



GUIDANCE NOTES IN RELATION TO STREET COLLECTIONS OR SALES

1. Introduction

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

2. Collections

All correspondence should be addressed to The Licensing Section, Wallasey Town Hall, Brighton Street, Wallasey, Wirral CH44 8ED.

3. Enquiries

Telephone enquiries should be made by telephoning a direct line to the Licensing Section. The contact telephone number is as follows - 0151 691 8043.

4. Personal Visits

Office hours are 10.00 am to 4.00 pm, Monday to Friday, at The Licensing Section, Wallasey Town Hall, Brighton Street, Wallasey, Wirral CH44 8ED

5. A Street Collection

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 the conditions under which street collections may be permitted for charitable purposes within its area.

House to house collections are regulated separately and application forms and guidance notes can be obtained from the Licensing Section.

6. Applying for a Permit

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

Applications must be received at least **one month** prior to the date of the collection.

Applicants are advised to enquire if the date(s) required is available before submitting the form.

If everything is in order, a permit will be issued together with a form for the return of accounts.

7. Council's Policy on Collections

The Council has resolved that it will grant street collection permits only to national and local Wirral Charities and that organisations are restricted to one collection per year in any one area.

Prospective applicants are requested to liaise with the Council regarding the date(s) and the area(s) within the Borough where it is proposed to make a street collection.

8. 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 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.

“Street” includes any highway and public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.

9. Restriction

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 unless a promoter has obtained a permit from the Council.

10. Collectors and Methods of Collection

(a) Collectors must be issued with and carry the written authority of the promoter and produce this authority to an authorised officer of the Council or a police constable on demand.

(b) A collection must not be made:-

- (i) in the carriageway of any street which has a footway unless the Council authorise such collection in connection with a procession;
 - (ii) in a manner likely to inconvenience or annoy any person;
 - (iii) outside the date and hours stated on the permit; and
 - (iv) outside the area stated on the permit.
- (c) While collecting, a collector:-
- (i) must not importune any person;
 - (ii) must remain stationary; and
 - (iii) a collector or two collectors together must not be nearer to another collector than 25 metres.

11. Processions

The Council may waive items (c)(ii) and (iii) above, if it thinks fit, in respect of collections which have been authorised in connection with processions.

12. Age of Collectors

Collectors must be aged 16 years or over.

13. Collecting Boxes

- (a) Every collector must carry a collecting box, duly numbered (consecutively) and securely closed and sealed to prevent them being opened without the seal being broken.
- (b) All money received from a contributor must be placed immediately in the collecting box.
- (c) All collecting boxes and receptacles or trays must display prominently the name of the charity or fund which is to benefit from the collection.
- (d) Every collector must deliver the box unopened to the promoter after the collection.

14. Opening of Collection Boxes

- (a) 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.
- (b) As soon as the box has been opened the person opening it shall:-

- (i) count the contents; and
- (ii) enter the amount with the number of the box on a list and then certify that list.

15. Payments to Collectors etc

- (a) No payment must be made:-
 - (i) to any collector; or
 - (ii) either directly or indirectly, out of the proceeds of the collection, to any other person connected with the promotion or conduct of the collection for, or in respect of services connected therewith, except such payments as may have been approved by the Council.

16. Return 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 either a qualified accountant, or another independent responsible person;
 - (ii) showing the amounts received and the expenses and payments incurred in connection with the collection;
 - (iii) a list of the collectors;
 - (iv) a list of the amounts contained in each collecting box.

Please submit a separate listed if necessary.

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

17. Publication of Accounts

Within ONE MONTH of the date of the collection the person to whom the permit was granted must publish, at his own expense, in a local newspaper circulating in the area in which the collection took place (ie the Wirral Group of Newspapers) a statement showing:-

- (i) the name of the person to whom the permit was granted;
- (ii) the area to which the permit relates;

- (iii) the name of the charity or fund to benefit;
- (iv) the date of the collection;
- (v) the amount collected; and
- (vi) the amount of expenses and payments incurred in connection with the collection.

18. Right of Appeal

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