



Taxi and Miscellaneous Licensing Panel – 15 May 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 J & K Ogle on behalf of Raunds Youth Action Group.

Attachment(s)

Appendix 1 – Application Form

Appendix 2 – Refusal Letter

Appendix 3 – House to House Collections Policy

1.0 Background

1.1 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 3). 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 Stephen Dorks of J & K Ogle Limited made an application on behalf of Raunds Youth Action Group to operate house to house collections for one year from any date of issue in Raunds, Stanwick, Hargrave and Chelveston. (Appendix 1)

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 2):-

- 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).
- The applicant has refused or neglected to furnish to the Authority such information as they may have reasonably required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

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. The application states that a minimum of £550 per tonne will be donated to Raunds Youth Action Group. This figure is quoted as 100% of the value of goods collected. The application states that this figure may increase dependant on price available to the collector.

2.4 Discussions with the Textile Recycling Association (23 April 2013), the official body

representing reputable collectors, disclosed that prices have dropped recently from about £1,000 per tonne to about £900 per tonne. The figure quoted by the applicant is therefore much less than the 70% required by East Northamptonshire Council policy.

2.5 Ms Maureen Carroll of Raunds Youth Action Group has attended this office and stated that they do not have any relationship with Mr Dorks or J & K Ogle and do not wish to do so. Part of the application and our policy asks for a written agreement between the applicant and the charity as required by the Charities Act 1992, as such this has not been provided.

3.0 Recommendation

3.1 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 tmorrissey@east-northamptonshire.gov.uk			
Date: 23 April 2013					
CFO		MO		CX	

(Committee Report Normal Rev. 22)