

SURREY HEATH BOROUGH COUNCIL

STREET COLLECTIONS LICENCES - POLICY

Background

1. It is illegal in this country to hold a Street Collection (to collect money or sell articles for the benefit of charitable or other purposes) without obtaining a Street Collection Licence (SCL) from the Council if that collection is to be held 'in a street or public place'. For this purpose it has been established that a 'public place' is a 'place where the public has access'. A shop doorway, when that shop is open for trading is a 'public place', because the public passes through the door(s). **No other licence will do. A Pedlars Licence, issued by the Police cannot be used for this purpose. It is often assumed that collections can be held in shop doorways or car parks do not need an SCL because they are being held on 'privately owned land'. This is not true, as the legislation does not, in fact mention the ownership of the land or treat collections on 'privately owned land' in any way as "exempt" from the obligation to be licensed.**
2. Local authorities alone issue SCLs under **Section 5 of the Police, Factories, etc. (Miscellaneous Provisions Act 1916, as amended by the Local Government Act 1972 and Schedule 29 of that Act.**
3. The Council has issued Regulations under these Statutory powers. These are laid down by central Government and are largely the same for all authorities.

Street Collections Licensing in Surrey Heath

4. Surrey Heath is unique among Surrey Authorities in that, as a matter of long-term policy, decided at Member level (currently Executive) the issue of SCLs is subject to a 'quota' system. This means that the Borough, for this purpose, is geographically divided into 14 areas and the SCLs into seven categories. The 14 areas are:

| | |
|------------------------------------|-------------------------------------|
| Inner Camberley (inc. Town Centre) | Frimley |
| Outer Camberley | Heatherside |
| Frimley Green | Deepcut & Blackdown |
| Mytchett | Inner Bagshot (inc. Village Centre) |
| Lightwater | Outer Bagshot (inc. Longacres) |
| Chobham | Windlesham |
| Bisley | West End |

5. There are seven categories of Licence which are currently defined as follows:-

Category 1 For collections on behalf of **national organisations, including local branches of national organisations. (For total numbers, see para 6. below)**

Category 2 For collections on behalf of **local organisations. (For total numbers, see para. 6. below).**

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- Category 3** For collections associated with carnivals, bonfires, walks, Christmas etc (For total numbers see para. 6 below).
- Category 4** For collection on behalf of Mayor's Charity (One Licence, valid for one day only and including the whole Borough)
- Category 5** For collections held for fund-raising events in the Main Square, Camberley only (6 Licences per annum valid for Main Square only)
- Category 6** 'Transient' Licences, to provide for events such as sponsored walks, bike rides or where a licence is only required for a few hours (6 Licences per annum for any area(s) of the Borough).
- Category 7** Special Licence for British Legion Poppy Day; to cover Saturday of Poppy Day and the Friday and Thursday before. Licence covers whole Borough.

6. The annual numbers in Categories 4, 5, 6 and 7 are shown above. Council has determined that the annual numbers in Categories 1,2 and 3, shall be limited in each nominal area of the Borough, as follows. **It should be noted that in these three categories, a Licence can cover a selection of the areas or the whole Borough. Such a Licence is deemed to 'take' one 'Licence' from each notional area it covers. Therefore, a 'whole Borough' Licence would reduce the available total in each area included, by one:-**

| <u>Area</u> | <u>Category 1</u> | <u>Category 2</u> | <u>Category 3</u> |
|----------------------|--------------------------|--------------------------|--------------------------|
| Inner Camberley | 13 | 6 | 8 |
| Outer Camberley | 13 | 6 | 8 |
| Inner Bagshot | 9 | 5 | 5 |
| Outer Bagshot | 9 | 5 | 5 |
| Frimley | 9 | 5 | 5 |
| Frimley Green | 9 | 5 | 5 |
| Heatherside | 9 | 5 | 5 |
| Chobham | 9 | 5 | 5 |
| Deepcut/Blackdown | 7 | 4 | 4 |
| Mytchett | 7 | 4 | 4 |
| Lightwater | 7 | 4 | 4 |
| Windlesham | 7 | 4 | 4 |
| West End | 7 | 4 | 4 |
| Bisley | 7 | 4 | 4 |
| <u>Totals</u> | 122 | 66 | 70 |

7. In addition, the Council (Environment Committee 10 September 1998) agreed that:-
- a) (Category 3, Christmas) SCLs issued to the **Rotary Club of Camberley** and to the **Camberley and Frimley Lions** may be of up to three days duration, including

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Sundays, but collections held under these two Licences shall not be held in precisely the same places in the Borough at the same time;

- b) In all cases, with the exception of the Rotary Club of Camberley and the Lions, no two charities shall be allowed to collect in the same notional area of the Borough at the same time.

8. The Council (Licensing Committee 7th April 2010) agreed that:-

- a) The Camberley Ex Round Tablers 41 Club can have two collection days per year.