

## **BASILDON DISTRICT COUNCIL** **STREET COLLECTION POLICIES**

It is important to read and understand the street collection regulations and Basildon District Council's policies in relation to street collections before completing an application form. If you have any questions, please contact a member of the Licensing Office staff on 01268 – 294280.

Street Collection permits must be obtained from Basildon District Council before any street collection takes place within the Basildon District. The Basildon District includes Basildon, Laindon, Pitsea, Wickford and Billericay. Applications **must be received at least one month prior** to the date of the collection.

In addition to the street collection permit, written application must be made immediately to the landowners giving details of the collection proposal. Specific permission will be required from the landowners if street collections are to be held in Basildon Town Centre or the Laindon Shopping Centre. Applications for this permission will be enclosed with the street collection permit and must be completed and returned to the landowners as soon as possible.

If the collection involves the erection of a stall or the staging of a display of any sort, i.e. music, dancing, etc., specific mention must be made of it. If you are requesting a permit for the sale of goods, you will need to specify the kind of items to be sold. If allowed **only one small display or small table** may be used. In some cases it may only be possible for a collection of money in sealed tins to be held.

Public liability insurance cover will be required for collections carried out in Basildon and Wickford. Once the street collection permit has been issued the applicant will be contacted by the Council's insurance section for proof of cover. Failure to produce such cover prior to the date of the collection will result in the collection being cancelled. Any queries regarding this matter should be direct to Insurance Risks on 01268 294696.

Basildon District Council allow two collection by each charity or other organisation to take place within the Basildon District in any one calendar year.

Basildon District Council may allow additional collections if held outside the large superstores, such as Tesco or Sainsbury, which are situated outside the town centre. In these cases written authority must be received from the store and applications for permits must be made in writing to Basildon District Council no later than one month before the proposed date allocated by the store.

Permit allocations are restricted to allow just two street collections at any one time in each High Street/town centre in any one day.

It is important that the statement of returns complies with the street collection regulations.

If returns are incomplete in any way, or not received by the required time stated in the regulations, action will be taken against the promoter. If a statement of return is not received for a collection undertaken, following a reminder, action will be taken against the promoter and no future permits will be granted.

Basildon District Council meet regularly with the Licensing Departments of all Local Authorities who issue street collection permits and with the Charity Commissioners. Any collector acting outside of the street collection regulations in any of the Local Authority areas will be reported. Permits may then be refused and action taken in the form of prosecution by the relevant Authority.

# **BASILDON DISTRICT COUNCIL**

## **Regulations made by the Basildon District 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, the Basildon District 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 District of Basildon 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, other than a collection taken at a meeting in the open air, shall be made in any street or public place within the Basildon District Council area unless a promoter shall have obtained from the Basildon District 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 Basildon District 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 Basildon District 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 Basildon District 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 Basildon District 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 and where ***permission is first obtained from the local Police giving the intended route of the 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 Basildon District 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 16 years to act as a collector.

Providing that where Basildon District Council is satisfied that it is reasonable in the circumstances of a particular collection it may permit Cadets, Boy Scouts, Girl Guides or members of other such similar organisations or organisations as the Basildon District Council shall approve for the purpose to act as collectors where such persons are collecting under the direct supervision of a responsible officer and are dressed in the uniform of their particular organisation and are 11 years of age or older.

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 the list which shall be certified by that person.

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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 Basildon District 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 Basildon District 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 a collection, and certified by that person and either a qualified accountant or an independent responsible person acceptable to the Basildon District Council;
- (b) A list of the collectors;
- (c) A list of the amounts contained in each collecting box;

and shall, if required by the Basildon District 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 the Basildon District 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 Basildon District 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 of Scotland;
  - The Association of Certified Accountants;
  - The Institute of Chartered Accountants in Ireland.

**A street collection permit does not allow the sale of lottery tickets.**

17. Written notification of a cancellation of a street collection, must be received no later than one month prior to the date of collection, an alternative date may be offered subject to availability.

If it is not possible to give one month's notice of cancellation, an alternative date will not be offered.

All cancellations of street collections for whatever reason must be made in writing to the Basildon District Council to avoid a statement of return being pursued.

18. 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 collection regulations having effect in the District of Basildon are hereby repealed with effect from the date on which these regulations came into force.

THE COMMON SEAL of the        )  
BASILDON DISTRICT COUNCIL    )  
was hereunto affixed by Order    )  
the                                        )

K REEVES  
Solicitor to the Council

"The Secretary of State this day confirmed the foregoing Regulations and directed that the same should be published by the insertion of an announcement in 2 successive issues of 2 newspapers circulating in the District of Basildon stating that such Regulations have been made and confirmed and that copies can be obtained on application to Basildon District Council, The Basildon Centre, St Martin's Square, Basildon, Essex SS14 1DL.

HOWARD WEBBER  
Head of Voluntary and Community Unit

Home Office  
Queen Anne's Gate  
2003"

**SCHEDULE**  
**BASILDON DISTRICT COUNCIL**  
**STREET COLLECTIONS**  
**STATEMENT OF AMOUNT COLLECTED AND EXPENSES INCURRED**

Name of the persons 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: \_\_\_\_\_

Date of collection: \_\_\_\_\_

Show Nil Entries

Proceeds of Collection	Amount	Total	Expenses and Application of Proceeds	Amount	Total
From collecting boxes			Printing & Stationery		
Interest on proceeds			Postage		
			Advertising		
Other items:-			Collecting boxes		
			Badges		
			Emblems		
			Other Items:-		
			Payments approved under Regulation 15(2)		
			Disposal of Balance (insert particulars)		
<b>TOTAL</b>	£		<b>TOTAL</b>	£	

**Certificate of the person to whom the permit was granted**

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

Date: \_\_\_\_\_ (Signed): \_\_\_\_\_

**Certificate of Accountant or any other independent responsible person**

I certify that I have obtained all the information and explanations required by me and that the above is in my opinion a true account of the proceeds, expenses and application of the proceeds of the collection.

Date: \_\_\_\_\_ (Signed): \_\_\_\_\_

Qualifications/Position held: \_\_\_\_\_

Regulation 16(1)

This statement is required by the Regulations to be accompanied by:-

- (a) A list of collectors;
- (b) A list of amounts contained in each collecting box; and should be forwarded to me within one month of the date of the collection or sale.

Regulation 16(2)

For the purpose of this regulation the reference to a newspaper shall mean any newspaper circulating in the area of Basildon District Council.

Basildon Borough Council is a data controller for the purposes of data protection legislation. All personal information is held and processed in accordance with this. Please refer to our privacy notices published on our website at <http://www.basildon.gov.uk/privacy-licensing> for details. Please contact us if you need the privacy notice in an alternative format.