



## GUIDANCE NOTES IN RESPECT OF PUBLIC CHARITABLE HOUSE TO HOUSE COLLECTIONS

In determining applications, the Council will be conscious of the following:

- (1) Whether the purpose of the collection is 'charitable'.
- (2) The following provisions of Section (3) of the House to House Collections Act 1939:
  - (a) That the total amount likely to be applied for charitable purposes as a result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received);
  - (b) That remuneration which is excessive in relation to the total amount aforesaid is likely to be, or has been, retained or received out of the proceeds of the collection by any person;
  - (c) That the grant of a Licence would be likely to facilitate the commission of an offence under section 3 of the Vagrancy Act 1824, or that an offence under that section has been committed in connection with the collection;
  - (d) That the applicant or the holder of the Licence is not a fit and proper person to hold a Licence by reason of the fact that he has been convicted of a relevant offence, or of an offence of a kind the commission of which would be likely to be facilitated by the grant of a Licence;
  - (e) That the applicant has failed to exercise due diligence to secure that persons authorised by him to act as collectors were fit and proper persons, to secure compliance by collectors with the statutory requirements of them, or to prevent prescribed badges or certificates of authority being obtained by persons not authorised to collect; or
  - (f) That the applicant has refused or neglected to furnish to the Council such information as they may have reasonably required for the purpose of informing themselves as to any matters specified in the foregoing paragraphs.

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Applicants are strongly advised to obtain a copy of both the House to House Collections Regulations 1947 (SR&O 1947 No. 2662) and the Home Office Guidance Notes on House to House Collections No. 22/85 E2.

## DATA PROTECTION

Through the relevant application/notice forms, accompanying documentation associated with this licensing function the Council (the data controller) collects personal data. Personal data may also be collected in respect of further related requests for information from the applicant/person submitting the notice. This is necessary for the performance of legal obligations on it in respect of the relevant licensing function or otherwise necessary for the performance of a task carried out in the public interest or in the exercise of official authority. These also form the basis for the further processing of the personal data by the Council in connection with the application/notice, any determination of the same and any subsequent authorisation/appeal and issues that arise during the period of the authorisation/appeal. Beyond that, the Council will retain the records for 5 years and then destroy them securely. The Council will maintain and retain public registers and these are not destroyed. The Council may from time to time extract information itself from those public registers. The Council will share with and receive information from the following:

- Other Council's Services (when appropriate)
- Other Local Authorities
- Charity Commission

In respect of data subjects who are applicants/notice givers and those who hold authorisations. It holds the personal data in a way designed to secure it from unauthorised use, loss or destruction. These measures include recruitment and training of staff, procurement of services and physical/cyber security. The Council's privacy statement for this function is available at [www.bedford.gov.uk](http://www.bedford.gov.uk) or upon request from the Council using the address and telephone contact details elsewhere on this form. The Council will update its privacy statement from time to time and you are urged to read that statement. You have information rights that are explained at <https://tinyurl.com/y7uccndm>. You can exercise your information rights by contacting the Council's Data Protection Officer at [dpo@bedford.gov.uk](mailto:dpo@bedford.gov.uk) or writing to Information Governance, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford MK42 9AP (Telephone (01234) 267422). If you believe that the Council has failed to comply with its data protection obligations you may contact the ICO at 0303 123 1113 or at [www.ico.org.uk](http://www.ico.org.uk). Further contact details are available upon request. The full Privacy Statement for Charitable Collections can be found here:

[www.bedford.gov.uk/gdprprivacy](http://www.bedford.gov.uk/gdprprivacy)

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# BEDFORD BOROUGH COUNCIL

## FREEDOM OF INFORMATION

Information held by the Council may need to be disclosed in response to a request for it within the terms of the Freedom of the Information Act 2005. This information excludes that which is in any other way already in the public domain.

## Complaints & Enforcement Policy

Details of the Corporate Complaints Procedure and the Internal Review Procedure for both the Freedom of Information Act 2000 and the Re-use of Public Sector Information Regulations 2005 can be obtained upon request. The enforcement undertaken by the Unit is in accord with its Enforcement Policy - a copy of which is also available upon request.

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Applicants are advised to provide sufficient time prior to a proposed collection to apply for a Licence and, if granted, to obtain the necessary prescribed badges from Her Majesty's Stationery Office.

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