



Licensing Panel – 15 January 2013

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 Limitless FS Limited on behalf of Little Treasures Children's Trust

Attachment(s)

Appendix 1 – Application Form

Appendix 2 – Supporting information to application

Appendix 3 – Refusal letter

Appendix 4 – Letter requesting an appeal

Appendix 5 – House to House Collection Policy.

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 5). If an applicant appeals (Appendix 4) 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 Ms Loreta Andruskaite of Limitless FS Limited made an application (Appendix 1) on behalf of Little Treasures Children's Trust Charity to operate house to house collections 1 January 2013 to 22 March 2013

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 3):-

- 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 processed 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 provided as part of the application (Appendix 2) suggests the following:-

- Collected items are sorted and only those items then sold on to the market are taken into account when assessing percentage to be paid to the charity.

2.5 The application does not show any remuneration for Limitless FS Limited directors. The application also shows a minimum of £50.00 per kilo being paid to the charity. This would make the value of collected items £50,000 per tonne. Others in the trade work on an estimate of between £900 and £1000 per tonne for collected items.

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:		Thomas Morrissey Licensing Enforcement Officer 01832 742066 tmorrissey@east-northamptonshire.gov.uk			
Date: 13 December 2012					
CFO		MO		CX	

(Committee Report Normal Rev. 22)