

Surrey Heath Borough Council Street Collection Policy 1 July 2022

1.0 Aims of the Policy

The aims of the street collection policy is to:

- Safeguard the interests of both public donors and beneficiaries;
- Facilitate well organised collections by bona fide charitable and other institutions and to ensure that the standards set out are met;
- Prevent unlicensed collections from taking place.

2.0 Policy Objectives

The Policy objectives are to:

- Ensure impartiality and fairness in determining permit applications;
- Accommodate all eligible requests, subject to capacity, taking account that certain days and locations are especially sought after;
- Provide equality of opportunity for would-be collectors;
- Setting fair maximum limits for one applicant;
- Avoiding causing undue nuisance to the public.

3.0 Introduction

3.1. The Council is responsible for the issuing of permits allowing persons to collect money in a 'street' or 'public place' for the benefit of charitable or other purposes under the Police, Factories etc (Miscellaneous Provisions) Act 1916, as amended by the Local Government Act 1972 Schedule 29 (the Act).

3.2. The Act permits local authorities to make regulations with respect to the places where, and the conditions under which, persons may be permitted to collect money.

3.3. Such regulations have been made by Surrey Heath BC (see Annex A) and street collection permit applications are processed by the Licensing Service, who deal with any associated enquiries and complaints.

3.4 The definition of a 'street' under the Act includes any highway, public bridge, road, lane, footway, square, court, alley or passage, whether a throughfare or not. A 'public place' is not defined in the legislation, but case law defines a public place as any place to which any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission (DPP v Vivier [1991] Crim LR 637).

3.5 Under this Policy collections on privately owned land, where public access is restricted, is not deemed to require a street collection permit and permission would only be required

from the landowner e.g. charitable collections at individual retail premises; the SQ shopping centre.

3.6 A Pedlars Certificate is required to sell goods or services door-to-door anywhere in the UK for up to 12 months and this is issued by the Police.

4.0 Street Collections in Surrey Heath

4.1 The Borough of Surrey Heath is divided into the following areas for the purposes of Street Collection Permits:

- Camberley
- Frimley
- Frimley Green
- Lightwater
- Bagshot
- Bisley
- Mytchett
- Chobham
- Heatherside
- Deepcut
- West End
- Windlesham

4.2 The Council aims to secure a fair allocation of collection permits amongst the various organisations wishing to undertake collections in the Borough of Surrey Heath.

4.2 Surrey Heath Borough Council will consider applications from registered charities and a registered charity number will need to be provided on the application form and a letter of authority from the charity must accompany the application.

4.4 Should a non-registered charity wish to submit an application, then they will have to provide information (e.g. constitution, copy of accounts), with regard to the charitable purpose (e.g. relief of poverty, advancement of health, saving of lives) and show they benefit the public.

4.5 Not more than one street collection shall be issued for the same day in the same area of the Borough.

4.6. Each street collection shall last no longer than one calendar day. A maximum of four collection days shall be issued to each organisation per calendar year.

4.7 Where more than one organisation applies for a permit for the same date, the allocation of that date will be determined on a first come first served basis.

4.8 No organisation shall be allowed to collect in the same area more than once in a calendar year except see paragraphs 4.9 to 4.10 below.

4.9 The following charitable organisations are allowed more than one collection per calendar year within the same area.

- a. Camberley 41 Club who can have two collection days per year in the same area.
- b. The Rotary Club of Camberley who may collect up three calendar day's duration during the month of December.

4.10 From 31 October up to and including Remembrance Sunday, the whole of the Borough will be reserved for the British Legion Poppy Appeal collection.

4.11 Moving transient collections such as carnival processions, fun runs, bike rides or similar events, which involve collecting from the public along a route, will require a street collection permit. Such transient permits shall be granted in addition to those mentioned in the above paragraphs.

4.12 No guarantee can be given that an organisation's preferred day will be allocated to that organisation until a permit is granted. If the Council is unable to allocate the preferred date, wherever possible, alternatives will be offered.

4.13 Where the required schedule form of statement is not returned, this will usually result in subsequent applications for a 2 year period being refused.

4.14 Each application will be considered on its own merits based on the principles detailed in this Policy.

4.15 Where it is necessary for the Council to depart substantially from this Policy, e.g. in response to a request for a permit for a street collection relating to an emergency disaster appeal it will be considered on a case by case basis. Authorisation will be sought from the Chairman and Vice Chairman of the Licensing Committee under an Urgent Action.

5.0 Sharing of Information

Information regarding how the Council will use, store and share your information, including our retention guidelines, is available at www.surreyheath.gov.uk

6.0 Review

This policy will be reviewed at least every five years or sooner in light of any significant changes to legislation, guidance or local circumstances.