

STREET AND HOUSE TO HOUSE COLLECTIONS GUIDANCE NOTES FOR APPLICANTS

The Charities Act 2006 received Royal Assent in 2006. Parts of the Act came into force early in 2007 and other provisions are being introduced gradually from this date. On 1 April 2008 the Charities Act 2006 (Commencement No. 4, Transitional Provisions and Savings) Order 2008 came into force. The statutory definition of charity, including the list of headings for charitable purposes and the public benefit requirement are set out below:

1. The prevention or relief of poverty.
2. The advancement of:
 - education
 - religion
 - health or the saving of lives
 - citizenship or community development
 - the arts, culture, heritage or science
 - amateur sport,
 - human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity
 - environmental protection or improvement
 - animal welfare
3. The relief of those in need by reason of youth, age, ill-health, disability, disadvantage, financial hardship or other disadvantage.
4. The promotion of the efficiency of the armed forces of the Crown or of the police, fire and rescue services or ambulance services.
5. Other purposes currently recognised as charitable and any new charitable purposes which are similar to another charitable purpose.

This Commencement Order also removed the presumption of public benefit for charities established for the advancement of education, religion and the relief of poverty.

If you are intending to hold a collection outside a local supermarket or other 'public place', defined as a place to which the public has 'unrestricted access', please contact them first for permission and a date(s) before completing your application.

Applicants are advised to have regard to these provisions and to clearly align the purpose and proceeds of the proposed collection within the definition of charitable purpose under the Charities Act 2006 in the relevant sections of the application form(s).

Once your collection has taken place, you must complete and return within one month of the collection date(s) the 'schedule of return'. This is an official declaration to the Council stating how much money you have raised and how much is going to be given to the charity. Applicants are advised that although there is no legal minimum the percentage of the proceeds of a collection applied to expenses should not exceed 20%.

There is a space on the form for a countersignature as independent evidence that the amount raised is correct and has been paid over to the charity. This should be accompanied, where possible, with a paying in slip to the relevant bank account for that charity.

This Council no longer requires applicants to publish the amount raised in the local newspapers as this is quite costly; a letter to the Editor of the Surrey Herald thanking residents for their donations totalling £x is sufficient.

STREET AND HOUSE TO HOUSE COLLECTIONS CRITERIA

As updated by the Charities Act 2006 (Commencement Nos.1, 2, 3 and 4,
Transitional Provisions and Savings Orders) 2007 and 2008

1. The Council will not usually permit more than two collections per year by an individual or organisation.
2. The Council will not issue permits to an individual or organisation which fails to provide adequate information in order to consider their application properly. This includes any information which might lawfully be requested by the Council in addition to that given on the application form.
3. Subject to the provisions of the forthcoming Charity Tribunal, the Council will not issue permits to an individual for private gain nor an individual or organisation whose aims do not appear to be charitable or of a closely allied nature or comply with the definition of charitable purpose under the Charities Act 2006.
4. The Council will not issue permits to an individual or organisation whose collectors are paid more than it considers to be 'reasonable expenses' or who do not comply with the provisions made under the Charities Act 2006 updating the requirements of the Charities Act 1992 with regard to remuneration and solicitation statements.
5. The Council will not normally and without good reason, issue further permits to an individual or organisation that has cancelled a street collection in Runnymede at short notice (less than one week), on more than one occasion in the last three years
6. The Council will not normally issue permits to an individual or organisation that has held an unlawful street or house to house collection within this area, or that of another local authority.
7. The Council will take into account any reasonable decision by another local authority to refuse permission for the individual or organisation in question to hold a street or house to house collection, and the reasons for it.
8. The Council will not normally issue permits to an individual or organisation who has broken the Street Collections Regulations set by this Council, or those of another local authority within the last five years, or where it is reasonably suspected that the individual or organisation might do so.
9. The Council will not normally issue permits to an individual or organisation who has previously submitted a returns form for a collection which has taken place in the Borough showing that no money was received, unless the 'nil return' was the result of the collection being cancelled.
10. The Council will take into account relevant and reasonable information or advice supplied by the Police or other relevant body in deciding whether to grant a permit.
11. Each street collector in Runnymede Borough Council must wear a badge with the Runnymede Borough Council logo and the authorised date of the collection on it. This will show the public that the charity and collectors have been authorised by Runnymede Borough Council and are legitimate collectors.
12. With regard to House to House Collections, non-holders of the Home Office Exemption Order, or an organisation acting on their behalf, must apply for a licence for any type of proposed fundraising activity.
13. Individuals wishing to busk or provide street entertainment for a charitable purpose are asked to abide by Runnymede Borough Council's Busking and Street Entertainment Policy and Voluntary Code of Conduct in addition to applying for a street collection permit or house to house collections licence as appropriate.

Busking and Street Entertainment Policy and Voluntary Code of Conduct 2010

For the purposes of this policy the following definitions apply:

Busker or street entertainer – An entertainer who provides impromptu performances for the public by playing a musical instrument, dancing, singing, clowning or juggling, or other acts of a similar nature in a public place

Performance – Musical, dramatic or other entertainment substantially involving musical, theatrical or circus performance skills

Runnymede Borough Council welcomes activities that enhance the street scene and provide good quality entertainment to the public. To avoid complaints the Council provides buskers and street entertainers (who must be over the age of 16 years unless accompanied by an adult) with a 'buskers' badge' on condition they agree to abide by a voluntary Code of Conduct which is set out below.

If busking or street entertainment is being conducted for a charitable purpose a street collections permit and/or house to house collections licence is required and performers are asked to abide by the voluntary Code of Conduct as set out below.

A suitable location must be agreed with Runnymede Borough Council in advance, having due regard for the need to avoid causing any obstruction or annoyance to residents, retailers, local businesses and the general public, in consultation with Surrey Police and Surrey Highway Authority.

The sale of CDs or other items is prohibited in accordance with relevant Street Trading legislation. Buskers must not cause an obstruction under the Highways Act 1980, nor cause a noise nuisance under the Environmental Protection Act 1990 (as amended). Any breach of these Acts and or associated legislation and regulations may result in the busker or street entertainer being 'moved on' and subject to appropriate enforcement action by the relevant authority.

Large events such as Addlestone Town Festival, Magna Carta Day and Black Cherry Fair fall under the requirements of the Licensing Act 2003 and organisers are advised to contact the Council at least 28 days before the event so that a risk assessment can be undertaken and other necessary provisions made to facilitate their event.

Voluntary Code of Conduct for Buskers and Street Entertainers

1. All performers must have a valid busker's permit issued by Runnymede Borough Council and are asked to sign an agreement to abide by this Code of Conduct.
2. Performances are permitted within the designated entertainment areas (as agreed with Runnymede Borough Council) provided that no obstruction to the highway (footpath), entrances/exits to shops and other premises or shop window displays occurs by entertainers or those gathering to watch.
3. Performances are permitted between the hours of 10 am and 6 pm with performances lasting no more than 2 hours. No return is allowed to the same place within 2 hours, unless special authorisation is given by Runnymede Borough Council. Please note that if you are asked to move on by an authorised Officer of the Council or Surrey Police you must cease your activities at once. Please note that very noisy instruments such as bagpipes or drums are not advised.
4. The use of amplifiers and loudspeakers should not be used to avoid causing a noise nuisance. Mains or generated power amplifiers are likely to present particular problems and should not be used. If music and or voices can be plainly heard at a distance of 50 metres it is too loud.
5. Performers must act safely at all times and not endanger themselves or others.
6. Performers must not dress or act in way that is likely to offend others or amounts to anti-social behaviour – likely to cause harassment, alarm or distress to members of the public or local traders. This includes performing whilst under the influence of alcohol, solvents or drugs.
7. Performers must not sell their wares or pressurise/manipulate people into giving them money.
8. All litter/waste arising from the event must be removed from site and not left next to public litter bins.

If you need help reading this document please contact Denise Morley on 01932 425610 who will try to provide a reading service, a large print version, or another format.

বাঙলা

আপনি যদি ইংরেজি পড়তে বা বলতে না পারেন, ও এই লেখাটি পড়তে যদি আপনার কোনও সাহায্য লাগে তাহলে অনুগ্রহ করে 01483 750548 নাম্বারে উইটস্ লিঙ্কলাইন (WITS Linkline)-এর সাথে যোগাযোগ করুন ও আপনার নিজের ভাষায় একটা মেসেজ রাখুন।

简体中文

如果您无法阅读或说英语，需要协助以明白此文件，请与和景翻译服务处之语言专线连络 01483 750548，并用您的母语留下讯息。

Italiano

Qualora non siate in grado di leggere o di parlare l'inglese, e necessitate assistenza che vi permetta di capire il presente documento, siete pregati di contattare la WITS Linkline allo 01483 750548 e lasciare un messaggio nella vostra lingua.

اردو

اگر آپ انگریزی زبان پڑھ اور بول نہیں سکتے ہیں اور آپ کو اس دستاویز کو سمجھنے میں دقت پیش آتی ہے؛ تو برائے مہربانی سے وٹس لنک لائن کو اس نمبر 01483 750548 پر رابطہ کریں اور اپنی زبان میں اپنا پیغام چھوڑیں۔

Polski

Jeżeli nie potrafisz czytać lub mówić po angielsku i potrzebujesz pomocy w zrozumieniu tego dokumentu, proszę skontaktować się z Linia Telefoniczną WITS pod numerem 01483 750548, zostawiając wiadomość w języku ojczystym.

Español

Si no puede leer o hablar ingles, y necesita ayuda para entender este documento, por favor contacte a WITS Linkline al 01483 750548 y deje un recado en su idioma.