



City of
Stoke-on-Trent

Stoke-on-Trent City Council
Street Collection
Policy

2020 – 2025

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1 AIM

1.1 The Aim of this Policy

- 1.1.1 To ensure members of the public know which charity they are donating to and to ensure all monies collected are given to the correct charity.
- 1.1.2 To ensure all monies collected are given to registered charities and unregistered organisations who prove their charitable purposes.
- 1.1.3 To ensure visitors to Stoke-on-Trent City Council are not constantly being approached to donate monies to a number of charities on the same date and to ensure they are approached in a civil, polite and orderly manner.

2 INTRODUCTION

2.1 The Policy

- 2.1.1 This document states Stoke-on-Trent City Council's policy on the regulation of Street Collectors.
- 2.1.2 This policy replaces the Stoke-on-Trent City Council Street Collection Policy approved by the Licensing and Consumer Protection Committee on 01 July 2014.

2.2.1 The Law

- 2.2.1 Street Collections are covered by regulations made under the Police, Factories etc (Miscellaneous Provisions) Act 1916 as amended by section 251, schedule 29 of the Local Government Act 1972.

5(1) of the Police, Factories & etc (Miscellaneous Provisions) Act 1916 states "each of the authorities specified in subsection (1A) may make regulations with respects to places where and the conditions under which person may be permitted in any street or public place, within their area, to collect money or sell articles for the benefit of charities or other purposes, and any person who acts in contravention of any such regulation shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale or in the case of a second or subsequent offence not exceeding level 1 on the standard scale".

1(A) the authorities referred to in subsection (1) above are (c) the council of each district. The Act enables the local authorities to attach any conditions to a street collection permit where necessary to ensure the collection is undertaken fairly and in an orderly manner.

The Street Collection Regulations were adopted by Stoke-on-Trent City Council at its meeting held on Thursday, the 25 day of April, 1974.

2.3 Definition of a Street Collection

- 2.3.1 A street collection is defined as a collection of monies that takes place on "street" this includes any highway and any public bridge, road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.
- 2.3.2 For those wishing to collect on private property i.e. within a store/supermarket etc. A permit is not required from the local authority. Permission should be sought from the land owner/store proprietor before commencement of a collection.

3 PERMIT REQUIREMENTS

3.1 Licensed Areas

- 3.1.1 Stoke-on-Trent is made up of six towns, Tunstall, Burslem, Hanley (City Centre), Stoke, Fenton and Longton. Applications can be made for one area, a number of areas or for the whole City. One area is advisable as this allows other collectors to collect in other areas on the same day.
- 3.1.2 Stoke-on-Trent City Council will allow only **one collection to take place in any given area per day**. The collection areas are defined as Tunstall, Burslem, Stoke, Fenton and Longton town centres and Hanley (City Centre), defined as inside the Potteries Ring Road.
- 3.1.3 Individual roads can be applied for and these roads will be specified on the collecting permit.
- 3.1.3 Collections take place on any day of the week including Public Holidays.
- 3.1.4 The Licensing Authority may, in granting a permit, limit a collection or sale to such streets or public places or such parts thereof as they think fit.
- 3.1.5 No collection or sale shall be made in any part of the carriageway of any street which has a footway, except where the collection or sale has been authorised to be held in connection with a procession/race. For example Carnivals, Cycle Races, Running events and Santa/Christmas Events.
- 3.1.6 No collection or sale shall be made in any street or public place to the obstruction or annoyance of any person in such street or public space.

3.2 Number of Collections

- 3.2.1 Stoke-on-Trent City Council will allow no more than 4 collections per calendar year (January to December) for any one organisation or individual.
- 3.2.2 Collections are booked on a first come, first served basis. This is to ensure that all charities whether large or small, have equal access to popular collection dates.
- 3.2.3 Where more than one organisation applies for a permit for the same date at the same time, then preference will be given to the more local organisation in order for the proceeds to benefit the local communities.

3.3 Number of Collectors

- 3.3.1 No persons may assist or take part in any collection without the written authority of the society, committee, or other body to whom a permit has been granted.
- 3.3.2 Written notice must be provided to us as either part of the application or prior to the collection, confirming details of all person(s) taking part in the collection. You must provide the collectors, name, address and date of birth, this is to enable us to check the suitability of the collectors and for enforcement.
- 3.3.3 When the agreed collectors change, we are happy to accept amendments to the collectors details prior to the street collection taking place.

3.3.4 Stoke-on-Trent City Council will restrict the number of people collecting monies to six per area.

3.3.5 No person under the age of 16 years old shall act or be permitted to act as a collector or vendor.

3.4 Collectors Behaviour

3.4.1 Failure to comply with the Street Collection Regulations may result in future applications for a permit being refused. A copy of the regulations are attached as Appendix 1.

3.4.2 No collector or vendor shall importune any person to the annoyance of such person.

3.4.3 Any person acting as a collector or vendor in a street or public place shall occupy a stationary position at some place on the footway. Not more than two persons shall act as collectors or vendors at the same place and no person shall collect money or sell articles within 25 metres of the place where any other person is collecting or selling.

Provided that the Licensing Authority may, if it thinks fit, waive the requirements of this Regulation in respect of a collection or sale which has been authorised to be held in a connection with a possession.

3.4.5 No leaflets or similar shall be handed out during the collection.

3.4.4 Every collector shall carry a collecting box.

3.4.5 All collecting boxes shall be numbered sequentially with a different number for each box used and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken.

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

3.4.7 Every collector shall deliver, unopened, all collecting boxes in his/her possession to a promoter.

3.4.8 A collector or vendor shall not carry or use any collecting box, receptacle or tray which does not display prominently the name of the charity/fund for which they are collecting for, nor carry or use any box or other receptacle(s) which are not duly numbered.

3.4.9 No payment or reward shall be made or given to any collector or vendor directly or indirectly, or to any person connected with the promotion or conduct of a collection, 100% of the monies collected must be given to the society/charity for which the collection was obtained for.

3.4.10 Collectors who are also members of the Public Fundraising Regulatory Association (PFRA) must adhere to the Activity Code of Fundraising Practice on face-to-face fundraising. Failure to comply could result in the refusal of further permits issued by Stoke-on-Trent City Council.

3.4.11 Stoke-on-Trent City Council take the welfare of animals seriously therefore if you wish to use/bring an animal(s) to a collection you will need to supply a copy of the animals Performing Animal Licence with your application for.

3.5 Registered Charities and Charitable Organisations

- 3.5.1 Stoke-on-Trent City Council will consider applications from registered charities and a registered charity number will need to be provided on the application form.
- 3.5.2 Should the collection be on behalf of a registered charity then a letter of authority will be required which must accompany the application from the organisation
- 3.5.3 Should a non registered organisation wish to submit an application, then they will have to provide information with regard to the charities purpose (i.e. Relief of poverty, advancement of health or saving of lives) and to show they benefit the public.

3.6 Exceptions

- 3.6.1 Stoke-on-Trent City Council reserves the right to defer from this policy where it is satisfied that there is sufficient cause for doing so.
- 3.6.2 Exceptions to this policy may be made for collections such as the Royal British Legion's Poppy Appeal and Santa collections within the City and when natural disasters have occurred such as a tsunami's and earthquake's.
- 3.6.3 More than one collection may be allowed on any one day for events within the City for example the Potters Half Marathon and the Tour of Britain Cycle Race. Additional permits will only be issued for the nominated charities of these events.
- 3.6.4 Collections for Children in Need, Red Nose Day and Sports Relief are discouraged as the organisers themselves prefer sponsored events.

4 APPLICATION PROCESS

4.1 Application Form

- 4.1.1 No collection of money or sale of any article shall be made in any street or public place within Stoke-on-Trent unless the person, society, committee or other body of persons responsible for such collection or sale have obtained a permit from Stoke-on-Trent City Council for such collection or sale.
- 4.1.2 Application forms can be obtained from Stoke-on-Trent City Council's website or by contacting Licensing Services directly. A copy of the Street Collection application form is attached as Appendix 2.
- 4.1.3 Applications must be submitted in writing no lesser than 7 days before the date on which the proposed collection is due to take place
- 4.1.4 The application period of one month may be reduced if we are satisfied that there are special reasons for doing so.
- 4.1.5 No collection shall be made except upon the day and between the hours stated in the permit.
- 4.1.6 The application form should detail the name of the society, committee or other body of persons responsible for the collection including their address and telephone number. This could be the head office address for the Society

- 4.1.7 The application form should detail the name of the persons making the application for the permit, including their position within the society, their address, telephone number and date of birth.
- 4.1.8 The application form requests information in relation to the relationship between the Charity and the person making the application
- 4.1.9 The application form requests details of the name of the charity for which the collection will benefit, the registered Charity number, the address and telephone number of the Administrative Centre of the Charity, the name of the secretary, together with the objects of the Charity or Fund.
- 4.1.10 The application form requests details of the dates, times and localities you wish to collect and also requests details of any deductions that may be made for expenses from the collection.
- 4.1.11 The application requests information as to whether they intend to have volunteers or collectors and requests their full name, address, date of birth and if they have ever been convicted of offences involving dishonesty.
- 4.1.12 The application form requests the name and address of the Accountant responsible for processing the monies collected including the details of the Accountant's qualifications.
- 4.1.13 The application form must be signed and dated by the person making the application.
- 4.1.14 Failure to complete the application form and provide the relevant documentation may result in your application being rejected.
- 4.1.15 Officers have delegated powers to grant an application where all of the criteria set out in this policy is met.

4.2 Permit Fee

- 4.2.1 There is no fee for a Street Collection permit.

4.3 Further Information

- 4.3.1 Stoke-on-Trent City Council may request (at the time of application or later) that additional information is provided, as may be considered relevant for the purpose of considering the application.

Failure to provide such information may result in the application being rejected.

5 HEARING PROCEDURE

- 5.1.1 Where Licensing Services is unable to issue a permit to an applicant for example if the applicant has a conviction for dishonesty. Then the application would need to be determined by the Licensing and Registration Panel.
- 5.1.2 Where an application is to be considered by the Licensing and Registration Panel the applicant will be notified of the time and date of the hearing.
- 5.1.3 Prior to the hearing, all parties will be supplied with a copy of the report. The report will contain a summary of the application, representations and any other relevant information.
- 5.1.4 At the hearing, all parties will have the opportunity to address the Licensing and Registration Panel and ask questions of fact of other parties. The Licensing and Registration Panel may also ask questions of all parties that they feel relevant to the determination process.
- 5.1.5 The Licensing and Registration Panel will communicate their decision at the end of the hearing and all parties will receive written confirmation of the decision within 7 days.

6. PROCEEDS STATEMENT FORM

- 6.1.1 Within one month after the date of any collection or sale the person, society, committee or other body of persons responsible for the collection shall forward to Stoke-on-Trent City Council's Licensing Authority a statement in the form set out in the Schedule to the Regulations. Unless there are multiple collections in the same month, in which case the return must be submitted to the Licensing Authority within one month of the final collection. This form will be attached to the permit when it is granted an example is attached as Appendix 3.
- 6.1.2 The proceed of statement form must be certified by the auditor of the society or by some independent responsible person.
- 6.1.3 This statement of returns must detail the amount received, the expenses incurred in connection with such collection or sale.

7 ENFORCEMENT

- 7.1.1 It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible members of the trade.
- 7.1.2 In pursuing its objective of encouraging responsible businesses, the Council will operate a proportionate enforcement regime in accordance with Licensing Services Enforcement Policy.
- 7.1.3 The responsibility for the overall supervision of Street Collections lies with the Director of Place, Growth and Prosperity.

8. OFFENCES & PENALTIES

- 8.1.1 This document should not be relied upon as an accurate statement of the law, only indicative of the general offences and penalties. You should seek independent legal advice if you are unsure of any information in this document.
- 8.1.2 Any person who acts in contravention of any of the foregoing Regulations will be liable on summary conviction to a fine not exceeding Level 1 on the Standard Scale. (currently £200).

DEFINITIONS

<i>Collection</i>	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.
<i>Promoter</i>	means a person who causes others to act as collectors
<i>Licensing Authority</i>	means Stoke-on-Trent City Council
<i>We</i>	means Stoke-on-Trent City Council
<i>Permit</i>	means a permit for a collection
<i>Contributor</i>	means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes: and
<i>Collecting Box</i>	means a box or other receptacle for the reception of money from contributors.

LIST OF CONSULTEES

Northern Licensing Unit, Staffordshire Police, Smithfield One, Leonard Coates Way, Hanley, Stoke-on-Trent, ST1 4FA

Staffordshire Fire & Rescue Service (Licence Applications)

Lower Bethesda Street, Hanley, Stoke-on-Trent, ST1 3RP.

Public Protection – Stoke-on-Trent City Council, Public Protection, Hanley Town Hall, Albion Street, Hanley, Stoke-on-Trent ST1 1QL

Janet Jones - City Centre Co-Ordinator, Economic Development, Culture and Tourism and Events, City Renewal Services City of Stoke-on-Trent, 3rd Floor Hanley Town Hall, City Centre, Stoke-on-Trent ST1 1QL

Markets Manager – Stoke-on-Trent City Council, Markets Management, Stoke Town Hall, Glebe Street, Stoke-on-Trent, ST4 1HH

Licensing Services – Staffordshire Moorlands District Council, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ

Licensing Services - Newcastle-under-Lyme Borough Council, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL

Licensing Services – Stafford Borough Council, Civic Centre, Riverside, Stafford, ST16 3AQ

Individuals & societies who have previously obtained a Street Collection Permit form Stoke-on-Trent City Council between March 2018 and March 2019.



City of
Stoke-on-Trent

CITY OF STOKE ON TRENT

Regulations adopted by the Council of the City of Stoke on Trent for the control of Street Collections.

Adopted by the City Council at its meeting held on Thursday, the twenty-fifth day of April, 1974.

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;
“the licensing authority” means Stoke on Trent City Council;
“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.
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 Stoke on Trent unless a promoter shall have obtained from the licensing authority 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 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. No collection shall be made in any part of the carriage way of any street which has a footway: Provided that the licensing authority 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) 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.
11. 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.
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 a list which shall be certified by that person.
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 licensing authority.
16. (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 expenses of that person and after a qualified accountant has given his certificate under paragraph (1) (a) above, publish in such a newspaper or newspapers 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
17. 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.
18. Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding £50.



**City of
Stoke-on-Trent**
APPLICATION FORM
STREET COLLECTION

To: Place, Growth & Prosperity, Regulatory Services, Hanley Town Hall, Albion Street, Stoke-on-Trent, ST1 1QL

Application for permission to collect money in street within the City of Stoke-on-Trent for the benefit of charitable or other purposes.

Section 1

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

Section 2

Name of the person making application for the permit who will be responsible for the collection	
Position in above 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

PLEASE NOTE – 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

Section 4

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 5

<p>Dates upon which it is desired to make the collection (All dates to be inclusive)</p> <p>NB. Applications must be submitted in writing no less than one month before the date on which the proposed collection is due to take place.</p> <p>Alternative dates</p>	
<p>Locality within which it is desired to make the collection (maximum of 6 locations per application)</p> <p><i>(Please tick area)</i></p>	<p>Tunstall <input type="checkbox"/> Stoke <input type="checkbox"/> Meir <input type="checkbox"/></p> <p>Burslem <input type="checkbox"/> Fenton <input type="checkbox"/> Hanley <input type="checkbox"/></p> <p>Longton <input type="checkbox"/></p> <p>Other _____ <i>(Please specify)</i></p>

Section 6

Disposal of the receipts. Are the whole of the receipts to be paid over for the benefit of the Charity or fund, or will any deductions be made for expenses, or other purposes?	
If any deduction is made, state for what purpose and give an estimate of the sum which will be deducted	

Section 7

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 indicate whether you intend to have volunteers or paid collectors carrying out the collection	
If collectors are to be paid, please give payment details. Please supply details of collectors in table below (use separate sheet if necessary)	
Full Name	
DOB	
Address	
Have any of the collectors ever been convicted of offences involving dishonesty?	
If the answer to the above question is yes, please give all details (use separate sheet if necessary)	

Stoke-on-Trent City Council reserves the right to verify information given with the Police

Section 9

Name and address of Accountant	
Details of Accountants Qualifications	

Section 10

Signature of person making this application
Date of application
False or misleading information given will lead to the application being rejected, and may also result in prosecution.

If your application is granted, please note that you will be subject to the attached regulations.

Once fully completed, please return this form to:-

Place, Growth & Prosperity
Regulatory Services
Hanley Town Hall
Albion Street,
Stoke-on-Trent
ST1 1QL

TO BE COMPLETED FOLLOWING THE COLLECTION



**City of
Stoke-on-Trent**

Street Collection Permit Proceeds Statement Form

Your Permit Number	
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Name of person to whom the permit was granted	
Address of 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	Amount	Total
From Collecting Boxes			Printing and Stationery		
			Postage		
			Advertising		
Interest on proceeds			Collecting Boxes		
			Badges		
Other items			Emblems		
.....			Other items:-		
				
				
			Payments approved under		
			Regulation 15(2)		
			Disposal of Balance		
			(insert particulars)		
TOTAL	£		TOTAL	£	

**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/AUDITOR

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).....

Qualification