



Licensing (Taxi and Miscellaneous) Panel - 29 June 2010

Application for a House to House Collection Licence

Summary

To consider an application by Mr D Collins for a House to House Collection Licence under Section 2 of the House to House Collection Act 1939

Attachment(s)

1. Application Form
2. Two letters dated 6 May 2010 from ELT Ltd.
3. List of Councils applied to and Licenses granted

1.0 Introduction

- 1.1 An application to hold house to house collections in all areas of the district throughout the year was received on 7 May 2010.
- 1.2 The applicant's name is Mr D Collins, representing East London Textiles Ltd., a textiles recycling company and exporter of used clothing.
- 1.3 An amount of the proceeds of collections will be given to "Little Treasures Children Trust" of 128 South Street, Romford, Essex; a UK Registered Charity (Number 1119024).

2.0 Consideration of Application

- 2.1 Reference should be made to the amounts detailed in the attached letter dated 6 May.
- 2.2 A licensing authority may refuse to grant a Licence, or, where a Licence has been issued may revoke it, if it appears to the authority: -
 - (a) That the total amount likely to be applied for charitable purposes as the 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 three 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 in the United Kingdom of any of the offences specified in the Schedule to this Act, or has been convicted in any part of His Majesty's dominions of any offence conviction for which necessarily involved a finding that he acted fraudulently or dishonestly, 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 or the holder of the licence, in promoting a collection in respect of which a licence has been granted to him, has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purposes of the

collection were fit and proper persons, to secure compliance on the part of persons so authorised with the provisions of regulations made under this Act, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised; or

- (f) That the applicant or holder of the licence 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 application does not show what has been collected or donated in previous collections within East Northamptonshire Council's area or nationally. A low percentage donation appears likely from the indicated donation shown in the letter and it is not clear how much the private company makes when undertaking these collections.

3.0 Recommendation

3.1 That the application for a House to House Collection Licence be considered to determine whether to issue or refuse the Licence.

| Implications: | |
|--|---|
| Corporate Outcomes or Other Policy/Priority/Strategy | |
| Good Quality of Life | <input type="checkbox"/> Good Reputation <input type="checkbox"/> |
| Good Value for Money | <input type="checkbox"/> High Quality Service Delivery <input checked="" type="checkbox"/> |
| Effective Partnership Working | <input type="checkbox"/> Strong Community Leadership <input type="checkbox"/> |
| Effective Management | <input type="checkbox"/> Knowledge of our Customers and Communities <input checked="" type="checkbox"/> |
| Employees and Members with the Right Knowledge, Skills and Behaviours | <input type="checkbox"/> |
| Other: | <input type="checkbox"/> |
| Decision(s) would be outside the budget or policy framework and require full Council approval <input type="checkbox"/> | |
| Financial | There are no financial implications at this stage <input checked="" type="checkbox"/> |
| | There will be financial implications – see paragraph <input type="checkbox"/> |
| | There is provision within existing budget <input type="checkbox"/> |
| | Decisions may give rise to additional expenditure at a later date <input type="checkbox"/> |
| | Decisions may have potential for income generation <input type="checkbox"/> |
| Risk Management | An assessment has been carried out and there are no material risks <input checked="" type="checkbox"/> |
| | Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score - <input type="checkbox"/> |
| Staff | There are no additional staffing implications <input checked="" type="checkbox"/> |
| | Additional staff will be required – see paragraph <input type="checkbox"/> |
| Equalities and Human Rights | There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications <input checked="" type="checkbox"/> |
| | There will be an impact on equality (see categories above) or human rights implications – see paragraph <input type="checkbox"/> |
| Legal | Power: House to House Collections Act 1939 |
| | House to House Collections Regulations 1947 |
| Other considerations: | |
| Background Papers: | |
| Person Originating Report: Robert M Rowland, Commercial Health Officer | |
| Date: 27 May 2010 | |
| CFO | MO |
| | CX |

(Committee Report Normal Rev. 21)