



Licensing Panel (Taxi and Miscellaneous) – 6 November 2012

House to House Collections – Appeal against Officer Decision to Refuse Application

Purpose of report

To hear an appeal against an officer decision to refuse a house to house collection from Troop Aid.

Attachment(s)

Appendix One – Application Form

Appendix Two – Supporting information to application

Appendix Three – Revenue Breakdown

Appendix Four – Refusal letter

Appendix Five – House to House Collection Policy.

Appendix Six – Letter requesting an appeal

Appendix Seven - Original Signature page from Clothing Collection Contract

Appendix Eight - Clothing Collection Contract

Appendix Nine - Troop Aid Charity Textile Collection Data 2012

1.0 Background

A House to House Collections Policy was approved by Policy and Resources Committee in August 2010, this was reviewed in December 2011 as a result of a year of operation and the NALEO guidance being published. As a result of this Policy and Resources approved a revised Policy in December 2011. Officers refuse applications when they do not meet the requirements set out within the policy (Appendix Five). If an applicant appeals against an officer decision this is then placed in front of a licensing panel to determine prior to final refusal.

2.0 House to House Collection

2.1 Mr Albert Telford Sutton made an application on behalf of Troop Aid to operate house to house collections 4 November 2012 – 5 November 2013 by using a sub contractor Midlands Textiles Limited. (Appendix One).

2.2 This application was assessed by officers against the House to House collections policy and a letter was sent to the applicant explaining we were minded to refuse this application for the following reasons (Appendix Four):-

- The total amount likely to be applied for charitable purposes as the result of the collection (including any amount already applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received).

2.3 The main reason for the above decision was application of the 70% / 30% rule within the policy, which states that:

- Refusal of the application should be given serious consideration when less than 70% of the value of the collection at the point of donation is being given to the charity.

2.4 The financial information (Appendices Two and Three) provided as part of the application suggests the following:-

- Midland Textiles is paid up to £900 per tonne Troop Aid Receive £100.00 per tonne which is 11% of the value of the goods.

2.5 Troop Aid feel that the application should be granted as they receive a substantial amount of the profit made by Midland Textiles which equates to £100 per tonne when total profit is £114 per tonne.

The profit element for the subcontractor is not included within this application and as such has not been assessed as part of this process.

Troop Aid have received a donation of £7806 from Midland Textiles for the month of September, which is valued by the charity, as a result they are keen to see applications for collections being granted to maximise their income.

3.0 Recommendation

It is recommended that this application be refused as it does not meet the requirements within the East Northamptonshire Council, House to House Collections Policy.

Legal	Power: House to House Collections Act 1939 and House to House Collection Regulations 1947				
	Other considerations:				
Background Papers:		House to House Collection Policy			
Person Originating Report:		Julia Smith Commercial Health Manager jsmith@east-northamptonshire.gov.uk 01832 742066			
Date: 26 October 2012					
CFO		MO		CX	

(Committee Report Normal Rev. 22)