



COLCHESTER BOROUGH COUNCIL

STREET COLLECTIONS

In pursuance of Section 5 of the Police, Factories, etc, (Miscellaneous Provisions) Act 1916, as amended by Section 251 Schedule 29 of the Local Government Act 1972, Colchester Borough Council has set various Regulations in respect to the places where and the Conditions under which persons may be permitted in any Street or Public Place within the Borough of Colchester to collect money or sell articles in relation to the above Acts and any emendation subsequently made thereto.

1 DEFINITIONS

- 'Collection' A collection of money or a sale of articles for the benefit of a charitable or other purpose and the word 'Collector' shall be construed accordingly.
- 'Promoter' A person who causes others to act as collectors.
- 'Licensing Authority' Means Colchester Borough Council, herein called the 'Council'.
- 'Permit' Authority given for a collection to take place.
- 'Contributor' A person gives money to a collector and includes a purchaser of articles for sale for the benefit of a charitable purpose.
- 'Collecting Box' A box or other receptacle used for the reception of monies from contributors.

2 CONDITIONS

- 2.1 No collection, other than a collection taken at a meeting held in the open air, shall be made in any street or public place within the Borough of Colchester unless a promoter has previously obtained a permit from the Council.
- 2.2 An Application for a permit shall be made in writing not later than one month before the date on which the collection is due to take place.

The Council may at its discretion reduce this period if it is satisfied that there are special reasons for doing so.

- 2.3 No Collection shall be made other than on the day and between the times as stated in the permit.

- 2.4 The Council may, in granting a permit, limit the collection to such streets or public places or such parts thereof, as it deems appropriate.
- 2.5 When making any collection or on the sale of any articles: -
- (a) No person may assist or take part in the collection unless they have the prior written authority to do so from the promoter.
 - (b) Any person assisting or taking part in any collection as at (a) above shall produce such written authority forthwith for inspection when requested to do so by a duly authorised Officer of the Council or any Police Officer.
- 2.6 No collection shall take place on a carriageway of any Road or Street where there is a pavement or footway. Provided that the Council may, if it deems appropriate, waive this requirement were the collection forms part of an authorised procession.
- 2.7 No collection shall be made in a manner likely to inconvenience or annoy any person.
- 2.8 No collector shall importune any person to annoyance of that person.
- 2.9 Whilst collecting: -
- (a) A collector shall remain stationary.
 - (b) Collectors, where there are two or more, shall not collect within 25 metres of each other.
- Provided that the Council may, if it thinks fit, waive these requirements where the collection forms part of an authorised procession.
- 2.10 No promoter, collector or person who is connected in any way with a collection shall allow a person under the age of **16 years** to act as a Collector.

3 COLLECTING BOXES

- 3.1
- (a) Every person collecting shall carry a Collecting box.
 - (b) All collecting boxes shall be consecutively numbered and securely sealed closed so as to prevent them being opened without the seal being broken.
 - (c) All monies 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 the promoter.

- 3.2 A collector shall not carry or use any collecting box, receptacle or tray that does not have prominently displayed thereon the name of the Charity or fund that is to benefit from the collection.

4 PROMOTERS

- 4.1 A collecting box shall be opened in the presence of the promoter and at least one other responsible person. Should the collecting box be delivered unopened to a bank, it may be opened by a bank official
- 4.2 As soon as the collecting box is opened the person opening it shall count the contents and shall enter the amount it contained together with the box number on a list (provided) which when completed shall be certified by that person as being correct.
- 4.3 No payment shall be made to any collector.
- 4.4 No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any person connected with the promotion or conduct of such a collection, for or in respect of, services connected therewith, except such payments as may have been approved by the Council.

5. ACCOUNTS

- 5.1 With in one month after the date of any collection the person to whom the permit has been granted (promoter) shall submit to the Council: -
- (a) A statement in the form as set out in the schedule to these Regulations (Attached), or in a form to the like effect, showing the amount collected and any expenses and payments incurred in relation to such collection, this form is then certified by that person and a qualified accountant.
 - (b) A list of the amounts contained in each box
 - (c) A list of collectors and the boxes they used.

The promoter shall, if so required by the Council, satisfy the Council as to the proper application of the proceeds of the collection.

- 5.2 The promoter shall also within one month from the date of the collection, at the expense of that person and after a qualified accountant has given his Certificate, under paragraph 5.1(a) above, **publish in a local Newspaper to the Council area a statement.** This statement must show the name of the person to whom the permit had been granted, the area in which the collection took place, the name of the charity or fund to benefit, the date of the collection, the amount collected, and the amount of expenses and payments incurred in connection with such collection.
- 5.3 The Council may, if satisfied that there are special reasons for so doing, extend the period of one month referred to in paragraph 5.2 above.

- 5.4 For the purposes of these Acts and Regulations a 'Qualified Accountant' means a member of one or more of the following bodies: -
- (a) The Institute of Chartered Accountants in England and Wales;
 - (b) The Institute of Chartered Accountants of Scotland;
 - (c) The Institute of chartered Accountants in Ireland;
 - (d) The Institute of Certified Accountants.

6. GENERAL

- 6.1 These regulations shall not apply: -
- (a) In respect of a Collection taken at a meeting in the open air.
 - (b) To the selling of articles in any Street or Public place when the articles are sold in the normal course of trade.
- 6.2 These Regulations shall come into operation upon the expiration of the period of one month beginning with the date on which they were confirmed by the Secretary of State.

Dated 22/02/1979

COPY

(Sgd) CGE Sargeant

Mayor

LS

(Sgd) J Allen

Town Clerk and Chief Executive

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 two successive issues of two Newspapers circulating in the Borough of Colchester stating that such Regulations have been made and confirmed and that copies can be obtained on application to Colchester Borough Council.

Home Office,
Queen Anne's Gate.

(Sgd) An under Secretary of State

09/08/2001