

## Street Collection Regulations

In pursuance of Section 5 of the Police Factories etc (Miscellaneous Provisions) Act 1916 as amended by Section 251 and Schedule 29 to the Local Government Act 1972 the **HASTINGS BOROUGH 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 Borough of Hastings 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 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;

"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 Borough of Hastings unless a promoter shall have obtained from the **HASTINGS BOROUGH COUNCIL** 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 **HASTINGS BOROUGH COUNCIL** may consider applications received after that date 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 **HASTINGS BOROUGH COUNCIL** 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 the promoter.

- 6.2 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 **HASTINGS BOROUGH 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 **HASTINGS BOROUGH COUNCIL** may if it thinks fit allow a collection to take place in 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;

- 10.1 a collector shall remain stationary; and

- 10.2 a collector or two collectors together shall not be nearer to another collector than 25 metres.

Provided that the **HASTINGS BOROUGH 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 16 years to act as a collector.

12.1 Every collector shall carry a collecting box.

12.2 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.

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

12.4 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 14.2 below a collecting box shall be opened in the presence of a promoter and another responsible person.

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

14.3 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.

15.2 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 **HASTINGS BOROUGH COUNCIL**.

16.1 Within one month after the date of any collection the person to whom a permit has been granted shall forward to the **HASTINGS BOROUGH COUNCIL**

(a) 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 a collection and certified by that person and either a qualified accountant or an independent responsible person acceptable to the **HASTINGS BOROUGH COUNCIL**

(b) a list of the collectors;

(c) a list of the amounts contained in each collecting box and shall if required by the **HASTINGS BOROUGH COUNCIL** satisfy it as to the proper application of the proceeds of the collection.

16.2 The said person shall also within the same period at the expense of that person and after a qualified accountant or an independent responsible person acceptable to the **HASTINGS BOROUGH COUNCIL** has given his certificate under paragraph 16.1(a) above publish in such newspaper or newspapers as the **HASTINGS BOROUGH COUNCIL** 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.

16.3 The **HASTINGS BOROUGH COUNCIL** may if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph 16.1 above.

16.4 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.

These regulations shall come into operation upon the expiration of the period of one month beginning with the date on which they are confirmed by the Secretary of State. They shall have effect in substitution for those contained in the Schedule to the Charitable Collection (Transitional Provisions) Order 1974 and adopted by the Hastings Borough Council on the Tenth day of April One Thousand Nine Hundred and Seventy Four which as having effect by virtue of that adoption are hereby revoked.

## **SCHEDULE FORM OF STATEMENT**

Name of the person to whom the permit was granted .....

Address of the person to whom the permit was granted .....

Name of the charity or fund which is to benefit .....

Date of collection .....

Show Nil entries

| <b>Proceeds of Collection</b> | <b>Amt.</b> | <b>Total</b> | <b>Expenses &amp; Application of Proceeds</b>  | <b>Amt.</b>    | <b>Total</b> |
|-------------------------------|-------------|--------------|--|----------------|--------------|
| From Collecting boxes         |             |              | Printing & Stationery<br>Postage<br>Advertising<br>Collecting Boxes<br>Badges<br>Emblems<br>Other Items<br>Payments approved under<br>Regulation 15(2) Disposal of<br>Balance (insert particulars) |                |              |
| Interest on proceeds          |             |              |  |                |              |
| Other items:-                 |             |              |  |                |              |
| <b>Total £</b>                |             |              |  | <b>Total £</b> |              |

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 or Independent Responsible Person acceptable to HBC**

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 .....  
Qualifications .....

**THE COMMON SEAL of the  
HASTINGS BOROUGH COUNCIL**  
was hereunto affixed this 4th day of  
June 1981 in the presence of:-

The Secretary of State this day confirmed the foregoing Regulations and directed that the same should be published by the insertion of an announcement in two successive issues of two newspapers circulating in the Borough of Hastings stating that such Regulations have been made and confirmed and that copies can be obtained on application to the Hastings Borough Council.

Signed by the authority of  
the Secretary of State  
Home Office  
Queen Anne's Gate

G.I. deDENNEY

## An Assistant Under Secretary of State

24 June 1981

**Hastings Borough Council,  
Environment & Safety Directorate  
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