

NORTHAMPTON BOROUGH COUNCIL
TAXI AND GENERAL LICENSING COMMITTEE
NOTIFICATION OF DETERMINATION

Application for House to House Collection Licence in respect of Giving Support Limited of Unit 24, Foxmoor Business Park Road, Wellington, Somerset, TA21 9RF.

Meeting Date – Tuesday 9th July 2019

The Committee considered:

The report prepared by Louise Faulkner, Licensing Team Leader; and,

Mrs Faulkner's representations at the meeting.

The report related to the above named company which has applied for a house to house collections licence under the House to House Collections Act 1939 ('the 1939 Act').

The report stated that the application was first received in February 2018. Since that time there has been further correspondence with the applicant in relation to the application and they have provided some additional information regarding their processes. This included information which:

- a) showed they had been granted a licence they were granted by North Lincolnshire District Council;
- b) explained that they vetted their collectors by means of a Disclosure and Barring Service check and that they disclose the certificates to the relevant licensing authority;
- c) explained that they made daily checks with collectors in relation to the ongoing collections;
- d) explained that they analysed the information received from collectors on a weekly basis;
- e) stated that their records indicated that neither the company nor any collectors had any criminal convictions or concerns going back as far as 2014;
- f) they had extended their collection agreement with the Breast Cancer Research Aid Charity.

At the meeting Mrs. Faulkner stated that the company's representative could not attend since she was travelling on business connected to the charity.

Members asked a number of questions to clarify the information contained in the report and provided orally by Mrs. Faulkner however, they still had a number of concerns regarding the proportion of monies that are paid to the charity. For this reason they could not be satisfied that they had sufficient information on which to make a decision. Members also commented that, when they had raised concerns in relation to a similar application which was recently submitted, they had adjourned the matter to a later committee meeting to allow the applicant time to produce additional information.

Members received **legal advice** on the following:

- 1) That a licence may only be refused on the grounds set out in section 2 of the 1939 Act. Those grounds were in turn set out in Paragraph 3.3 of the report.
- 2) The members should decide whether they are satisfied that the Council has taken reasonable steps to allow the applicant to provide information in support of the application.
- 3) If members are not satisfied that they have sufficient information to determine the matters causing concern they can adjourn the matter to allow them to provide that information.

- 4) The applicant has a right of appeal if the application is refused.

Resolved:

The Committee had carefully considered the information in the report.

The Committee made the following **findings**:

- A. That whilst some information is very clear and addresses certain criteria covered by the report, it is not clear how much of the proceeds would be paid to the charity concerned.
- B. They had given another applicant a further opportunity to produce that information.
- C. They considered it appropriate to give this applicant a similar opportunity to address their concerns regarding the proportion of proceeds paid to the charity.
- D. In the circumstances it was appropriate to adjourn to let them provide this information at its meeting on 10th September.

Accordingly, the Committee **ADJOURNS** the application for a house to house collections licence to the meeting on 10 September so that they can provide the following information:

- i. the gross sum realised from the items collected by door to door collections in the last two (2) years;
- ii. the expenses deducted from that sum;
- iii. the profits retained by the company;
- iv. the net sums paid over to the charity;
- v. copies of accounts submitted to Companies House which support items i to iv.

Dated 10th July 2019