

**Appendices**  
**A = Application**  
**B = Emails**  
**C = Additional**  
**Company information**  
**D = Local Policy**



## **TAXI & GENERAL LICENSING COMMITTEE REPORT**

<b>Report Title</b>	<b>House to House Application</b>
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**AGENDA STATUS: PRIVATE**

<b>Committee Meeting Date:</b>	9 July 2019
<b>Policy Document:</b>	House to House Collections
<b>Directorate:</b>	Customers and Communities

### **1. Purpose**

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1.1 To consider the application for a House to House permit submitted by Irina Martin of Giving Support Ltd to collect on behalf of Breast Cancer Research Aid. This is the first application to be considered by Northampton Borough Council for the Breast Cancer Research Aid. The aforementioned person and organisation are not the subject of a National Exemption Order from the requirement to obtain the necessary permit.

### **2. Recommendations**

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2.1 That the application be determined in accordance with the policy criteria.

### **3. Issues and Choices**

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#### **3.1 Report Background**

3.1.1 Public charitable collections conducted by house-to-house are regulated by the House to House Collections Act 1939 and the House to House Collections Regulations 1947. The 1947 regulations established a central licensing regime for collections.

3.1.2 The Local Government Act 1972 transferred responsibility for licensing of House to House Collections from the police to local authorities.

3.1.3 The Licensing Authority cannot grant a permit for a period longer than twelve months and may refuse a permit or, where granted, may revoke it, in circumstances specified in the House to House Collections Act 1939. Grounds for refusal are specified in section 2(3) paragraphs a-f of this Act, which are detailed in paragraph 3.3.4 to 3.3.9 of this report.

3.1.4 National Exemption Orders are available to charities, which are issued by the Cabinet Office directly.

### 3.1.5 **Policy Criteria**

3.1.6 The Licensing Committee agreed on the 25<sup>th</sup> February 1997 that street and house to house applications should only be issued to nationally recognised registered charities with local connections, or charitable organisations based locally. **Appendix D.**

3.1.7 On the 14<sup>th</sup> July 1998 the Licensing Committee granted delegated authority, allowing officers to issue permits to charitable organisations that meet the above criteria and which have already been approved by a Licensing Committee on a previous occasion.

### 3.1.8 **Application**

3.1.9 The application was received in February 2018. A summary of the application is detailed in **Appendix A.**

3.1.10 It is noted that this is an old application and the purpose of consideration is for future applications and future collection dates. The reasons for this delay was outlined to the company in an email dated 16 June 2018 last year. The applicant has been invited to attend the licensing committee meeting dates as outlined in the email correspondence, but to date no response has been received. **Appendix B**

3.1.11 Giving Support Ltd have submitted additional company supporting documents for consideration as detailed in **Appendix C**

3.1.12 The application is requesting a permit to raise funds under the name of Giving Support Ltd with at least 70% going to the charity and 30% to be deducted for expenses, including wages, fuel, van rent costs etc.

3.1.13 The applicant has not previously been granted a permit by this Licensing Committee and therefore delegated powers do not apply. The applicant states that they have been granted permission in 2018 by a number of other local authorities as outlined in the application. This information has not been verified.

## 3.2 **Issues**

3.2.1 This organisation has not previously been granted a permit for house to house collections with this local authority in accordance with 3.1.7.

3.2.2 There is a Right of Appeal to the Secretary of State against the refusal or the revocation of a permit, within fourteen days of the date on which notice is given of the refusal or the revocation.

3.2.3 The Secretary of State may by Order direct an exemption from the requirement to obtain a permit from the Licensing Authority.

### **3.3 Choices (Options)**

3.3.1 Grant the application.

3.3.2 Refuse the application on one or more of the following grounds:

#### **3.3.3 Grounds for Refusal**

3.3.4 That the total amount likely to be applied for charitable purposes as a result of the collection (including any amount already so applied) is adequate in proportion to the value of the proceeds likely to be received (including any proceeds already received).

3.3.5 That the 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.

3.3.6 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.

3.3.7 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.

3.3.8 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 person so authorised.

3.3.9 That the applicant or holder of the licence has refused or neglected to furnish to the authority such information as they may have reasonable required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 N/A

### **4.2 Resources and Risk**

4.2.1 None identified.

### **4.3 Legal**

4.3.1 The Committee must have regard to the House to House Collections Act 1939, together with the House to House Collection Regulations 1947 (SI 1947 No 2662, as amended) when making their decision.

4.3.2 The only grounds on which a licence may be refused are set out in the 1939 Act (referred to at paragraphs 3.3.4 to 3.3.9 above). A separate regime exists under the Act for short term, local collections under which the Chief Officer of Police may grant certificates authorising collections and, if a certificate is issued, the requirement to hold a licence does not apply. It is not open to the Council to refuse to grant a licence on the basis that there is not a local connection.

### **4.4 Equality**

4.4.1 None identified.

### **4.5 Consultees (Internal and External)**

4.5.1 Customers & Communities, Legal.

### **4.6 Other Implications**

4.6.1 None identified

## **5. Background Papers**

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5.1 House to House Collections Act 1939  
House to House Collections Regulations 1947 & 1963

**Louise Faulkner**  
**Licensing Team Leader**

## Appendix A

Application sections 1-10 (note missing sections contains private personal detail that is not relevant to this application)

<b>Applicant Business</b>		following a hobby.
* Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	
* Registration number	<input type="text" value="09326340"/>	
* Business name	<input type="text" value="Giving Support Ltd"/>	If your business is registered, use its registered name.
* VAT number	<input type="text" value="-"/> <input type="text" value="211904049"/>	Put "none" if you are not registered for VAT.
* Legal status	<input type="text" value="Private Limited Company"/>	

### Section 3 of 10

#### ORGANISATION WHICH IS RESPONSIBLE FOR THE COLLECTION

*Continued from previous page...*

\* Provide a brief description of the organisation and its objectives

The company recycles clothing to benefit the charity

1. To help support the breast cancer research

\* Are the proceeds of the collection to benefit this organisation?

Yes       No

\* Is this organisation a registered charity?

Yes       No

\* What are the proceeds of the collection to be used for?

To help support the breast cancer research

**Section 4 of 10**

**CHARITY, FUND OR ORGANISATION TO BENEFIT FROM THE COLLECTION**

\* Is another organisation going to benefit from your collection?

Yes

No

Provide details of the charity, fund or organisation which is to benefit from the collection

\* Name of charity or organisation

BREAST CANCER RESEARCH AID

**Organisation Address**

\* Building number or name

Kemp House 152

\* Street

City Road

District

\* City or town

LONDON

County or administrative area

\* Postcode

EC1V2NX

\* Country

United Kingdom

**Contact Details**

*Continued from previous page...*

**Secretary And Treasurer**

\* Provide name and contact details for the secretary and/or treasurer of the organisation (if applicable)

Linda Causer

**Further Details**

\* Provide a brief description of the organisation and its objectives

Breast cancer research aid supports development of cancer research programmes across the country .

\* Is this organisation a registered charity?

Yes

No

\* Registration number

1166674

\* What are the proceeds of the collection to be used for?

Breast Cancer Research and provides financial support to breast cancer reseacrh organisations

**Section 5 of 10**

**TYPES OF COLLECTION**

\* What type(s) of collection will you be performing?

- A street collection
- A house-to-house collection
- Both street and house-to-house collections

**House to House Collection**

Check for local guidance notes and conditions before completing this section. Some of the questions may not be relevant to local circumstances or your responses may have to provide very specific information.

**Where**

\* In what parts of this authority's area do you intend to carry out the collection?

the whole area or as allocated by the Licensing department

**When**

Continued from previous page...

\* Preferred dates for the collection

Alternative dates

\* During what hours of the day will the collection be held?

**Collectors**

\* How many people do you plan to authorise as collectors?

\* How will the collectors be identifiable? (provide details of badge, certificate of authority etc)

Staff will wear uniforms and drive vans bearing the charity's and company's logos. All bag distributors and collectors will be provided with the charity's IDs and The Stationery Office Badges

**What**

Check for local guidance notes which may clarify what is allowable in your area and whether additional permissions or licences are required.

\* Do you intend to collect money?

Yes  No

\* Do you intend to collect property?

Yes  No

\* What sort of property?

\* What do you intend to do with the property you collect?

- Sell it
- Give it away
- Use it
- Other

\* Provide details

\* Do you intend to offer anything for sale during the collection?

Yes  No

**Section 7 of 10**

**PREVIOUS APPLICATIONS**

\* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (check all that apply)

- No  Yes - application granted and revoked
- Yes - application granted  Yes - application refused

**Application Granted**



Continued from previous page...

Only provide details about the most recent application – unless stated otherwise in local guidance notes.

\* Local authority applied to

\* Date of licence/registration

\* Reference number

\* Expiry date

Section 8 of 10

### Section 8 of 10

#### CONVICTIONS

\* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

Yes

No

### Section 9 of 10

#### ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

Charity' officials will monitor the company's operations via Google Docs as they have full access to all the documentation. All information about an area of collection, vans' registration numbers, names of drivers and collectors, and figures on collected and exported goods are provided on a regular basis. The charity has the right to inspect all company's bank accounts.

Continued from previous page...

\* house collection regulations and/or the street collection regulations as appropriate. I am aware that it is also necessary for me to submit a certified form of statement within 28 days of the collection taking place.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/house-to-house-collection-licence/ashfield/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

## Appendix B

**From:** Louise Faulkner  
**Sent:** 16 June 2018 12:40  
**To:** 'brca@mail.com' <brca@mail.com>  
**Subject:** House to House Collections - Breast Cancer Research Aid

Good afternoon Irina, further to your recent applications, I will need to present your applications to a Licensing Committee for the appropriate decision.

Licensing Committees dates are already scheduled for the 2018-2019 calendar for members to sit and make decisions and unfortunately most of the forthcoming meetings are already full with matters that need to be considered.

However, as I have a number of matters that do need to be presented before a Licensing Committee, I will be requesting if some additional dates can be scheduled. Therefore I will let you know if we have some additional dates arranged, in order that your applications can be considered accordingly within the local policy.

Kind Regards

Louise Faulkner  
Licensing Team Leader  
Northampton Borough Council  
[www.northampton.gov.uk/licensing](http://www.northampton.gov.uk/licensing)

Northampton Borough Council | The Guildhall St Giles Square, Northampton NN1 1DE | [Directorate] | 0300 330 7000

**From:** Louise Faulkner <lfaulkner@northampton.gov.uk>  
**To:** 'brca@mail.com' <brca@mail.com>  
**Subject:** House to House Collection Application Breast Cancer Research Aid

Sent: 24/05/2019 17:05:11

Good afternoon, further to your recent application for a house to house collection in respect of the above charity, in accordance with our local policy this will need presenting for consideration to a Licensing Committee.

Therefore, I am proposing to present your application at the next Licensing Committee on the 11<sup>th</sup> June 2019. As members may wish to ask you further questions about your application it would be useful if you, or a representative from your company is able to attend.

If you are able to attend on the 11<sup>th</sup> June 2019, I will need confirmation by the 30<sup>th</sup> May 2019 in order that the necessary report can be prepared, or alternatively we can schedule this for the following meeting on the 9<sup>th</sup> July 2019.


Please confirm which meeting will be convenient, or please advise if you no longer wish to continue with this application.

For your information and consideration I have attached a copy of the local policy.

Kind Regards

Louise Faulkner  
Licensing Team Leader  
Northampton Borough Council  
[www.northampton.gov.uk/licensing](http://www.northampton.gov.uk/licensing)

Northampton Borough Council | The Guildhall St Giles Square, Northampton NN1 1DE | [Directorate] | 0300 330 7000

 Image with the words Speak Out against child sexual exploitation. Say something if you see something. Call 03001251000 or Northamptonshire police on 101 or ring 999 in an emergency