



STREET COLLECTION POLICY

January 2011

Street Collections - Proposed Policy

- (1) This policy applies to charitable collections in Stafford, Stone and Eccleshall. Collections in other areas will be permitted on a case-by-case basis, the only proviso being that not more than one collection will be permitted at any one time.
- (2) Charitable collections can be in the form of money or any agreement to make a donation, such as a direct debit agreement.
- (3) Not more than one organisation will be permitted to collect in an area at any one time.
- (4) Subject to paragraph 5 and 6, collection days will be restricted to Saturdays, except that collections will be permitted on other days of the week if that collection is associated with a nationally, or regionally, organised event.
- (5) Where the Saturday following a proposed weekday collection has already been allocated to a collecting organisation the proposed weekday collection will not be permitted.
- (6) Where a collection is permitted on another day of the week the Saturday immediately after that day will be deemed to have been booked.
- (7) In order to allow as many organisations as possible an opportunity of collecting, no individual organisation will be granted more than two collections per calendar year.
- (8) The following exceptions to this policy will apply:
 - (a) Poppy appeal collections organised by The Royal British Legion will be permitted for up to a maximum of 7 days in November of each year.
 - (b) "Children in Need" collections will be permitted on both the Friday and Saturday to coincide with the "Children in Need" Appeal.
 - (c) Staffordshire Fire and Rescue Christmas Appeal will be permitted on two consecutive days by agreement with the event organiser.
 - (d) Collections organised by the 248 Gurkha Signal Squadron

- (9) The issue of a street collection permit does not entitle the holder to collect in private or business premises without the consent of the management. In this connection, applicants are reminded that most major shopping precincts in the Borough are privately owned.
- (10) There is no right of appeal against the decision of the Head of Environment to grant or refuse an application for a street collection permit when discharging this function in line with this policy.
- (11) The Stafford Borough Council street collection regulations will apply to all permits issued by the Head of Environment.

Street Collections - Proposed Policy

**STAFFORD BOROUGH COUNCIL
REGULATIONS MADE BY STAFFORD BOROUGH COUNCIL WITH REGARD TO
STREET COLLECTIONS**

In pursuance of Section 5 of the Police, Factories etc, (Miscellaneous Provisions) Act 1916, as amended by Section 251 and Schedule 29 to the Local Government Act 1972, Stafford Borough Council hereby makes 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 Borough of Stafford to collect money or sell articles for the benefit of charitable or other purposes:-

- 1 In these Regulations unless the context otherwise requires: -
 - “collection” means a collection of money or a sale of articles for the benefit of charitable or other purposes and the word “collector” shall be construed accordingly;
 - “promoter” means a person who causes others to act as collectors;
 - “permit” means a permit for a collection;
 - “contributor” means a persons who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes;
 - “collecting box” means a box or other receptacle for the reception of money from contributors.
- 2 No collection, other than a collection taken at a meeting in the open air, shall be made in any street or public place within the Stafford district unless a promoter shall have obtained from Stafford Borough Council, a permit.
- 3 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; provided that the Stafford Borough Council may reduce the period of one month if it is satisfied that there are special reasons for so doing.
- 4 No collection shall be made except upon the day and between the hours stated in the permit.
- 5 The Stafford Borough Council may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.

- 6 (1) No person may assist or take part in any collection without the written authority of a promoter.
- (2) Any person authorised under paragraph 6(1) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Stafford Borough Council or any constable.
- 7 No collection shall be made in any part of the carriageway of any street that has a footway. Provided that the Stafford Borough Council may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with a procession.
- 8 No collection shall be made in a manner likely to inconvenience or annoy any person.
- 9 No collector shall importune any person to the annoyance of such person
- 10 While collecting -
- (a) a collector shall remain stationary; and
- (b) a collector or two collectors together shall not be nearer to another collector than 25 metres. Provided that the Stafford Borough Council may, if it thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.
- 11 No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of sixteen years to act as a collector.
- 12 (1) Every collector shall carry a collecting box.
- (2) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken.
- (3) All money received by a collector from contributors shall immediately be placed in a collecting box.
- (4) Every collector shall deliver, unopened, all collecting boxes in his possession to a promoter.
- 13 A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is not duly numbered.
- 14 (1) Subject to paragraph (2) below a collecting box shall be opened in the presence of a promoter and another responsible person.
- (2) Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank.

- (3) As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with the number of the collecting box on a list which shall be certified by that person.
- 15 (1) No payment shall be made to any collector.
- (2) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with that promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Stafford Borough Council.
- 16 (1) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the Stafford Borough Council.
- (a) statement in the form set out in the Schedule to these Regulations or in a form to the like effect showing the amount received and the expenses and payments incurred in connection with such collection and certified by that person AND either a qualified accountant or an independent responsible person acceptable to Stafford Borough Council;
- (b) a list of collectors;
- (c) a list of the amounts contained in each collecting box; and shall, if required by Stafford Borough Council, satisfy it as to the proper application of the proceeds of the collection.
- (2) The said person shall also, within the same period, at the expense of that person and after the certificate under paragraph (1)(a) above has been given, publish in such newspaper or newspapers as Stafford Borough Council may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit, the date of the collection, the amount collected and the amount of the expenses and payments incurred in connection with such collection.
- (3) The Stafford Borough Council may, if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph (1) above.
- (4) For the purposes of this Regulation “a qualified accountant” means a member of one or more of the following bodies:-
- The Institute of Chartered Accountants in England and Wales;
- The Institute of Chartered Accountants of Scotland;
- The Association of Certified Accountants;
- The Institute of Chartered Accountants in Ireland;

- 17 These Regulations shall not apply –
- (a) in respect of a collection taken at a meeting in the open air; or
 - (b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.

STAFFORD BOROUGH COUNCIL STREET COLLECTIONS

Your attention is drawn to the accompanying regulations governing Street Collections and in particular, the following points from Regulation 16.

- (1) Statement of Account must be completed and returned to this office **WITHIN ONE MONTH OF THE COLLECTION DATE**. (If, for any reason, the collection does not take place, return the account statement annotated to this effect).
- (2) Statements must be accompanied by a list of collectors showing the amount collected in each tin against the name of the appropriate collector. Supporting receipts from the organisation receiving the money, or bank paying-in slips should also be attached and any receipts relating to amounts used for expenses.
- (3) Statements of account to be signed by the person **TO WHOM THE PERMIT IS ISSUED** and either a **QUALIFIED ACCOUNTANT** or an independent responsible person acceptable to Stafford Borough Council. It is the responsibility of the person in whose name the permit is issued to ensure that the returns are made as laid down in the regulations and within the period specified.

Failure to submit full statement of accounts as required by the regulations may prejudice any future applications which may be made by your organisation.