

BIRMINGHAM CITY COUNCIL

Application form for a House to House Collection Licence

This pack contains a form and explanatory notes to apply for a House to House Licence.

The application should be made on the form provided and returned to the address given below. Please give **no less than** 28 days' notice.

For collections involving Professional Fundraisers and/or Commercial Participators please see notes on page 5.

NOTES

Anyone wishing to appeal to the public to collect money or other property for any charitable purpose by going from house to house must have a licence to do so.

(Note: "HOUSE in this connection includes public houses and places of business).

Permission is given:-

1. By the Secretary of State, who may do so by Order, in the case of collections made throughout the whole country or a substantial part of it; or
2. By the Licensing Committee, who may grant a licence authorising a person to promote such collection in the City; or
3. By the Chief Constable, who may grant a certificate to allow a minor collection in a particular part of the City, for a purpose local in character, and which is to be completed within a short period of time. (See * below)

* A person who wishes to hold a minor charitable house to house collection in a particular area of the City, which is for the benefit of that area and only for a short period of time, should apply to the local police station.

You must give details of the proposed collection so that, if agreed, a Police Certificate giving you authority to hold the collection, may be issued. You will then be exempted from the provisions of the Act, except that any person collecting for you must give his name, address and signature if requested by a police officer.

Anyone who wishes to hold a House to House Collection should obtain a copy of the House to House Collections Act, 1939, and of the Regulations made under the Act, which will give them full information on the subject.

Cont/.....

Rules to be followed for any House to House Collection not covered by a Police Certificate:-

1. An application for a licence must be in the prescribed form at least 28 days before the date of the collection.
2. If you are not a member of the group you wish to collect for, you will need to send us a letter from them saying that they agree to you collecting for them. Please send this with your completed application form.
3. Every person acting as a collector must carry a copy of the certificate of authority given to him by the promoter of the collection and which he must produce on request to any police constable, or any occupant of a house visited by him for the purpose of collection.
4. Every collector must have a prescribed badge, which is also to be supplied by the promoter and which he must wear prominently whenever collecting.
5. A collector of money must not be under the age of 16 years.
6. A collector must not harass any person, nor remain at any house if requested to leave by the occupant.
7. If money is collected, the contribution should be put into the box, or if no box, a receipt for the contribution should be given by the collector. The Regulations state the procedure to be followed for the examination of boxes and books.
8. If you wish the collection to be in the form of direct debit pledges you will need to provide a copy of the Agreement (signed by both parties), between the Fundraising Company and the Charity. Please send this in with your application form.

Any application sent in without this information may be returned unprocessed.

9. A constable may request any person believed to be acting as a collector, to declare immediately their name and address and to sign their name.
10. A Form of Account will be sent with the licence. This has to be completed by the promoter and certified by an independent responsible person such as a qualified accountant and then returned to the Licensing Section within one month of the licence expiring.

Your application should be determined within 60 days of receipt of all the information necessary for the Council to process and determine the application. Please refer to the Council's requirements for Charitable House to House Collections which are contained within this information pack or can be found at www.birmingham.gov.uk/licensing.

Tacit Consent will not apply as it is in the public interest that the authority must process your application before it can be granted. If you have not heard from the Council within a reasonable period of time, please contact us using the contact details below.

**The Licensing Section
Crystal Court
Aston Cross Business Village
50 Rocky Lane, Aston
Birmingham B6 5RQ
Tel: 0121 303 9896**

licensing@birmingham.gov.uk

Fair Processing Statement – Any personal data held by Birmingham City Council in relation to your application for a street collection permit will be held in full compliance with the legal obligations as set out in the Data Protection Act 1998 and in accordance with the Council's Privacy Policy; a copy is available on the Council's website: www.birmingham.gov.uk/privacy. To protect the public fund we may also use the information you have provided on this form to prevent and detect fraud. We may share this information for the same purposes with other organisations for example, other councils, the police and Charity Commission

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HOUSE TO HOUSE COLLECTION ACT 1939 **Application For Licence**

The attention of applicants for licences under the House to House Collections Act is drawn to Paragraph 4 of the House to House Collections Regulations 1947 made by the Secretary of State on the 12 December 1947. This paragraph provides that ordinarily an application for licence shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

Applicant's details: (BLOCK LETTERS PLEASE)

Name of Applicant (Mr/Mrs/Miss/Ms)

Date of Birth Daytime telephone No:

Home Address of Applicant

Name of Society or Organisation responsible for the conduct of the collection:

Address of Society/Organisation

Are you a member of this Society or Organisation? Yes No

If yes, please state your position within the Society/Organisation

If not, you must supply a letter from them with this application authorising you to collect on their behalf.

Have you previously been granted a House to House Collection Licence by this Authority? Yes No

If yes, please indicate the date of the last collection and permit number if known.

Has the applicant, or to the knowledge of the applicant, anyone associated with the promotion of the collection been refused a licence under the Act, or had a licence revoked? Yes No

If yes, give particulars.

Name of Charity or Fund which is to benefit from the proceeds of the collection:.....

Address of Charity/Fund

Objects of the charity:

(Please enclose recent literature, accounts, etc.)

Collection details:

Over what parts of the licensing area is it proposed that the collection should extend?

Over what period of the year is it proposed that the collection should be made?

Approximately how many collectors will there be?

Is it proposed to collect money? **Yes** **No**

Is it proposed to collect other property **Yes** **No**

If yes, of what nature

Is it proposed to sell such property or to give it away or to use it? **Sell** **Give away** **Use**

Is application being made for licences for collections for the same purposes in other licensing areas? **Yes** **No**

If yes, to what licensing authorities?

Approximately how many persons in all is it proposed to authorise to act as collectors?

Is it proposed to promote this collection in conjunction with a street collection? **Yes** **No**

If yes, is it proposed to submit one account or separate accounts.

If the collection is for a War Charity, state if such charity has been registered or exempted from registration under the War Charities Act 1940, and give name of registration authority and date of registration or exemption.

Proceeds of the Collection:

Are the whole of the receipts to be paid over to the Charity or Fund? **Yes** **No**

If not, please state the purpose for which deductions will be made?

Please also state approximately how much will be deducted for expenses or other purposes?

NB PLEASE NOTE THAT NO DEDUCTION CAN BE MADE UNLESS DETAILS ARE SPECIFICALLY STATED ON THIS FORM

Is it proposed that remuneration should be paid out of the proceeds of the collection to any persons? **Yes** **No**

If yes, please give details

Please answer **all** questions fully in order that the processing of your application is not delayed.

DECLARATION

I am aware that should a House to House Collection Licence be granted to me the collection must take place in strict compliance with the House to House Collection Regulations which I have read and fully understand. I am aware that it is also necessary for me to submit a certified form of statement within 28 days of the collection taking place.

.....
 Signature of Proposed Licence Holder

.....
 Date

The completed form should be returned to:

The Licensing Section
 Crystal Court
 Aston Cross Business Village
 50 Rocky Lane, Aston
 Birmingham B6 5RQ

Tel No: 0121 303 9896

PROFESSIONAL FUNDRAISERS AND COMMERCIAL PARTICIPATORS

These persons are defined in Section 58(1) of Part 2 of the Charities Act 1992

- 1) A professional fundraiser is broadly a person carrying on a fundraising business and/or a person who for reward solicits money or other property for the benefit of a charitable institution.
- 2) A commercial participator is anyone who runs a business, (not a fundraising business), for gain, who engages in a promotional venture which states that a contribution will be given to charity.
- 3) The 1992 Act requires that professional fundraisers and commercial participators involved in fundraising for the benefit of charitable institutions must have an agreement in place which complies with specific legal requirements.

Please provide a copy of the Agreement (signed by both parties) between the Fundraising Company/Commercial Participator and the charity.

DIRECT DEBIT FUNDRAISING

If you wish the collection to be in the form of direct debit pledges using Professional Fundraisers, you will need to provide a copy of the Agreement (signed by both parties), between the Fundraising Company and the Charity **with** your application form:

Any application sent in without this information will be returned unprocessed.