

STREET COLLECTIONS - NOTES FOR GUIDANCE

1. Every person promoting a street collection must comply with the requirements of the Street Collection Regulations, which are attached.
2. An 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.
3. The application must be made by a private individual who is directly concerned in organising the street collection. A permit will only be issued in the name of that person ("the promoter") who will be responsible for ensuring compliance with the Street Collection Regulations. Failure to comply could prejudice any future application by the promoter or the body he/she represents.
4. Where the collection is being organised by or on behalf of a body or organisation, this should be stated in the application and the applicant may be asked for proof that he/she is a duly authorised representative of that body/organisation and is empowered to exercise the necessary direct control over the proposed collection.
5. Collections are normally permitted for one date at a time in either Brighton Town Centre or Hove Town Centre. A maximum of 3 dates can be proposed on the application form, of which 1 will be allocated. Collections are permitted year-round, excluding during the month of January.
6. There is a limit of 2 collections per charity per month (in accordance with point 10).
7. "Brighton Town Centre" comprises the following streets only :-

Western Road, West Street, Queens Road, North Street, Castle Square, Old Steine, St. James's Street, York Place, London Road and Marshalls Row.

Collection of money may not extend to any other street or road. Collections are not permitted in The North Laine or The Lanes. In Hove collections are **not** permitted in Western Road between York Road and Brunswick Place.
8. If the applicant wishes to collect in both Brighton and Hove, it should be clearly stated on the application form.
9. If you wish to hold the event on the seafront or in any of the local authority parks, you must first obtain consent from the council's Events Office on 01273 292711. If you wish to use a table/stall/stand or a display you will need to seek permission from the council's Highways Department on 01273 292065.
10. If for any reason the proposed collection has to be cancelled the Council must be notified and the permit returned to us as soon as possible so that the date can be offered to another applicant.
11. The operator of a collection is personally responsible for ensuring that the requirements of the Regulations with regard to distribution of the proceeds and the submission of returns are complied with. Applicants are particularly reminded:-
 - (a) A Form of Statement must be submitted to the Council within ONE MONTH of the date of the collection (Reg. 16);
 - (b) No further collections will be permitted until the Form of Statement relating to the previous collection has been returned
 - (c) Forms of Statement must be duly **signed by the applicant and another responsible person** (Accountant, Treasurer or Finance Officer of the charity, or Bank Personnel)

Failure to comply could prejudice any future application by the promoter or the body he/she represents.

11. If a collection does not go ahead, a Form of Statement must be completed as a nil return and must be **fully signed** by the applicant and another responsible person (as detailed above)
12. No payments may be made to collectors (Reg. 15(1));
13. No payments may be made to any other person connected with the collection without the prior consent of the Council (Reg. 15(2)).

Regulations made by Brighton and Hove City Council with Regard to Street Collections

In exercise of the powers conferred upon it by Section 5 of the Police, Factories etc., (Miscellaneous Provisions) Act 1916 s amended by Section 251 of the Local Government Act 1972 and Schedule 29 to the Act, Brighton and Hove City 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 administration area of Brighton and Hove City Council 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 charitable 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;

“council” means Brighton and Hove City Council;

“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 administration area of Brighton and Hove City Council unless a promoter shall have obtained from the Council a permit.

3. Application for a permit shall be made in writing no later than one month before the date on which it is proposed to make the collection.

Provided that the 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 Council may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.

6. No person may assist or take part in any collection without the written authority of a promoter.

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 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 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.

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 collector shall remain stationary; and

a collector or two collectors together shall not be nearer to another collector than 25 metres;

Provided that the 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 sixteen years of age to act as a collector.

12. Every collector shall carry a collecting box.

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.

All money received by a collector from contributors shall immediately be placed in a collecting box.

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. Subject to paragraph (2) below a collecting box shall be opened in the presence of a promoter and another responsible person.

Where a collecting box is delivered, unopened, to a bank, it may be opened by an official of the bank.

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.

15. No payment shall be made to any collector.

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 Council.

16. Within one month after the date of any collection the person to whom a permit has been granted shall forward to the Council:

a statement, at the expense of that person publishing such, showing the amount received and the expenses and payments incurred in connection with such collection, and certified by that person and a qualified accountant;

a list of the collectors;

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.

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 in such newspaper or newspapers as the Council may direct a statement showing the name of the person to whom 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.

The Council may, if satisfied there are special reasons for so doing extend the period of one month referred to in Paragraph (1) above.

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 of Scotland;
The Association of Certified Accountants;
The Institute of Chartered Accountants in Ireland.

17. These regulations shall not apply:

in respect of a collection taken at a meeting in the open air;

or to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.

18. By virtue of Sections 38 and 46 of the Criminal Justice Act 1982, Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale as the fine for infringement of these regulations.