

DRAFT STREET COLLECTION REGULATIONS

TRAFFORD COUNCIL Street Collection Regulations 2024

These regulations are made by Trafford Council on the ?? day of ??? 2024 pursuant to section 5 of the Police, Factories &c (Miscellaneous Provisions) Act 1916 and with the consent of the Secretary of State.

1. In these Regulations, unless the context otherwise requires:

“collection” means a collection of money 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 for the benefit of charitable or other purposes;

“collecting box” means a box or other receptacle for the reception of money from contributors;

“licensing authority” means Trafford Council.

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 Trafford unless a promoter shall have obtained from the licensing authority a permit.
3. An application for a permit shall be made in writing or online at trafford.gov.uk to the licensing authority not later than one month before the date on which it is proposed to make the collection, provided that the licensing authority 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 licensing authority 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 licensing authority or any constable.

7. Collectors and Promoters shall not:

(1) act in any way that might reasonably cause members of the public to be or become startled or anxious;

(2) act dishonestly or manipulatively, or deliberately try to make a potential donor feel guilty;

(3) act in any other way that a reasonable person might consider would damage the charitable institution's reputation;

(4) Cause an obstruction, congestion or nuisance to members of the public.

8. 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 licensing authority 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.

9. 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.

10. (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.

11. 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.
12. (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 or Post Office, 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.
13. (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 licensing authority.
14. (1) (a) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the licensing authority 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 qualified accountant;
(b) a list of the collectors
(c) a list of the amounts contained in each collecting box;

and shall, if required by the licensing authority, 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 by such means as the licensing authority 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 licensing authority 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 purposes 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 Institute of Chartered Accountants in Ireland.

15. 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.

16. Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding £200.

Schedule A

Form of Application

TRAFFORD COUNCIL

STREET COLLECTION APPLICATION FORM

On completion this form should be delivered to:

- Licensing Section, Trafford Council, Town Hall, Talbot Road, Stretford M32 0TH
- Licensing@trafford.gov.uk

Please note that a permit will not be issued until payment of the fee has been made. You must apply for a permit at least 28 days before the intended date of a street collection. The Council's Street Collection Policy and Regulations may be viewed at trafford.gov.uk where you can also apply for a permit online.

Section 1

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| Name of Society, Committee or other body of persons responsible for the collection. | |
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|--|--|
| Address (this should be the address of the Head Office of the Society or other body etc) | |
| Email address | |
| Telephone number | |

Section 2

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| Name of the person making application for the permit who will be responsible for the collection | |
| Position within the society | |
| Home address (including postcode) [Note: this is the address which will appear on your permit] | |
| Date of Birth | |
| Email address | |
| Telephone number | |

Section 3

Relationship between Charity and person making the application

PLEASE NOTE –

- If the relationship is one of 'professional fundraiser' please supply a copy of contract or agreement between the applicant body and the charity
- If you intend to collect on behalf of a charity of which you are not a member, written authority must be obtained from the said charity authorising you to organise collections on the charity's behalf and submitted with this application.

| | |
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| Name of the Charity or fund which is to benefit | |
| Registered Charity Number | |
| Address of the Administrative Centre of the fund (i.e. Local Centre) | |
| Name of the Secretary | |
| Telephone number | |
| Objects of the Charity or fund | |

Section 4

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| Dates upon which it is desired to make the collection (All dates to be inclusive) | |
| Alternative dates | |
| Street names and address where the collection is to take place | |

Section 5

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| Allocation of receipts: Are all of the receipts to be paid over for the benefit of the Charity or fund, or will any deductions be made? | |
| If a deduction from the fund raised are to be made please state: 1. The purpose of the deduction. 2. The amount of the deduction. | |

Section 6

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| Has the Society, Charity or person making this application ever had a Street Collection Permit refused or revoked? | |
| If yes, please give details | |

Section 7

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| Has the Society, Charity or person making this application ever had a Street Collection Permit refused or revoked? | |
| If yes, please give details | |

Section 8

| Please provide details of the collectors. Where a collector is to be paid please give the details of the payments that are to be made separately. If a collector has a previous conviction or caution for dishonesty please provide details of the offence, date of conviction or caution and the circumstances of the offence on a separate sheet. Please use additional sheets if necessary | | | | |
|--|-----|---------|-------------------|---------------------------|
| Name | DoB | Address | Volunteer or Paid | Conviction for dishonesty |
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Section 9

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| Name and qualifications of accountant | |
| Accountant's address | |

Section 10

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| The information contained within this application is true to the best of my knowledge and belief. I understand that providing false or misleading information will lead to the application being refused and may result in prosecution. | |
| Signature: | |
| Date of application | |

Schedule B

Form of Return

**TRAFFORD COUNCIL
STREET COLLECTION RETURN**

| | | | |
|----------------------------|--|--------------------|--|
| Permit No | | Date of Collection | |
| Name of Permit Holder | | | |
| Address of Permit Holder | | | |
| Name of Beneficial Charity | | | |

| Proceeds of Collection | Amount £ | Total £ | Expenses and Deductions | Amount £ | Total £ |
|------------------------|-------------|------------|-------------------------|-------------|------------|
| Collecting boxes | | | | | |

