

# EAST STAFFORDSHIRE BOROUGH COUNCIL

## REGULATIONS MADE BY THE COUNCIL WITH REGARD TO STREET COLLECTIONS

1. In these Regulations, unless the context otherwise requires -

**collection** means a collection of money, 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;

**the Licensing Authority** means the East Staffordshire Borough Council;

**permit** means a permit for a collection;

**contributor** means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes;

**collection 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 Borough of East Staffordshire unless a promoter shall have obtained from the Licensing Authority 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 Licensing Authority may reduce the period of one month if satisfied that there are special reasons for so doing.

4. No collection shall be made except upon the day stated in the permit.

5. The Licensing Authority may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.

6. (a) No person may assist or take part in any collection without the written authority of a promoter.

(b) Any person authorised under paragraph (a) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Licensing Authority or any police constable.

7. No collection shall be made in any part of the carriage way of any street which has a footway.

Provided that the Licensing Authority may, if it thinks fit, allow a collection to take place on the said carriage way 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 Licensing Authority 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 16 years to act as a collector.
  - (a) Every collector shall carry a collecting box.
  - (b) 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.
  - (c) All money received by a collector from contributors shall immediately be placed in a collecting box.
  - (d) 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 duly numbered.
14.
  - (a) Subject to paragraph (b) below a collecting box shall be opened in the presence of a promoter and another responsible person.
  - (b) Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank.
  - (c) 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.
  - (a) No payment shall be made to a collector.
  - (b) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with the promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Licensing Authority.
16.
  - (a) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the Licensing Authority -
    - (i) A statement in the form set out in the Schedule to the Street Collection Regulations in the Borough or in a form to the like

- (ii) effect, showing the amount/pledges received and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant;
- (ii) a list of the collectors;
- (iii) a list of the amounts contained in each collecting box;

and shall, if required by the Licensing Authority, satisfy it as to the proper application of the proceeds of the collection.

- (b) The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (a)(i) above, publish in such newspaper or newspapers as the Licensing Authority 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.
- (c) The Licensing Authority may, if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph (a) above.
- (d) 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.
- (e) If a collection results in a sum of £500 or less being collected the Licensing Authority may if it thinks fit waive the requirements in paragraph (a), sub-paragraph (i) of this Regulation, that the statement of accounts shall be certified by a qualified accountant and substitute therefore a certificate signed by an independent person acceptable to the Licensing Authority.

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.

\* 18. Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding twenty five pounds for a first or subsequent offence.

\* Your attention is drawn to the increase in penalties effected by the Criminal Law Act 1977.