

LICENSING (TAXI AND MISCELLANEOUS) PANEL

Date: 10 August 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 2:00pm

Present: Councillors: -

Richard Gell
Glenn Harwood (Chairman)

Anna Sauntson

1. APPOINTMENT OF CHAIRMAN

RESOLVED:

That Councillor Glenn Harwood be appointed Chairman for this Hearing.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. APPLICATION FOR A HOUSE TO HOUSE COLLECTION LICENCE

The Licensing Officer reported that an application for a House to House Collection Licence had been made by Mr Galib Mujic, of Global Recycling Aid Ltd, Corby, to hold house to house collections in the District from July until December 2010.

The applicant had been informed of the Hearing but was not present and the Panel agreed that it should consider the application in his absence.

The Panel noted that:

- the averaged price for recycled clothing in the UK was currently £750 per tonne and that the applicant was proposing to donate £30 per tonne to the nominated charity Hope for Children, a UK Registered Charity based in Hemel Hempstead
- a letter had been sent to the applicant on 14 June 2010 requesting further financial information and to date no reply had been received
- the applicant had submitted applications for House to House Collection Licences to other Local Authorities in the UK but no decision had been taken yet to grant or refuse any of these applications.

After considering the Officer's report, including advice from the Solicitor to the Council, the Panel retired to consider the application and evidence presented at the Hearing, and it was

RESOLVED:

That the application from Mr Galib Mujic on behalf of Global Recycling Aid Ltd for a House to House Collection Licence be refused.

The Chairman read out the following statement giving the reasons why the Panel had refused to grant the Licence: -

“The Panel had reference to the House to House Collections Act 1939 together with the House to House Collection Regulations 1947 (SR&O 1947 No 2662, as amended by Statutory Instrument 1963 No 684), when it reached the following decision:

1. The Applicant chose not to attend the Hearing and had not responded to a letter, sent from the Council, dated 14 June 2010, which requested additional and relevant information. Consequently the Panel was not provided the opportunity to ask pertinent questions.

Without that requisite information the Panel believed the applicant had failed to meet the requirements of Section 2 (3) (f) of the House to House Collection Act 1939 which stated *“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”*.

In reaching the decision the Panel felt that it needed, at minimum, the following information: -

1. Evidence of the total amount likely to be applied for charitable purposes as the result of the collection (including any amount already applied) as it could be inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received). The Panel felt the nominal £30.00 suggested charitable donation per tonne to be wholly inadequate based on the current UK recycling market value of the collected material.”

The Chairman mentioned that the applicant would be advised that he had the right to appeal to the Secretary of State within 14 days from the date on which the Notice was given, if he was aggrieved with the decision.

Chairman