



East
Northamptonshire
Council

Licensing (Taxi and Miscellaneous) Panel - 16 July 2010

Application for a House to House Collection Licence

Summary

To consider an application from Mr Benediktas Bockus for a House to House Collection Licence under Section 2 of the House to House Collection Act 1939.

Attachment(s)

1. Application Form
2. Letter to Mr Bockus

1.0 Introduction

- 1.1 An application to hold house to house collections throughout the whole district from 19 to 31 July and from 6 to 18 September 2010, was received on 16 June 2010.
- 1.2 The applicant's name is Mr Benediktas Bockus, representing SOS Support Ltd. of 83 Newfield Road, Nottingham.
- 1.3 An amount of the proceeds of the collections will be given to Childrens Hearts of 85 Brockenhurst Avenue, Worcester Park, Surrey, a UK Registered Charity (082929). It is not clear from the application how much money will be paid to the charity.

2.0 Consideration of Application

- 2.1 A letter was sent to the applicant on 22 June requesting further information and to date no additional financial information has been received.
- 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 An indication of the amount to be donated to the nominated charity has not been made clear in the application.

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:	
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: 28 June 2010	
CFO	MO
	CX

(Committee Report Normal Rev. 21)