

Leicester  
City Council

**WARDS AFFECTED**  
**All**

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**  
**Licensing and Public Safety Committee**

**5 January 2015**

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**Charitable Street Collections**

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**Report of the Director of Local Services and Enforcement**

**1. Purpose of Report**

- 1.1. To provide the Licensing & Public Safety Committee with updated information on charitable street collections.

**2. Recommendations**

- 2.1. The Committee is asked to comment on the current policy and advise whether or not changes are desirable.

**3. Background**

- 3.1. A report was brought to Licensing & Public Safety Committee on 6 November 2014 in relation to charitable street collections. This report is attached at Appendix 1.
- 3.2. At the meeting on 6 November 2014, members were considering whether or not to change to current policy. Members were advised that they could choose to dis-apply a regulation in relation to a particular application, and/or to substitute alternative wording as a condition of a specific licence. Officers were asked to obtain more information and report back to the next meeting of the Licensing & Public Safety Committee.

**4. Model regulations**

- 4.1. Model street collection regulations are set out in the Charitable Collections (Transitional Provisions) Order 1974. Leicester City Council's regulations are based on this Order and it appears that neighbouring authorities have adopted the same strategy.

**5. Approach taken by other Licensing Authorities**

- 5.1. Officers have contacted colleagues in other authorities in Leicestershire and Rutland. The responses received are summarized below.

Authority	Policy on payments	Policy on deductions
Blaby	Only with approval of licensing authority, but general discouraged	Only with approval of licensing authority; reasonable expenses proportionate to overall sum collected
Charnwood	None allowed	None allowed
Harborough		
Hinckley	None allowed	Only with the approval of the licensing authority
Melton	None allowed	None allowed
North West Leicestershire		
Oadby & Wigston	None allowed	Only with the approval of the licensing authority
Rutland	None allowed	Only with the approval of licensing authority
Nottingham City Council		
Derby City Council	Expenses are allowed but no amount/percentage specified. No large payments shown on the returns to date	

## 6. Saturday collections

- 5.1 Officers have reviewed the charitable street collection licences granted for 1 December 2013 to 30 November 2014. During this time permissions were given for 56 collections to take place on behalf of 43 different charities. 31 of these collections were solely within the city centre. The only charities permitted more than one Saturday in this 12 month period were the Poppy Appeal, who were granted permission to collect across the whole city from 25 October to 8 November 2014, and the Red Cross, who collected on 28 December 2013 and 1 February 2014.

## 6 FINANCIAL, LEGAL AND OTHER IMPLICATIONS

### 6.1 Financial Implications

No financial implications arise directly from this report.

*Colin Sharpe - Head of Finance ext 37 4081*

## 6.2 Legal Implications

Charitable street collections are governed by the Police, Factories (Miscellaneous Provisions) Act 1916 Section 5 Regulations of street collections:

- (1) Each of the authorities specified in subsection (1A) below may make regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place, within their area, to collect money or sell articles for the benefit of charitable 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

(1A)The authorities referred to in subsection (1) above are—

- (a) the Common Council of the City of London,
- (b) the police authority for the Metropolitan Police District, and
- (c) the council of each district;

but any regulations made by a district council under that subsection shall not have effect with respect to any street or public place which is within the Metropolitan Police District as well as within the district.

The Regulations that Leicester City Council has in place for street collections are referred to in this report at Annex A.

*Hannah Price - Solicitor ext 371496*

## 7. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

**8. Background Papers – Local Government Act 1972**

None

**9. Consultations**

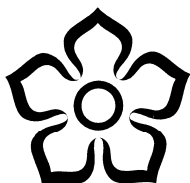
None

**10. Report Author**

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Leicester  
City Council

**WARDS AFFECTED**  
All

**APPENDIX 1**

**FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**  
**Licensing and Public Safety Committee**

**6 November 2014**

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**Charitable Street Collections**

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**Report of the Director of Local Services and Enforcement**

**7. Purpose of Report**

- 7.1. To provide the Licensing Committee with updated information on charitable street collections.

**8. Recommendations**

- 8.1. Licensing Committee is asked to comment on the current policy and advise whether or not changes are desirable.

**9. Background**

- 9.1. A report was brought to Licensing Committee on 11 September 2014 in relation to charitable door to door collections. Officers were asked to bring a similar report about charitable street collections to a future meeting.
- 9.2. Charitable street collections are governed by the Police, Factories (Miscellaneous Provisions) Act 1916. This allows local authorities to make regulations with respect to places where and conditions under which collections may take place in any street or public place. Leicester City Council's regulations are attached at Appendix A.

**10. Application process**

- 10.1. Organisers of charitable street collections are required to apply to the Licensing Section four weeks in advance of their chosen collection date. There is no fee payable. The Licensing Section will review the application to check whether or not the collection complies with the council's regulations. Festivals and Events may be consulted, depending on the location of the proposed collection. It is current practice to allow individual charities to collect in the city centre on one Saturday a year.
- 10.2. Leicester City Council received applications for 186 charitable collections to take place between 1 October 2013 and 30 September 2014. Officers refused 19 of these applications for administrative problems or for non-compliance with the regulations, and the Licensing Enforcement Sub-committee refused one application because it was not considered a street collection was justified. One other application was brought to the sub-committee because

the applicant did not want to comply with the regulations regarding animals and deductions, In this case the Committee agreed that the regulation relating to not allowing collectors to be accompanied by animals would be waived and, in relation to deductions, said that income spent on overheads was legitimate expenditure.

## **5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **5.5. Financial Implications**

No financial implications arise directly from this report –

*Colin Sharpe - Head of Finance ext 37 4081*

### **5.6. Legal Implications**

Charitable street collections are governed by the Police, Factories (Miscellaneous Provisions) Act 1916 Section 5 Regulations of street collections:

- (2) Each of the authorities specified in subsection (1A) below may make regulations with respect to the places where and the conditions under which persons may be permitted in any street or public place, within their area, to collect money or sell articles for the benefit of charitable 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

(1A)The authorities referred to in subsection (1) above are—

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but any regulations made by a district council under that subsection shall not have effect with respect to any street or public place which is within the Metropolitan Police District as well as within the district.

The Regulations that Leicester City Council has in place for street collections are referred to in this report at Annex A.

*Hannah Price - Solicitor ext 371496*

## 6. Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

## 7. Background Papers – Local Government Act 1972

None

## 8. Consultations

8.1. None

## 9. Report Author

9.1. Rachel Hall, Licensing Team Manager

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## APPENDIX A

### **REGULATIONS WITH REGARD TO STREET COLLECTION**

Notes for guidance of Organisers of Street Collections and persons acting as collectors.

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1. No collection of money (other than a collection taken at an open-air meeting) or sale of any article shall be made in any street or public place within the City of Leicester unless the person, society, committee or other body of persons responsible for such collection or sale shall have obtained from the Local Authority a permit for such collection or sale.
2. Applications 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 or sale.
3. No collection or sale shall be made except upon the day and between the hours stated on the permit.
4. The Local 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.
5. No person may assist or take part in any collection or sale without the written authority of the person or body of persons to whom a permit has been granted. Every person so authorised shall produce such written authority forthwith for inspection by any Police or authorised officer on demand.
6. No collection or sale shall be made in any part of the carriageway or any street, nor shall any collection or sale be made on the footway or in any public place to the obstruction or annoyance of any person in such street or public place.
7. All persons acting as collectors or vendors in a street 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 station, and no person shall collect money or sell articles within 30 yards of a station where any other person or persons are collecting or selling.
8. No person under the age of 16 years shall act or be permitted to act as a collector or vendor.
9. No collector or vendor shall use a table for the purpose of any collection or sale so as to cause or be likely to cause obstruction. No table shall exceed 30 inches in length and 20 inches in width when used.
10. No collector or vendor shall use a box or other receptacle at the end of a pole intended to reach upper windows or the roofs of conveyances.
11. No collector or vendor shall be accompanied by any animal.



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

13. Every collector or vendor shall carry and present to all contributors or purchasers for the reception of money contributions a box or other receptacle securely closed and sealed in such a way as to prevent the same being opened without such seal being broken, and into this box or other receptacle all contributions shall be immediately placed. All such boxes or receptacles shall be numbered consecutively. Every collector or vendor shall deliver his/her box or other receptacles with the seals unbroken to one of the persons responsible for the proper application of the money received.

14. A collector or vendor shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the fund for which the collection or sale is being made, nor any box or other receptacle which is not duly numbered.

15. No payment or reward shall be made or given either directly or indirectly to any collector or vendor or other person connected with the promotion or conduct of a collection or sale for or in respect of services rendered in connection therewith.

16. Within one month after the date of any collection or sale the person, society, committee or other body of persons responsible therefore shall forward to Licensing, City Hall, 115 Charles Street, Leicester, LE1 1FZ for the information of the Local Authority, a statement on the form attached, certified by the Auditor of the Society or by some independent responsible person with vouchers showing in detail the amount collected and the expenses incurred in connection with such collection or sale, and shall if required by the Local Authority satisfy them as to the due and proper application of the proceeds of the collection or sale.