which it is proposed to make the collection or sale.

Provided that the licensing authority may reduce the period of one month if satisfied that there are special reasons for so doing.

3. No collection or sale shall be made except upon the day and between the hours stated in the permit.

4. The licensing authority may in granting a permit limit a collection or sale to such streets or public places or such parts thereof as they think fit.

5. No person may assist or take part in any collection or sale without the written authority of the person, society, committee or other body of persons to whom a permit has been granted. Every person so authorised shall produce such written authority forthwith for inspection by a duly authorised officer of the licensing authority or any police officer on demand.

6. No collection or sale shall be made in any part of the carriageway of any street which has a footway.

Provided that the licensing authority may, if it thinks fit, allow a collection or sale to take place on the said carriageway where such a collection or sale has been authorised to be held in connection with a procession.

7. No collection or sale shall be made in any street or public place to the obstruction or annoyance of any person in such street or public place.

8. No collector or vendor shall importune any person to the annoyance of such person.

9. Any person acting as a collector or vendor in a street or public place shall occupy a stationary position at some place on the footway. Not more than 2 persons shall act as collectors or vendors at the same place, and no person shall collect money or sell articles within 25 metres of the place where any other person is collecting or selling.

Provided that the licensing authority may, if it thinks fit, waive the requirements of this Regulation in respect of a collection or sale which has been authorised to be held in connection with a procession.

10. No person under the age of 16 years shall act or be permitted to act as collector or vendor.

11. Every collector or vendor shall carry and present to all contributors or purchasers for the reception of money contributions, a box or other receptacle securely closed and sealed in such a way as to prevent the same being opened without such seal being broken, and all money received shall be immediately placed into such box or receptacle. All such boxes or receptacles shall be numbered consecutively. Every collector or vendor shall deliver his boxes or other receptacles with the seals unbroken to one of the persons responsible for the proper application of the money received.

12. A collector or vendor shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the fund for which the collection or sale is being made, nor any box or other receptacle which is not duly numbered.
13. No payment or reward shall be made or given to any collector or vendor. No payment or reward shall be made or given, either directly or indirectly, to any other person connected with the promotion or conduct of a collection or sale for or in respect of services connected therewith except such payments as may have been approved by the authority which granted the permit.
14. (1) Within one month after the date of any collection or sale the person, society, committee or other body of persons responsible therefore shall forward to the Clerk and Chief Executive for information of the licensing authority a statement in the form set out in the Schedule to the Regulations, certified by the auditor of the society or by some independent responsible person, with vouchers showing in detail the amount received and the expenses incurred in connection with such collection or sale, and shall if required by the licensing authority satisfy them as to the due and proper application of the proceeds of the collection or sale. The society, committee or other body shall also, within the same period, at their own expense and after audit, publish in such newspaper or newspapers as the licensing authority may direct a short statement showing the name of the person, society, committee or other body of persons responsible for the collection or sale, the name of the charity or fund which is to benefit, the date of the collection or sale, the amount collected, the amount of the expenses and the amount distributed to the charity or fund.

(2) The licensing authority may if satisfied there are special reasons for so doing:
 - (a) extend the period of one month referred to in paragraph (1) above; and
 - (b) agree to accept from the person, society, committee or other body of persons required to forward a statement to the appropriate officer under paragraph (1) above, a statement which although not in the form set out in the schedule to these Regulations is in a like or similar form, and where there has been such agreement and acceptance paragraph (1) above shall be deemed to have been complied with.
15. These Regulations shall not apply:
 - (i) in respect of a collection taken at a meeting in the open air;
 - (ii) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade and for the purpose of earning a livelihood and no representation is made by or on behalf of the seller that any part of the proceeds of sale will be devoted to any charitable purpose.
16. Any person who acts in contravention of any of the foregoing Regulations will be liable on conviction to a fine not exceeding Level 1 on the standard scale.

Proposed Charitable Street Collection Criteria

1. The Council will only issue Charitable Street Collection permits to registered charities and non-registered organisations or individuals with a charitable purpose and will not usually permit more than one collection per year by an individual or an organisation.
2. The application should include whether they are a registered charity, working on behalf of a registered charity (with a letter of confirmation from that charity), or a non profit making organisation collecting money or selling any articles for public benefit (as defined in Charities Act 2006).
3. The Council will not issue permits to an individual or organisation which fails to provide adequate information in order to consider their application properly. This includes any information that might lawfully be requested by the Council in addition to that given on the application form.
4. This Council will not issue permits to an individual or organisation which fails to provide adequate information that might lawfully be requested by the Council in addition to that given on the application form.
5. The Council will not issue permits to an individual or organisation for private gain not any individual or organisation whose aims do not appear to be charitable or of a closely allied nature, or comply with the definition of charitable purpose under the Charities Act 2006.
6. Under this Act the statutory definition of charity, including the list of charitable purposes and the public benefit requirement are set out below:

The advancement of:

- Education
- Religion-health or the saving of lives
- Citizenship or community development
- The arts, culture, heritage or science
- Amateur sport, human rights
- Conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity
- Environmental protection or improvement
- Animal welfare
- The relief of those in need by reason of youth, age, ill health, disability, disadvantage, financial hardship or other disadvantage
- Any purposes recognised by virtue of section 1 of the recreational Charities Act 1958 (including for example local community centres and amateur sports clubs)
- Any purposes that may be regarded as analogous to or within the spirit of any purposes which have been recognised under charity law

7. The Council will not normally issue permits to an individual or organisation that has failed to complete and return the required Form of Statement within one month following the date of collection.
8. The Council will not normally and without good reason, issue further permits to an individual or organisation that has cancelled a Charitable Street Collection at short notice (less than one week), on more than one occasion in the last three years.
9. The Council will not normally issue permits to an individual or organisation who has breached the street collection regulations set by this Council, or those of another authority within the last five years.
10. The Council will not normally issue permits to an individual or organisation who has previously submitted a returns form for a collection which has taken place in our area showing that no money was received, unless the nil return was the result of the collection being cancelled.
11. A first time collector will be required to submit detailed information and literature about the aims and objectives of the fund.

Site Management Agreement

Between PFRA and Carlisle Council

Purpose

The purpose and spirit of this voluntary Site Management Agreement (SMA) is to facilitate responsible face-to-face fundraising in Carlisle centre and provide a balance between the duty of charities and not-for-profit organisations to fundraise and the rights of the public to go about their business without the impression of undue inconvenience. For the avoidance of doubt, this document does not constitute a legal contract.

Once this agreement is in place it should minimise the administration for the council, providing just one channel for information and support regarding face-to-face fundraisers, as nominated 'gatekeepers' only have to deal with one organisation, the PFRA, instead of dealing with each individual charity and fundraising organisation separately.

Statement of Conformity

All fundraisers will abide at all times by the relevant elements of the Institute of Fundraising's [Code of Fundraising Practice](#), and the PFRA's [Rule Book](#), or face the appropriate penalties.

If local authority officers note fundraisers contravening the PFRA's Rule Book or any local clause within the SMA, they will inform the PFRA's Head of Standards by contacting them on 020 7401 8452, providing details of the incident.

Access Details

Sites, team sizes, positioning, and frequency

Sites may be used as follows, as shown in the map at Appendix 1:

City Centre:

Pedestrianised area of Scotch Street between East Tower Lane and 72 Scotch Street (Costa)

Pedestrianised area of English Street between Devonshire Street and Bank Street

Capacity: maximum of 5 fundraisers across the 2 sites, no more than 3 fundraisers at any one site

Frequency: Monday, Tuesday and Friday only

Where fundraisers are found to be working outside of the agreed locations, they must comply with requests made by Local Authority Officials and reposition themselves correctly or as directed on-site.

Only one charity will be present on any one site on any one day.

Fundraising will only be permitted between the hours of 10am and 6pm, unless otherwise specified.

Any exclusion dates (e.g specific event days) are to be announced by the Council to the PFRA to be booked into the PFRA's diary management system, giving a minimum of 4 weeks' notice to the PFRA from date of diary delivery.

NB at times when Scotch Street has been designated for special events as per these conditions, English Street is to be used as the sole fundraising site. In these circumstances the maximum capacity of fundraisers may increase to 5 in English Street.

Other Conditions

Fundraisers should be positioned in such a way as to offer an adequate 'comfort zone' to those users of the public highway who do not wish to engage. In furtherance of this, it is desirable that a minimum footway channel of 1 metre be maintained between fundraisers and the kerb / shop frontage where it is reasonable to do so.

Fundraisers should maintain a reasonable distance (of approximately 3 metres) apart from one another and any other legitimate street activities (e.g. street traders, Big Issue sellers, buskers, newspaper stands, promotional activities and market researching).

NB Before 10:30am and after 4:30pm, Scotch Street is a loading zone. During this period fundraisers must take extra care to ensure they do not obstruct any vehicles accessing the street.

Information Required

Nominated Gatekeeper

The nominated gatekeeper for Carlisle City Council is Sharon Jenkinson, City Centre Manager, and her contact details are e-mail: sharon.jenkinson@carlisle.gov.uk, or telephone 01228 817549. In her absence all enquiries should be made to Andrew Allison, City Centre Officer, e-mail: andrew.allison@carlisle.gov.uk, or telephone 01228 817512.

Required Information

The PFRA will maintain and manage the diary schedule. Diary/Schedule information will include: contact details for the agency (if applicable); and charity being fundraised for.

Copies of the diary are to be made available to:

[Sue Stashkiw, Licensing Manager, Carlisle City Council](#)

email: susan.stashkiw@carlisle.gov.uk

Nicola Edwards, Licensing Officer, Carlisle City Council

email: nicola.edwards@carlisle.gov.uk

Sharon Jenkinson, City Centre Manager

email: sharon.jenkinson@carlisle.gov.uk

These contact details shall be updated as and when necessary.

Transition and continuity

Should the nominated gatekeeper move on or responsibilities otherwise change, the gatekeeper will inform his/her successor of the detail of this agreement, the relationship with the PFRA, arrangements for the regulation of face-to-face fundraising, and provide the PFRA with contact details for the successor.

Complaint Management

PFRA will respond to and seek to resolve all complaints received, and issue penalties according to its rules. The Council will provide real time notification of any complaints it wishes to be resolved immediately and provide sufficient detail for any retrospective complaints to be investigated. Where the collection agencies or the charities themselves receive complaints it is expected that they will provide information to the PFRA including information about the identity of any individual collector who is subject of a complaint and of the action taken (if any).

Members of the public are encouraged to direct complaints about charity fundraising to the Fundraising Standards Board ([FRSB](#)).

Working Together

Carlisle City Council agrees to work with the PFRA to raise awareness regarding this site management scheme, including explaining what face-to-face fundraising is, the PFRA, the Code of Fundraising Practice, and facts about Direct Debit.

The PFRA monitors member organisations, through a programme of random spot-checks, responding to complaints, and other mechanisms, to ensure fundraisers' adherence to the Code of Fundraising Practice, PFRA Rules, and Site Management Agreements. The PFRA can give appropriate penalties or sanctions to those not abiding by the rules.

This SMA will be reviewed 6 months after it is signed, and then once every 12 months, if necessary, or earlier if there is just cause to do so. All amendments will be agreed in writing before becoming effective. Either party can withdraw from this agreement, giving 3 months' notice in writing.

Depending on when this agreement is signed, in relation to the PFRA's bidding/allocation cycle, there will be a lead-time of up to 8 weeks before the agreement can be fully implemented.

Signed For and On Behalf Of PFRA:

Print name:

Job title:

Date:

Signed For and On Behalf Of Carlisle
City Council

Print name:

Job title:

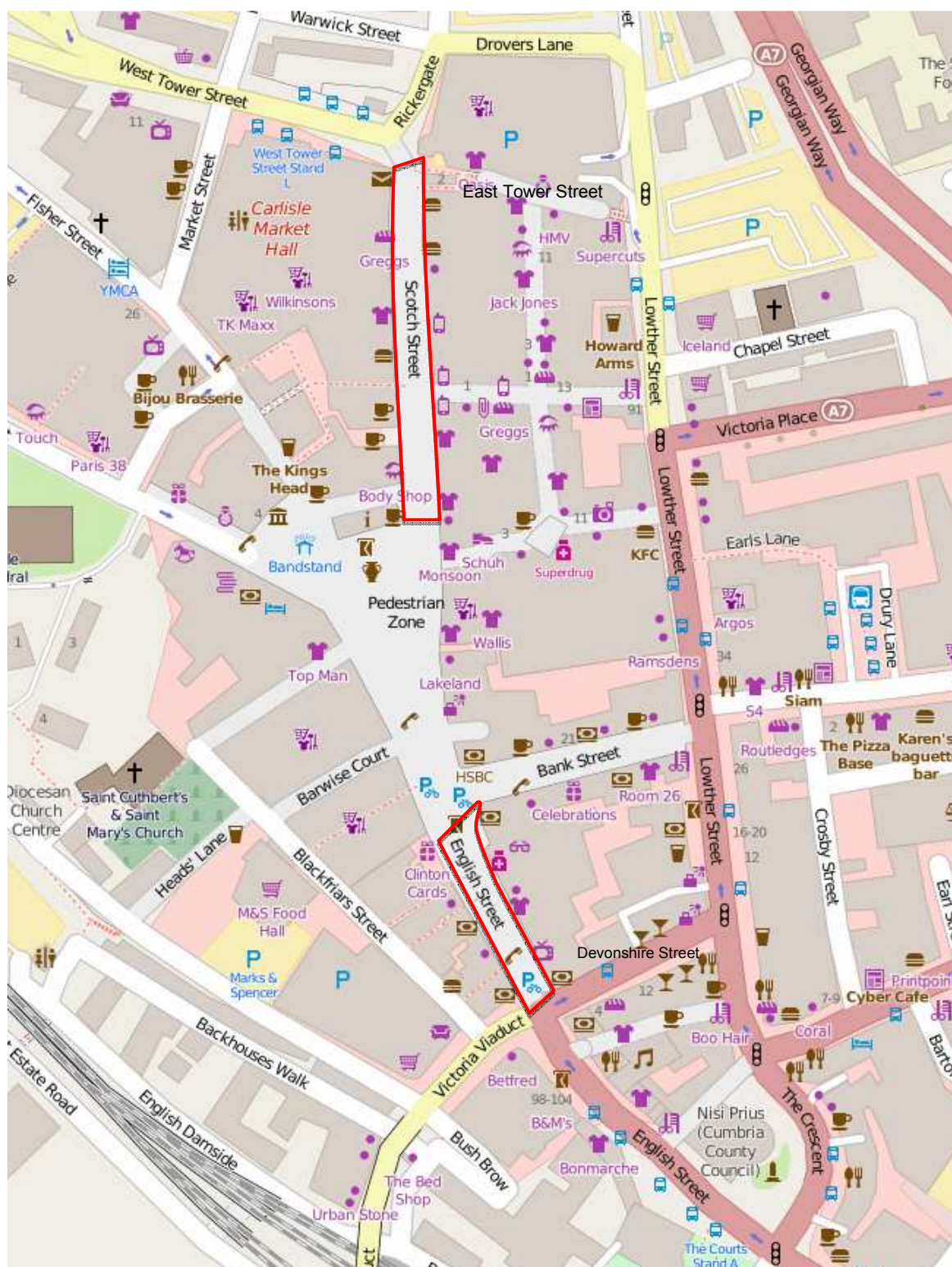
Date:

MARK LAMBERT

DIRECTOR OF GOVERNANCE

Appendix 1 - Map(s)

Plan showing the area(s) where fundraising is to be permitted:



Appendix 2 - Direct Debit Guarantee

Know your rights - The Direct Debit Guarantee

Direct Debit is one of the safest ways of making charitable donations. Organisations using the Direct Debit Scheme go through a careful vetting process before they're authorised, and are closely monitored by the banking industry. The efficiency and security of the Scheme is monitored and protected by your own bank or building society.

The Direct Debit Scheme applies to all Direct Debits. It protects you in the rare event that anything goes wrong.

The Direct Debit Guarantee

- The Guarantee is offered by all banks and building societies that accept instructions to pay Direct Debits.
- If there are any changes to the amount, date or frequency of your Direct Debit the organisation will notify you (normally 10 working days) in advance of your account being debited or as otherwise agreed. If you request the organisation to collect a payment, confirmation of the amount and date will be given to you at the time of the request.
- If an error is made in the payment of your Direct Debit, by the organisation or your bank or building society, you are entitled to a full and immediate refund of the amount paid from your bank or building society.
 - If you receive a refund you are not entitled to, you must pay it back when the organisation asks you to.
- You can cancel a Direct Debit at any time by simply contacting your bank or building society. Written confirmation may be required. Please also notify the organisation.