

# Street Collection Policy

April 2013

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# 1. Introduction

- 1.1 The aim of this policy is to ensure that people who desire to give to charity through street collections are able to do so in good faith, knowing that the money they donate will directly benefit the charity.
- 1.2 It is also the aim of this policy to control the number and locations of street collections in order to maximise the benefits to the collectors and minimise nuisance to residents and visitors to the Borough of Oldham.
- 1.3 In addition this policy details the matters that will be taken into consideration when determining applications for street collections.

# 2. Background

- 2.1 Street collections are covered by regulations made under the Police, Factories, etc (Miscellaneous Provisions) Act 1916 as amended by Schedule 29, paragraph 22 to the Local Government Act 1972 and anyone wishing to collect money in a street or public must obtain a permit from Oldham Council.
- 2.2 Street collections involve the collection of money directly from persons in the street. They are a vital source of funds for many charities and they offer a positive opportunity for the public to support charities. However, they need to be carried out for the benefit of the charity and in accordance with the law. Incidents of bogus street collections are on the increase and as such it is vital that street collection permits are issued to legitimate collectors. Ensuring street collectors hold the relevant permit gives the public confidence that their donations are being directed to the appropriate charity.

# 3. Application

- 3.1 The following section provides information on the process for making application for a street collection permit.
- 3.2 On first application the organisation must supply information relating to:-
  - a) whether it is a registered charity (please state number), and the objectives of your charitable cause as supplied to the Charity Commission;
  - b) a statement of your organisation's aims as detailed in any literature;
  - c) details of the history of your organisation, i.e. when formed; names of trustees, directors, organisers, etc.
- 3.3 Should the collection be on behalf of a registered charity then a letter of authority from the charity will be required to accompany the application.
- 3.3 Applications will be dealt with on a first come first serve basis; where there is more than one application received at the same time, preference will be given to local charities.
- 3.4 Applications are to be made in writing not later than one month before the collection. However, this period may be reduced if the Council is satisfied that there are special reasons for so doing.

## 4 Limitations to permits

- 4.1 The Council will only allow 1 organised street collection in any one area at any one given time.
- 4.2 The Council will only allow any organisation to collect on 5 occasions per calendar year.
- 4.3 The Council will restrict the number collectors to no more than 5 per collection.
- 4.4 No collection shall be made other than on the time period specified in the permit.
- 4.5 The Council may, in granting a permit, limit the collection to such streets or areas or such parts thereof as it thinks fit and specified on the permit.
- 4.6 No collection shall be made in a manner likely to inconvenience or annoy any person.
- 4.7 No collector shall pester any person to the annoyance of such person.
- 4.8 Applicants who are unable to undertake a collection(s) **must surrender** the permit and return the permit(s) to the Council prior to the collection date(s) which were granted.

## 5 Returns

- 7.1 Within one month of the date of any collection the person to whom a permit has been granted shall forward the following returns information to the Council:-
  - a) 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 a member of the receiving charity in the form of a letter headed response;
  - b) a list of collectors;
  - c) details of the amounts collected in each collecting box;
  - d) if the organisation has operated a collection before in any other area, then the organisation must submit a set of returns for those collections, covering the previous 12 month period.

## 6 References

Police, Factories, etc. (Miscellaneous Provisions) Act 1916  
Local Government Act 1972

**OLDHAM COUNCIL**

**STREET COLLECTION REGULATIONS**

Appendix I  
OLDHAM BOROUGH COUNCIL

REGULATIONS MADE BY OLDHAM 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, Oldham 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 Oldham 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 person 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 shall be made in any street or public place within the Metropolitan Borough of Oldham unless a promoter shall have obtained from the Oldham 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 a collection.

Provided that the Oldham Borough Council 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 and between the hours stated in the permit;

5. The Oldham 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 –(1) above shall produce such written authority forthwith for inspection on being requested to do so by a duly authorised officer of the Oldham Borough Council or any constable.

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

Provided that the Oldham 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.

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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 Oldham 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 directly and 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 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 Oldham 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 Oldham Borough Council -

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- (a) a statement in the form set out in the Schedule to these Regulations, or in the 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 Oldham Borough Council;
- (b) a list of collectors;
- (c) a list of the amounts contained in each collecting box;

and shall, if required by the Oldham 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 a qualified accountant has given his certificate under paragraph (1)(a) above, publish in such newspaper or newspapers as the Oldham 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.
- (3) The Oldham 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 purpose 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 in Scotland;  
the Association of Certified Accountants;  
the Institution 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.

These Regulations shall come into operation upon the expiration of the period of one month beginning with the date on which they are confirmed by the Secretary of State, and all other street collections Regulations having effect in the Borough of Oldham are hereby repealed with effect from the day on which these Regulations come into force.



Appendix I

For further information contact Oldham Council's Licensing Section

In person or in writing to:	Licensing Section Oldham Council Sir Robert Peacock House, Vulcan Street Oldham OL1 4LA  08:40 to 17:00 Monday to Friday
By phone:	0161 770 4730 or 4731  08:40 to 17:00 Monday to Friday
Fax:	0161 770 4481
E-mail:	<a href="mailto:env.licensing@oldham.gov.uk">env.licensing@oldham.gov.uk</a>
Website	<a href="http://www.oldham.gov.uk/info/200204/licensing">http://www.oldham.gov.uk/info/200204/licensing</a>



**STREET COLLECTION**

**FORM OF STATEMENT**

Name of the person to whom the permit was granted .....

Address of the person to whom the permit was granted .....

Name of the charity or fund which is to benefit.....

Period of Collection and Permit Number .....

**Show Nil Entries**

<b>Proceeds of Collection</b>	<b>Amount</b>	<b>Total</b>	<b>Expenses and Application of proceeds</b>	<b>Amount</b>	<b>Total</b>
From collecting boxes			Printing and stationery		
			Postage		
From envelopes			Advertising		
			Collecting Boxes		
Interest on proceeds			Envelopes		
			Badges		
Other items			Emblems		
.....			Other items		
.....			.....		
			.....		
			Disposal of Balance (insert particulars)		
<b>TOTAL</b>	<b>£</b>		<b>TOTAL</b>	<b>£</b>	

**Please ensure both the Chief Promoter and Auditor completes all fields below**

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Certificate of the Chief Promoter

I certify that to the best of my knowledge and belief the above is a true account of the expenses, proceeds and application of the proceeds of the collection to which it relates

Date .....

(Signed) .....

Certificate of Auditor

I certify that I have obtained all the information and explanations required by me as auditor and that the above is in my opinion a true account of the expense, proceeds and application of the proceeds of the collection to which it relates.

Date .....

(Signed) .....

(Printed) .....

Qualifications .....

Auditors Business Address or Stamp

.....  
.....  
.....