

GUIDANCE FOR APPLICANTS

STREET COLLECTION PERMITS



How to Apply

The purpose of these notes is to give guidance to persons intending to make and application for a street collection permit. The notes are produced for guidance only and the Council does not accept any responsibility or liability for any errors or omissions. If the applicant has any doubts regarding the law in relation to street collection, they are advised to seek their own legal advice.

Most of your questions should be answered here, but if you need help you can:

- Call the Licensing Team on 01529 414155
- E-mail your query to licensingteam@n-kesteven.gov.uk
- Write to us at North Kesteven District Council, District Council Offices, Kesteven Street, Sleaford, Lincolnshire, NG34 7EF

Street Collection Regulations Overview

The Police, Factories, etc (Miscellaneous Provisions) Act 1916 as amended by the Local Government Act 1972 empowers local authorities to regulate collections with respect to the place where and the conditions under which street collections may be permitted for charitable purposes within its area.

House to House collections are regulated separately and notes for guidance are available from the Licensing Team on request.

Various Definitions

“Collection”	means a collection of money or sales of articles for the benefit of charitable or other purposes.
“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.
“Street”	Includes any highway and public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.

Applying for a Permit

An application for a street collection can be made on the appropriate form available from the Council's Licensing Team.

- Applications must be received at least **one month** prior to the date of the collection.
- Dates may be booked up to twelve months in advance.
- Applicants are advised to enquire if the date(s) required is available before submitting the form. **Collections will be restricted to one per area.** Contact the Licensing Unit to check on availability of dates.
- If your application is in order, a permit will be issued with a form for the return of accounts.

Collection Restrictions

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 District unless a promoter has obtained a permit from the Council.

Charity Commission

North Kesteven District Council will check all charity details against the Charity Commission website. This is to confirm registered numbers and to ensure relevant legislation in respect of submission of accounts has been complied with.

Collectors and Methods of Collection

- a) Collectors must be issued with and carry the written authority of the promoter
- b) Written authorities must be produced to an authorised officer of the Council or a police constable on demand
- c) A collection must not be made:-
 - i. In the carriageway of any street without the authority of the Council (ie., in connection with a procession;
 - ii. In a manner likely to inconvenience or annoy any person;
 - iii. Outside the date stated on the permit; and
 - iv. Outside the area stated on the permit.
- d) While collecting, a collector:-
 - i. must not importune any person;
 - ii. must remain stationary; and
 - iii. two collectors together must not be nearer to another collector than 25 metres.

Processions and Carnivals

The Council may waive items (d) (ii) and (iii) above, if it thinks fit, in respect of authorised processions.

Age of Collectors

Collectors must be aged 16 years or over.

Collecting Boxes and their Opening

- a) Every collector must:-
 - i. carry a collecting box, duly numbered and sealed; and
 - ii. deliver the box, unopened, to the promoter after the collection.
- b) All collecting boxes must be:-
 - i. numbered consecutively; and
 - ii. securely closed and sealed in such a way as to prevent them being opened without the seal being broken.
- c) All money received from a contributor must be placed immediately in the collecting box.
- d) All collecting boxes and receptacles or trays must display prominently the name of the charity or fund which is to benefit.
- e) A collecting box must be opened in the presence of the promoter and an independent responsible person EXCEPT when the box is delivered to a bank unopened, when it may be opened by an official of the Bank.
- f) The person opening the box must:-
 - i. count the contents; and
 - ii. enter the amount with the number of the box on a list and then certify that list.

Payments to Collectors

- (a) No payment must be made:-
 - i. to any collector; or
 - ii. to any other person connected with the promotion or conduct of the collection, out of the proceeds of the collection without the approval of the Council.

Return and Publication of Accounts

- (a) Within **ONE MONTH** of the date of collection, the person to whom the permit was granted, must forward to the Council:-
 - i. a statement on the form provided by the Council (or in a form to the like effect) certified by that person and a qualified accountant, or another independent responsible person;
 - ii. a list of the amounts contained in each box; and
 - iii. a list of the collectors.

The Council's form has space for the inclusion of items (ii) and (iii) above, but a separate list will be acceptable.

- b) If required to do so the permit holder must satisfy the Council as to the proper application of the proceeds of the collection.

Right of Appeal

There is no right of appeal against a decision of the Council to refuse an application for a Street Collection.