Chief Executive's Office

Please ask for:Mr G K BankesDirect Dial:(01257) 515123E-mail address:gordon.bankes@chorley.gov.ukDate:27 March 2006



Chief Executive: Donna Hall

Dear Councillor

A Special meeting of the Licensing and Safety Committee is to be held in the Council Chamber, Town Hall, Chorley on <u>Wednesday, 5th April 2006 commencing at 2.00 pm</u>.

AGENDA

1. Apologies for absence

2. <u>Minutes</u> (Pages 1 - 4)

To confirm as a correct record the minutes of the Licensing and Safety Committee held on 11th January 2006 (enclosed)

3. **Declarations of Any Interests**

Members of the Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

4. Annual Review of Licence Fees (Pages 5 - 16)

Report of Director of Legal Services (enclosed)

5. <u>Criteria for Issuing Hackney Carriage Plates</u> (Pages 17 - 22)

Report of Director of Legal Services (enclosed)

6. <u>Application for licence for a house to house collection by UK Recycling</u> <u>Assistance</u> (Pages 23 - 68)

Report of Director of Legal Services (enclosed)

Continued....

7. Exclusion of the Public and Press

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

8. <u>Application for Licence to drive Hackney Carriage/Private Hire Vehicles within</u> <u>the Borough of Chorley - Mr AS</u> (Pages 69 - 70)

Report of Director of Legal Services (enclosed)

9. Any other item(s) that the Chair decides is/are urgent

Yours sincerely

molall

Chief Executive

Distribution

- 1. Agenda and reports to all Members of the Licensing and Safety Committee (Councillor R Snape (Chair), Councillor Iddon (Vice-Chair), Councillors Bedford, Mrs D Dickinson, D Dickinson, A Gee, T Gray, Hoyle, M Lees, Lennox, McGowan, Mrs Smith, S Smith, Walker and Mrs Walsh) for attendance.
- 2. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

Licensing and Safety Committee

Wednesday, 11 January 2006

Present: Councillor R Snape (Chair), Councillor Miss I Iddon (Vice-Chair) and Councillors Bedford, Mrs D Dickinson, D Dickinson, A Gee, Gray, McGowan, Mrs I Smith, E Smith, Walker and Mrs S Walsh

06.LS.01 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Lees and Lennox.

06.LS.02 DECLARATIONS OF ANY INTERESTS

No declarations of Interest were declared.

06.LS.03 MINUTES

RESOLVED – That the minutes of the meeting of the Licensing and Safety Committee held on 6 December 2005 be received as a correct record and signed by the Chairman.

06.LS.04 LICENCE CONDITION RELATING TO INSURANCE OF LICENSED HACKNEY **CARRIAGE/PRIVATE HIRE VEHICLES**

The Director of Legal Services submitted a report informing Members of a problem that has arisen regarding the insuring of licensed vehicles and sought approval of a new licence condition to address the problem.

It was a requirement that upon licensing a hackney carriage or private hire vehicle, a valid certificate of insurance must be produced. Often this was a cover note for a period of a month and it was becoming increasingly difficult to identify the proprietors who do not subsequently produce a full certificate of insurance. In addition one company was insuring some of its vehicles on a weekly basis which caused administrative and enforcement problems.

RESOLVED – That the following licence condition be added to both hackney carriage and private hire vehicle licences:

INSURANCE

Where the insurance produced with the application for or renewal of this licence is due to expire before the date of expiry of the licence a current insurance document must be produced either on or before the date when the original insurance expires.

It is the responsibility of the licensee to ensure that a current insurance document is produced to the Licensing Section; failure to do so may result in the suspension of this licence.

06.LS.05 LICENCE CONDITION RELATING TO COLOUR OF LICENSED VEHICLES

The Director of Legal Services submitted a report seeking approval to a change of licence condition relating to the colour of licensed vehicles.

Given that the Council had a "mixed fleet" of hackney carriages (London style taxis and other vehicles) the colour difference between hackney carriages and private hire vehicles was of great significance and it was therefore important to maintain distinction.

RESOLVED – That the following changes be made to the hackney carriage proprietors licence and private hire vehicle licences, to be attached to the new grant of vehicle licence, the renewal of a vehicle and any transfers.

Hackney carriage condition 3. (g), ... The colour of the vehicle unless a purpose built hackney carriage shall be white.

The Authority will allow the current silver people carrier that is presently licensed as a Hackney Carriage to continue trading with this colour on the proviso that when the carriage is replaced it must conform to the new condition.

Private Hire Vehicle condition 4. (g), ... The colour of the vehicle shall not be white.

06.LS.06 AMENDMENTS TO DELEGATION SCHEME - SPENT CONVICTIONS

The Director of Legal Services submitted a report to seek approval to amend the delegation powers of the Director of Legal Services under the Delegation Scheme regarding applications for private hire and hackney carriage vehicle licences where spent convictions exist.

The changes would allow officers to have delegated powers to issue private hire and hackney carriage drivers licences where convictions would ordinarily be "spent" under the Rehabilitation of Offenders Act 1974 unless the offence is of a serious nature.

RESOLVED – 1. That approval is given to the policy on spent convictions and amendment to the delegated powers of the Director of Legal Services as set out in paragraphs 9 and 10 of the report.

That the Council's Constitution is amended accordingly. 2.

OUSTANDING LICENCE APPLICATIONS THAT WERE RECEIVED PRIOR TO 06.LS.07 AMENDMENT TO DELEGATED SCHEME

The Chair accepted as urgent, consideration of this item, not included on the agenda in order to consider three applications, received in November 2005 and the Committee needed to consider them before the next scheduled meeting on 8 March 2006.

With reference to the above minute relating to the amendment of the Delegation Scheme the Director of Legal Services sought approval to deal with these applications under the amended delegated powers.

RESOLVED – That the three applications be dealt with under the amended Delegated Scheme with any doubt regarding the drink driving conviction to be brought to the attention of this Committee.

EXCLUSION OF THE PUBLIC AND PRESS 06.LS.08

RESOLVED – That the press and public be excluded from the meeting for the following items of business on the ground that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

06.LS.09 SUSPENSION OF PRIVATE HIRE DRIVER'S LICENSE - PRB

The Director of Legal Services submitted a report bringing to the attention of Members the suspension of Private Hire Driver's Licence Mr PRB under delegated powers.

The Committee were requested to consider the circumstances leading to the suspension of the licence and, in the light of the information available and any explanation given by Mr PRB, decide if any further action was necessary.

The report set out the background to the suspension. The driver attended the meeting to put forward representation in his defence and the Committee carefully considered the representations made.

RESOLVED – That the licence be revoked on the basis that Mr PRB is not a fit and proper person to hold a drivers licence. The Committee were concerned that the allegations made against the driver related to an inappropriate attitude and behaviour and the Committee was not satisfied by the explanations given.

In considering the responsibility placed on this Committee to ensure that drivers licensed by it are competent and responsible, the Committee decided that in the circumstances the protection of the public outweighed the drivers right to drive licensed vehicles.

Chair

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Report of	Meeting	Date
Director of Legal Services	Licensing and Safety Committee	5 April 2006

ANNUAL REVIEW OF LICENCE FEES

PURPOSE OF REPORT

1. To present to members, proposals for implementing the annual review of fees for the year 2006/7.

CORPORATE PRIORITIES

- 2. This report has is relevant to the following key priorities of the Council, ie our customers and our capacity to deliver.
- 3. Fees must be reasonable and should be sufficient to cover the costs involved but the impact of any increase upon the livelihood of those affected has to be taken into account. The aim is to increase fees by approximately 21/2– 3 % in line with inflation for the next financial year to maintain the standard of service.

RISK ISSUES

4. The issues raised and recommendations made in this report involve risk considerations in the following categories

Strategy		Information	
Reputation		Regulatory/Legal	
Financial	✓	Operational	
People		Other	

5. It is important that when setting the level of fees, the cost of administering the Licensing Section is covered.

BACKGROUND

6. Hackney carriage fares were last increased in April 2005

Hackney and Private Hire vehicle fees have previously been reduced for wheelchair accessible vehicles as an incentive to operator's and drivers to use accessible vehicles. It is suggested that this continues in respect of 12-month licences until legislation dictates that all hackney carriage vehicles must be wheelchair accessible.

In addition a surcharge of £77 was levied in the previous financial year which will need to continue for a further 2 years to recover the cost of an "unmet demand" survey which was the subject of a previous report to this Committee.

The unmet demand survey mentioned above recommended a further seven hackney carriage licences should be issued. Providing that the new licences are issued during 2006 the additional licence fees generated by the 7 additional licences would cover the

outstanding amount owed from the survey cost and the Committee may wish to consider this when deciding on whether to continue with the surcharge

A problem has been caused by certain private hire vehicle proprietors failing to renew licences on or before the date of expiry. It is proposed that a higher fee be charged for new applications to both reflect the extra administration costs and to encourage proprietors to renew licences on time. Licences that are not renewed on or before the expiry date would be treated as a new application attracting the higher fee.

- 7. Certain fees are set by statute and cannot be increased by this Committee, these include premises and personal licences under the Licensing Act 2003 (these have replaced public entertainment licences and late night refreshment house licences)., lotteries and Section 34 (gaming machine) permits.
- 8. A comparison chart of other neighbouring authorities is attached to assist the Committee in reaching a decision
- 9. The proposed increase in fees must be advertised and this Committee must consider any representations.

COMMENTS OF THE DIRECTOR OF FINANCE

10. "The proposed increase in fees outlined in the report for Hackney and Private hire vehicles is in line with the budget provision made for 2006/07. As the £77 surcharge has been previously agreed for a three year period, it is recommended that this charge remains to recover the cost of the survey."

COMMENTS OF THE HEAD OF HUMAN RESOURCES

11. Not applicable.

RECOMMENDATION(S)

12. That members consider adopting the new licence fees as set out in the table accompanying this report

ROSEMARY LYON DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
H Bee/K Ogden	5163	8 March 2006	LEGREP/92005AJS

	CHORLEY (Existing)	CHORLEY (Proposed)	BOLTON	SOUTH RIBBLE	WYRE
Hackney Carriage 12 months	+ * 00.08£3	£392.00 * +	I	5206.00	£200.00 (including an admin charge of £63 for one year only)
Hackney Carriage 6 months	£200.00 +	+ +	£91.00		
Hackney Carriage 4 months	£138.00 xx +	£142.00 xx +	I		
Private Hire Vehicle 12 months (new)	£185.00	£200.00	I	£180.00	£137.00
Private Hire Vehicle 12 months (renewal)	£185.00	£190.00			
Private Hire Vehicle 6 months (new)	£103.00	£115.00	£91.00		
Private Hire Vehicle 6 months (renewal)	£103.00	£105.00			
Private Hire Vehicle 4 months	£70.00 xx	£72 xx			
	1 vehicle £190	1 vehicle £200	1 vehicle £125	£160.00	£148.00
	2 -5 vehicles £225	2 -5 vehicles £232	2 -5 vehicles £208		
	6-10 vehicles £270	6-10 vehicles £280	6-10 vehicles £299	Fees	
Private Hire Operator 12 months	11 + vehicles £305	11 + vehicles £315	11-15 vehicles £386	unchanged	
			16-20 vehicles £479	from	
			21-25 vehicles £568	April	
			26-30 vehicles £656	2003	
			31-35 vehicles £745		
Drivers Badge 12months Grant	£57.00	£60.00	£117.00	£47.00	£60.00
Drivers Badge Renewal	£41.00	£42.00	£36.00		
	+ Plus surch	+ Plus surcharge of £77 to cover cost of survey	vey		
	xx Only appli	Arequeed by ±40.00 in respect of wheelchair accessible venicles xx Only applicable for vehicles over 8 vears old	air accessible venicies bid		
			5		

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F:/Kath/Taxi

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Licence Fees from 16 June 2005



LIC52 (11/05)

Agenda Item 4

CHORLEY BOROUGH COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES FROM 16 JUNE 2005

	£
Hackney Carriage Licence (12 months) *	380.00 +
Hackney Carriage Licence (6 months)	200.00 +
Hackney Carriage Licence (4 months) ***	138.00 +
Private Hire Operator's Licence	
1 vehicle	190.00
2 – 5 vehicles	225.00
6 – 10 vehicles	270.00
11+ vehicles	305.00
Private Hire Vehicle Licence (12 months) **	185.00
Private Hire Vehicle Licence (6 months)	103.00
Private Hire Vehicle Licence (4 months) ***	70.00
Driver's Licence (Grant)	57.00
Driver's Licence (Renewal)	41.00
Replacement Plate	15.00
Vehicle change/transfer fee	20.00
Second Driver's badge	15.00
Administration Fee	20.00
DVLA Check	5.00
Replacement Badge	5.00
Copy licence	5.00
Replacement Tariff Card	5.00
Criminal Record Bureau Check	34.00

* This fee will be reduced by £40 for a 12 month licence in respect of wheelchair accessible vehicles.

** This fee will be reduced by £18 for a 12 month licence in respect of wheelchair accessible vehicles.

- *** Only applicable for vehicles over 8 years old.
- + A surcharge of £77 will be levied each year for the following 3 years commencing on the first renewal following the coming into effect of these fees.

LICENSING FEE ACT 2003 FEES

See also The Licensing Act 2003 (Fees) Regulations 2005 that can be found on www.culture.gov.uk/alcohol and_entertainment

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Premises licence and club premises certificate fees

The new premises fee structure will be banded and based on the non-domestic rateable value of the premises ie business rates (not the amount payable).

Band	Α	В	С	D	E
Rateable Value of Premises	£1-£4,300	£4,301- £33,000	£33,001- £87,000	£87,001- £125,000	£125,000 & above
Application Fee	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

Personal Licence and Other Fees

Application or notice (Licensing Act 2003)	Fee
Replacement of licence/certificate or summary following theft, loss etc	£10.50
Application for a provisional statement where premises being built, etc	£315.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Interim authority notice following death etc of licence holder	£23.00
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of club	£10.50
TEN (Temporary Event Notice)	£21.00
Replacement of TEN Cert following theft, loss etc of temporary event notice	£10.50
Application for a grant or renewal of Personal Licence	£37.00
Replacement of personal licence following theft, loss etc	£10.50
Duty to notify change of name or address of Personal Licence Holder	£10.50
Right of freeholder etc to be notified of licensing matters	£21.00
Other Fees	Fee
Second Hand Goods Dealers (Shop Premises)	£90.00
Second Hand Goods Dealers (Stalls)	£30.00
Sex Shop Licence	£1700.00
Latterias and Amusamenta Deviatuation.	

£35.00

£17.50

£32.00

Lotteries and Amusements Registration:

Initial Grant

Renewal

S34(1) Amusement with Prizes Permits (3 year permit)

Agenda Item 4

S34(5E) Amusement with Prizes Permits (3 year permit)	£250.00
Motor Salvage Operators	£70.00
Game Dealer Licence	£25.00

Chorley Borough Council Licensing Section Civic Offices Union Street Chorley PR7 1AL

Tel 01257 515161/3/4 email licensing@chorley.gov.uk







Proposed Licence Fees from 1 April 2006



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CHORLEY BOROUGH COUNCIL HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES FROM 1 APRIL 2006

	£
Hackney Carriage Licence (12 months) *	392.00 +
Hackney Carriage Licence (6 months)	206.00 +
Hackney Carriage Licence (4 months) ***	142.00 +
Private Hire Operator's Licence	
1 vehicle	200.00
2 – 5 vehicles	232.00
6 – 10 vehicles	280.00
11+ vehicles	315.00
Private Hire Vehicle Licence (12 months) (new) **	200.00
Private Hire Vehicle Licence (12 months) (renewal) **	190.00
Private Hire Vehicle Licence (6 months) (new)	115.00
Private Hire Vehicle Licence (6 months) (renewal)	105.00
Private Hire Vehicle Licence (4 months) ***	72.00
Driver's Licence (Grant)	59.00
Driver's Licence (Renewal)	42.00
Replacement Plate	15.00
Vehicle change/transfer fee	25.00
Second Driver's badge	15.00
Administration Fee	25.00
DVLA Check	10.00
Replacement Badge	5.00
Copy licence	5.00
Replacement Tariff Card	5.00
Criminal Record Bureau Check	36.00

* This fee will be reduced by £40 for a 12 month licence in respect of wheelchair accessible vehicles.

** This fee will be reduced by £18 for a 12 month licence in respect of wheelchair accessible vehicles.

- *** Only applicable for vehicles over 8 years old.
- + A surcharge of £77 will be levied each year for the following 3 years commencing on the first renewal following the coming into effect of these fees.

LICENSING FEE ACT 2003 FEES

See also The Licensing Act 2003 (Fees) Regulations 2005 that can be found on www.culture.gov.uk/alcohol and_entertainment

Premises licence and club premises certificate fees

The new premises fee structure will be banded and based on the non-domestic rateable value of the premises ie business rates (not the amount payable).

Band	Α	В	С	D	E
Rateable Value of Premises	£1-£4,300	£4,301- £33,000	£33,001- £87,000	£87,001- £125,000	£125,000 & above
Application Fee	£100	£190	£315	£450	£635
Annual Fee	£70	£180	£295	£320	£350

Personal Licence and Other Fees

Application or notice (Licensing Act 2003)	Fee
Replacement of licence/certificate or summary following theft, loss etc	£10.50
Application for a provisional statement where premises being built, etc	£315.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.0
Application for transfer of premises licence	£23.0
Interim authority notice following death etc of licence holder	£23.0
Notification of change of name or alteration of rules of club	£10.5
Change of relevant registered address of club	£10.5

TEN (Temporary Event Notice)	£21.00
Replacement of TEN Cert following theft, loss etc of temporary event notice	£10.50
Application for a grant or renewal of Personal Licence	£37.00
Replacement of personal licence following theft, loss etc	£10.50
Duty to notify change of name or address of Personal Licence Holder	£10.50
Right of freeholder etc to be notified of licensing matters	£21.00

Other Fees	Fee
Second Hand Goods Dealers (Shop Premises)	£90.00
Second Hand Goods Dealers (Stalls)	£30.00
Sex Shop Licence	£1750.00
Lotteries and Amusements Registration:	
Initial Grant	£35.00
Renewal	£17.50
S34(1) Amusement with Prizes Permits (3 year permit)	£32.00

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S34(5E) Amusement with Prizes Permits (3 year permit)	£250.00
Motor Salvage Operators	£90.00
Game Dealer Licence	£25.00

Chorley Borough Council Licensing Section Civic Offices Union Street Chorley PR7 1AL

Tel 01257 515161/3/4 email licensing@chorley.gov.uk

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Report of	Meeting	Date
Director of Legal Services	Licensing & Safety Committee	5 April 2006

CRITERIA TO BE APPLIED TO ADDITIONAL HACKNEY CARRIAGE VEHICLE LICENCES

PURPOSE OF REPORT

1. For Members to determine the criteria to be applied to the seven additional hackney carriage vehicle licences following the decision by this Committee at a special meeting on 29 April 2005 to grant an additional hackney carriage vehicle licence.

CORPORATE PRIORITIES

This report is not relevant to any of the key corporate priorities of the Council. 2.

RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation	4	Regulatory/Legal	4
Financial		Operational	
People		Other	

4. There is a risk that the criteria applied to the hackney carriage vehicle licences could be the subject of Judicial Review and that unsuccessful applicants could appeal to the Crown Court if their application is refused, which has costs implications inherent in defending any litigation.

BACKGROUND

- 5. Members will recall that at a Special Meeting on 29 April 2005 to the Committee resolved to issue a further 7 hackney carriage vehicle licences bringing the total number licensed by this Council to 37 following consideration of a report by independent consultants Halcrow Fox into the issue of demand for hackney carriage services in the Borough.
- 6. The Committee further resolved that these additional licences be issued subject to mandatory criteria relating to the vehicle and preferential criteria relating to the applicants/proprietors and that a further report regarding the criteria be submitted after consultation with the trade. A questionnaire regarding the proposed criteria was circulated to all members of the trade and interested parties, a copy of which is attached to this report at Appendix 1. A summary of the replies is attached at Appendix 2.



7. Members have previously adopted criteria in relation to hackney carriage vehicles and these are set out below.

Licensing Committee 22 November 2000 (Minute 00.L.76)

Further to minute 00.L.69, 11 October 2000, the Borough Solicitor submitted a report on the Hackney Carriage Plate No 6 that was held in abeyance and members were requested to set a criteria for which vehicle was best to serve the needs of disabled persons.

The Committee received representation from members of Chorley and South Ribble Disability Forum as to the type of vehicle(s) they considered would best meet their members needs.

Manufacturers of Metro Cab TTT and the TX1 and other purpose built wheelchair accessible hackney carriages, had been invited to demonstrate their latest products.

Resolved - That the following criteria be established for re-allocation of Hackney Carriage Plate No 6:

- (a) The following essential principles must be present in the vehicle:
 - i) Ramp
 - ii) Step
 - iii) Handrail
 - iv) Room to manoeuvre a wheelchair
 - v) Swivel seat
 - vi) Rear facing seat fastening
- (b) The desirability for suitable driver training.
- (c) Essential that there is a lack of taxi related convictions.
- (d) Essential to be resident of Chorley.

Licensing Committee 1 March 2001 (Minute 01.L.15)

The Committee received for approval an additional Licence Condition in respect of a vehicle constructed or adapted for the carriage of disabled persons.

Resolved - That the under mentioned clause be adopted as an additional licence condition for a hackney carriage licence:

'This licence is issued specifically in respect of a vehicle constructed or adapted for the carriage of disabled persons and once granted, the licensed vehicle and any replacement vehicle must:

- 1. In the opinion of the Council be suitable for the carriage of disabled persons.
- 2. At all times and comply with the specification guidelines set down by the Council for the time being in force; and/or
- 3. Comply with any regulations that may be made by the Secretary of State under the provisions of the Disability Act 1995.
- 8. Once the mandatory and preferential criteria have been determined applications for the additional licences will be invited. In the event that there are more applications than licences to be issued then the preferential criteria will be applied and if need be applications referred to this Committee for it to decide which applicants will be successful.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

9. Not applicable.

COMMENTS OF THE DIRECTOR OF FINANCE

10. Not applicable.

RECOMMENDATION

11. That the Committee determine the mandatory criteria relating to the vehicle and preferential criteria relating to the applicant.

ROSEMARY LYON DIRECTOR OF LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Report on Unmet Demand 2005			Licensing Office
Suggested criteria and summary of replies (attached to report)			

Report Author	Ext	Date	Doc ID
K Ogden/Howard Bee/ Elizabeth Riley	5163	5 April 2006	LEGREP/96162LM

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	CRITERIA TO BE IMPOSED	Agree	
1	Every vehicle shall be a London style taxi such as TX2, Metrocab, or similar.		
Oth	er comments		
2	Vehicles shall be two years old or less than two years old from date of manufacture or date of first registration whichever is the earlier.		
Oth	er comments		
3	Vehicles must be purpose built hackney carriage vehicle and purpose built to accommodate wheelchair disabled passengers		
Oth	er comments		
4	Vehicles shall be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors such testing to include the structural integrity.		
Oth	er comments		
5	Vehicles shall be properly insured and proof of purchase be produced to the Council either upon application or before the issue of the licence.		
Oth	er comments		
6	Applicants should be able to prove to the Council that he or she has never previously sold/transferred a vehicle licence for money or moneys worth for gain or reward.		
Oth	er comments		
7	Preferentially, licences be issued to owner/drivers or intended owner/ drivers upon their showing satisfactory proof of proprietorship or intended proprietorship of their vehicle.		
Oth	er comments		
8	Preferentially, applicants should be a current hackney carriage driver within Borough of Chorley.		
Oth	er comments		
9	Preferentially, the number of years an applicant has been driving a hackney carriage vehicle within Borough of Chorley shall be taken into account.		
Oth	er comments		
10	Preferentially, applicants fitness including previous motoring and other criminal convictions shall be taken into account.		
Oth	er comments		
11	Any other considerations which may fairly and reasonably relate to the grant of a hackney carriage licence and appear to the Council to be relevant including the proposed operation of the vehicle in respect of the hours/area to be worked may be taken into account.		
Pleas	se add any additional comments below.		

Criteria for vehicles Agree		Disagree	
	38	б	
Every vehicle shall be a London style taxi such as TX2, Metrocab, or similar.	81%	19%	100%
	31	16	Out of 34% who disagree 9%
Vehicles shall be two years old or less than two years old from date of manufacture or date of first redistration whichever is the earlier	66%	34%	think the vehicle should be brand
	41	2	
Vehicles must be purpose built hackney carriage vehicle and purpose built to			
	87%	11%	98%
	47	0	
Vehicles shall be properly tested and roadworthy to a standard approved by the Council's vehicle inspectors such testing to include the structural integrity.	100%		100%
	44	2	
Vehicles shall be properly insured and proof of purchase be produced to the Council		č	
either upon application or before the issue of the licence. Total number of guestionnaires received	94%	4%	98%
	ť		
Criteria for applicants Agree		Disagree	
	44	ო	
Applicants should be able to prove to the Council that he or she has never previously sold / transferred a vehicle licence for money or moneys worth for gain or reward.	94%	6%	100%
	42	5	
Preferentially, licences be issued to owner/drivers or intended owner/drivers upon their showing satisfactory proof of proprietorship or intended proprietorship of vehicles.	89%	11%	100%
	33	10	
Preferentially, applicants should be a current hackney carriage driver within the Borough of Chorley.	20%	21%	91%
	33	14	
Preferentially, the number of years an applicant has been driving a hackney carriage vehicle within the Borough of Chorley shall be taken into account.	20%	30%	100%
	44	e	
Preferentially, applicants fitness including previous motoring and other criminal convictions shall be taken into account.	94%	%9	100%
	29	13	

APPENDIX 2

89%			
28%	Plates.		
62%	47 or Hackney I		
Any other considerations which may fairly and reasonably relate to the grant of a hackney carriage licence and appear to the Council to be relevant including the proposed operation of the vehicle in respect of the hours/area to be worked may be taken into account.	Total number of questionnaires received. 47 15% of all respondents think those awarded plates should live in Chorley Borough. 13% of all respondents think plates should be returned to council not sold/transferred. 10% of all respondents think that current Private Hire operators should be allowed to apply for Hackney Plates.		



Report of	Meeting	Date
Director of Legal Services	Licensing & Safety Committee	5 April 2006

APPLICATION FOR LICENCE FOR A HOUSE TO HOUSE **COLLECTION BY UK RECYCLING ASSISTANCE**

PURPOSE OF REPORT

1. To bring to the attention of Members an application for a house to house collection by UK Recycling Assistance who state in their application that the purpose of the collection is to provide funds for the Rainbow Trust, a children's charity "who provide family centred care".

CORPORATE PRIORITIES

2. This report is relevant to further the following key corporate priorities of the Council ie serving our customers better.

RISK ISSUES

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation	4	Regulatory/Legal	
Financial		Operational	
People		Other	

4. There is often public concern raised when collectors visit peoples homes and if a licence is granted the Council may be criticised if the reasons and objectives have not been fully addressed.

BACKGROUND

- 5. A Gregory Bourne has applied on behalf of UK Recycling Assistance of Elegant House, Whessoe Road, Darlington, County Durham, for a licence to conduct a house to house collection in this area between 24 April and 13 May 2006.
- 6. The application indicates that the collection is on behalf of the Rainbow Trust, a registered charity "providing practical and emotional support to families who have a child with a life threatening or terminal illness."
- 7. Section 2(3) of the House to House Collections Act 1939 provides that a licensing authority may refuse to grant a licence, 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.
- 8. It is Council policy to refuse to grant a licence to an organisation that is not a registered charity unless there are exceptional reasons why consent should be granted. In respect of this particular application the applicant is not a registered charity but is stated to be on behalf of the Rainbow Trust.
- 9. The reason for referring this application to Committee is because the literature of UK Recycling Assistance states that "UK Recycling Assistance pays royalties to Rainbow's Trading Company at the rate of 15% of turnover from the sale of goods generated from all campaigns relating to Rainbow Trust Children's Charity (Registered Charity No 1070532). UK Recycling Assistance is responsible for all operating costs from such activities."
- 10. Enquiries with UK Recycling Assistance reveals that 15% of money collected goes to the charity, 15% to Recycling Assistance and 70% to the collectors.
- 11. A similar application for a street collection by another applicant/charity was heard by this Committee on 29 March 1999 and was refused. The amount proposed to be given to the charity in this case was 25%.
- 12. The Committee is asked to consider whether in this case there are exceptional reasons to grant a licence to an organisation that is not a registered charity and also whether the amount proposed to be given to the charity is considered adequate to allow the issue of a house to house collection licence.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

13. Not applicable.

COMMENTS OF THE DIRECTOR OF FINANCE

14. Not applicable.

RECOMMENDATION

15. That the Committee determines this application after consideration of any representations made.

ROSEMARY LYON

DIRECTOR OF LEGAL SERVICES

Background Papers				
Document	Date	File	Place of Inspection	
House to House Collection Application (attached) UK Recycling Assistance Leaflet (attached) Rainbow Trust Leaflet (attached)				
Report Author	Ext	Date	Doc ID	
K Ogden	5164	24 March 2006	LEGREP/92161LM	

Agenda Item 6

LIC45

HOUSE TO HOUSE COLLECTIONS ACT 1939

House to House Collections Regulations 1947



Application for a Licence

To: Chorley Borough Council, Civic Buildings, Union Street Chorley, Lancs, PR7 1AL

PARTICULARS OF COLLECTION		
1	Full name of person making application	(Mr/Mrs/Miss/Ms) GREGORY BOURDE
2	Address	UK RECYCLING ASSISTANCE, ELEGANT HOUSE, WHESSOE ROAD, DARLINGTON, COUNTY DURMAM.
	Post Code	DI3 ORT.
3	Date of Birth	22,00 JANNARY 1968,
4	Place of Birth	BARKING, ESSER.
5	Telephone N°	01325 285240
6	Fax	01325 285240.
7	Mobile	07814832826.
8	E-Mail	info@recyclingassistance.co.uk.
9	Full name of society, club, institution, organisation or association etc.	RAINBOW TRUST CHUDEONS CHARITY
-	Address	FORSTER HOUSE, FORSTER BUSINESS CENTRE
10		FINCHDALE ROAD, NEWTON HALL, DURMAN
	Post Code	DHI SHL.
11	Registered Charity No.	1070532.
12	Telephone N°	0191 386 4400
13	Fax	0191 386 8899.
14	Mobile	
15	E-Mail	durham Qrainbowtrust. org. uK.
16	Particulars of charitable purposes to which proceeds of collection are to be applied. (Full particulars should be given and, where possible, the most recent account of any charity which is to benefit should be enclosed.)	TO PROVIDE FUNDS FOR THE LAINBOUS TRUST CHILDREDS CHARITY, WHO PROVIDE FAMILY CENTRED CALE
17	Approximately how many persons is it proposed to authorise to act as collectors in the area of the authority to which the application is addressed?	3 COLLECTORS IN THE AREA.
18	Give the date(s) of the collection.	24/04/06 - 13/05/06

Revised February 06

1 of 2

LIC45

Agenda Item 6

19	Give the approximate daily start and finish time for the collection.	08.30 -> 17.00.
20	Over what parts of the area is it proposed that the collection should be made?	OVER THE WHOLE ALEA.
21	Is it proposed to collect money?	No.
22	Is it proposed to collect other property? If so, of what nature? And is it proposed to sell such property or to give it away or to use it?	TO COLLECT UNWANTED CLOTHING/ TEXTILES TO BE SOLD.
23	Is it proposed that remuneration should be paid out of the proceeds of the collection – a) to collectors? b) to other persons? If so to what rates and to what classes of persons?	SEE ATTACHED
24	Is the application being made for licences for collections for the same purpose in other areas? If so, to what authorities? Also, approximately how many persons in all is it proposed to authorise to act as collectors?	PRESTON, WEST LANCASHIRE, SEFTON. THE SAME 3 COLLECTORS IN ALL.
25	Has the applicant, or to the knowledge of the applicant, anyone associated with the promotion of the collection, been refused a licence or order under the Act, or had a licence or order revoked? If so, give particulars.	P 0.
26	Is it proposed to promote this collection in conjunction with a street collection? If so, is it desired that the accounts of this collection should be combined wholly or in part with the account of the street collection?	90-
27	If the collection is for a War Charity, state if such charity has been registered or exempted from registration under the war charities Act, 1940, and give name of registration authority and date of registration or exemption.	N 0 .

In pursuance of Section 2 of the House to House Collections Act 1939, I hereby apply for a licence allowing me to promote the collection, of which particulars are given above.

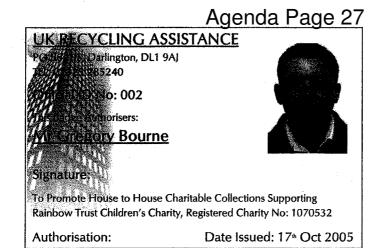
09 03 0 Signed Dated

Registration No

Application No

Revised February 06

For Office Use Only



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WWWWWWW

of the year by donating unwanted: Plea

Clothing/Footwear/Curtains/Blankets

ate bag on top of any donations: Mobile Phones (any condition シンシンシン

WWWWWWW

Ple

ase leave your bag in full view of the road with this booklet attached before 8.30am on the day of collection and your donation will be picked up that day any time up to 5pm, your collection day is this coming:



We are helping



amily centred care for children with life threatening or terminal illness To reach those people who would like to help

THANK YOU FOR YOUR SUPPORT

UK Recycling Assistance pays royalties to Rainbow's Trading Company at the rate of 15% of turnover from the sale of goods generated from all campaigns relating to Rainbow Trust Children's Charity (Registered Charity No 1070632). UK Recycling Assistance is responsible for all operating costs from such activities

About Rainbow Trust

Since 1986 Rainbow Trust Children's Charity has been providing a helping hand, a listening ear and a shoulder to cry on when things get tough. Rainbow Trust recognizes that caring for a sick child can be stressful and demanding and that children with a life threatening or terminal condition often prefer to be cared for in their homes, which is why practical and emotional support is provided completely free of charge through:

- Care in the families' own homes
- Respite breaks for the whole family, either at Rainbow House in Surrey or Rainbow Fernstone in Northumberland

Rainbow Trust's Family Support Workers provide care that is tailored to the needs of each family member. They help to maintain family cohesion and provide an emotional lifeline at a time of extreme stress and trauma from diagnosis, through to bereavement and beyond.

On a practical level they help with the normal activities of daily life by supporting anxious parents, sick children and worried siblings. They provide help with running the home, provide transport and assist with endless hospital visits. Rainbow Trust understands that when a child is very ill all members of the family are affected, especially brothers and sisters.

Care workers provide 24-hour cover at the critical stage of a child's life and ensure the whole family receives appropriate support.

Rainbow Trust's two respite centres are carefully designed to cater for the needs of families under stress, up to three families can stay at any one time and relax in warm and welcoming surroundings away from the pressures of living with a very sick child at home. Both houses are set in spacious gardens and are fully staffed by professional care workers to provide respite support for the whole family.

Mía's Story

Mia Clark was just 18 months old when doctors discovered a large tumour in her stomach. Little Mia had to endure major operations, chemotherapy and a stem cell transplant as the cancer relapsed three times.

Christina, Rainbow's Family Support Worker, did what she could. "She was always there at the right time and she knew how to pick things up in a way that fitted in with what daily routine we could manage," remembers Lisa. "She'd collect Charlotte and Molly from school and help them with their homework, or sit with Mia so that we could have time to spend with them ourselves."

"After Mía díed, Christina continued to give us amazing support," says Lisa.

As a bereaved family they've been to Rainbow House. The support Gary and Lisa received at Rainbow House restored their faith in the future. "We would never have been brave enough to try for another baby (Jemima) if we hadn't come across Rainbow Trust," says Lisa.

"People might think that you get over the death of a child," adds Gary. "The reality is that hopefully, you merely find a way through. Rainbow Trust helped us do that."

Please contact us if you have any queries concerning collections of unwanted clothing, mobile phones or used inkjet cartridges:

Collection Enquiries Line - 0800 1694538

For more information on supporting Rainbow Trust Children's Charity please visit their website **www.rainbowtrust.org.uk** or write to:

Rainbow Trust Children's Charity Forster House, Forster Business Centre Finchale Road, Newton Hall Durham, DH1 5HL

Agenda Item 6

Agenda Item 6

threatening or terminal ng hand, a listening ear get tough. Our families to carry on.

is provided through:

vo houses n homes

t.org.uk

o have a child with a life very child we help there care. Only lack of funding

Welcome to Rainbow Trust







Providing practical and emotional support to families who have a child with a life threatening or terminal illness

Agenda Item 6

Mia's story

Mia Clark was just 18 months old when doctors discovered a large tumour in her stomach. Little Mia had to endure major operations, chemotherapy and a stem cell transplant as the cancer relapsed three times.

Christina, Rainbow's Family Support Worker, did what she could. "She was always there at the right time and she knew how to pick things up in a way that fitted in with what daily routine we could manage," remembers Lisa, Mia's mum. "She'd collect Charlotte and Molly, Mia's sisters, from school and help them with their homework, or sit with Mia so that we could have time to spend with them ourselves."

"After Mia died, Christina continued to give us amazing support," says Lisa.

As a bereaved family they've been to Rainbow House. The support Gary, Mia's dad, and Lisa received at Rainbow House restored their faith in the future. "We would never have been brave enough to try for another baby (Jemima) if we hadn't come across Rainbow Trust," says Lisa.

"People might think that you get over the death of a child," adds Gary. "The reality is that hopefully, you merely find a way through. Rainbow Trust helped us do that."



www.rainbowtrust.org.uk

When a child is diagnosed with a life threatening or terminal illness Rainbow Trust provides a helping hand, a listening ear and a shoulder to cry on when things get tough. Our families tell us that we give them the strength to carry on.

This practical and emotional support is provided through:

- · Respite breaks at our two houses
- Care in the families' own homes

Rainbow helps one in ten families who have a child with a life threatening or terminal illness. For every child we help there are nine that don't receive our special care. Only lack of funding holds Rainbow Trust back.

Just one in ten families that need us receive our support - please h

Donate to Rainbow Trust

Eep us by making a donation today. As little as £5 per month can make a difference. Simply complete the direct debit form attached. And if you're a UK taxpayer, the taxman will add an extra 28p to every £1 you donate.

Would you like to make new friends? From the tried and tested to the weird and wacky – you'll have a ball! Organise a one-off event or, if you've a bit more time, why not set up a Friends of Rainbow group to run regular fundraising events in your area? We'll help and support you with information and

£20 buys one hour of care from a Rainbow Family Support Worker

Get sporty!

ideas.

Dust off your running shoes or leap into the saddle, Rainbow Trust has guaranteed places in a range of challenge events and we'd love you to join us. Take part in the London or New York Marathons, run the Great North Run or Great South Run or even take on the challenge of cycling to Paris. Perhaps you're a budding mountaineer, then why not climb Mount

Kilimanjaro? Or if you like to stay closer to ground level, Why not take part in a golf day, or organise one yourself?



£35.60 pays for a magical day at Rainbow House for a child

Rainbow Funds

If you would like a special way to remember a loved one you can set up a Rainbow Fund in their name. Family, friends and colleagues can then raise funds for Rainbow Trust in their memory. If you would like more information please let us know.

A Lasting Legacy

Help ensure that Rainbow Trust continues to provide care for children with life threatening and terminal illnesses in the future, by making a gift in your will.

£100 runs one of our swimming pools for a week

Any spare cents, dollars or euros? We can change notes and coins of all currencies into pounds. Come on, you know you won't remember them next time you go away!

Supporting Rainbow Trust is good for business! From team building to marketing-based projects, Rainbow Trust has an experienced team who will help.

Rising to the challenge

Emap Advertising recently swapped its two day overseas conference for a one day fundraising challenge in aid of Rainbow Trust, raising £65,000.

"The event worked on so many different levels" that it ticked every box for me. If we could have bottled the feeling in that room and sold it we would have made a fortune!" Gary Hollins, Director, People and Culture, Emap Advertising

 $\pounds 500 \text{ runs our } 24 \text{-hour telephone helpline for one month}$

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Valledo B 2000 ness incommunity frightastheir charity of Les and provident 2005. Clustomers and enprovees one so mapred that the retailer ook just so months to smash its £60,000 Engel, Hillsvig 61442,000

taning keeps one of our Rainbow houses neen (ord) week

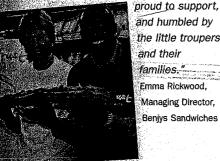
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oin the goests that have rubbed shoulders hin Alist celebrities at Rainbow Trust's nnual balls. The events in Newcastle and ondon lend themselves to some excellent sponsorship packages and can be used to entertain clients or reward employees.

Food for thought

Enford Christie was among nine Rainbow Trust celebrity supporters who designed sandwiches for a campaign led by sandwich retailer Beniys, By donating 25p from every sale to Rainbow Trust, Benjys raised an mazing £25,000.

Our celebrity sandwich campaign has been great success from the 'get go!' Benjys are



and humbled by the little troupers and their families. Emma Rickwood, Managing Director,

Benjys Sandwiches

Anna Maria Ashe and ord Christie at the Benjys Launch

Give your time to Rainbow Trust

If you have some spare time on your hands and are looking for a new challenge or an opportunity to meet new people, why not volunteer for Rainbow? We have a host of opportunities for both office volunteers and volunteer fundraisers so come and join our team.



Bernie Farrell, who is approaching his 8th year with Rainbow, says "It's good to put practice from the commercial world into the voluntary sector when you retire and know that your time is making a real difference."

guarantee

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limited

Company

1070532

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Charity

To find out more contact us at:

Rainbow Trust Children's Charity

Registered Office: 6 Cleeve Court, Cleeve Road, Leatherhead, Surrey KT22 7UD Tel: 01372 363438 Fax: 01372 363101 Email: enquiries@rainbowtrust.org.uk

Northern Office: Forster-House, Forster Business Centre, Finchale Road, Newton Hall, Durham DH1 5HL Tel: 0191 386 4400 Fax: 0191 386 8899 Email: durham@rainbowtrust.org.uk

Copy kindly written by Cathenne Chappell Harrison.

RENUMERATION .

15 90 OF TURNOVER FROM ALL CAMPAIGNS GOES TO THE RAINBON TRUST CHILDRENS CHARITY.

70% GOES TO COLLECTORS OUT OF WHICH THEY MUST PAT FOR VAN HIRE, INSURANCE, FUEL, COLLECTION SACKS (2000 PER DAY) WHICH MUST BE FOLDED BY HAND-WORK-ERS, LEAFLETS AND RUBBER BANDS, WAGES. TAX AND N.I.

15% TO UK RECYCLING ASSISTANCE OF WHICH THEY MUST PAY FOR VAN HIRE, INSURANCE FUEL, NATIONAL CAU CENTRE AND STAFF, HOAD OF LICENSING SALARY, AND DISTRIBUTION FACILITIES.

Agenda Page 35 Agenda Item 6 UK RECYCLING ASSISTANCE

PO Box 65, Darlington, DL1 9AJ. Tel/Fax: 01325 285240 Email: info@recyclingassistance.co.uk www.recyclingassistance.co.uk

Dear Licensing Officer

UK Recycling Assistance combines the promotion of recycling/re-use with collecting funds for charity.

We are giving our support to Rainbow Trust Children's Charity, these do a fantastic job in very difficult circumstances and we at UK Recycling Assistance hope to make a huge difference to their fundraising efforts, possibly by giving as much as £60,000 in the first year alone not counting the other benefits such as increased awareness and extra donations we should attract from the public.

To achieve this, a booklet and collection sack will be delivered to homes in the area, if householders would like to help they place there filled collection sack of clothing on their doorstep on the specified collection day, we collect all bags that are left out for us, these are then exported to be re-used by people less fortunate than ourselves.

We very much look forward to getting our appeal started in your area, this application pack contains:

- Application Form for House-to-House Permit
- Identity Card Template
- About Rainbow Trust
- Commercial Participator Agreement, includes a list of trustees
- A copy of Rainbow Trust's Accounts (we have no previous accounts, year 1 trading)
- Disclosure
- Character Reference
- Trading Standards Approval

Thank you for your time I hope this information is sufficient, if you require further information please contact us.

Yours truly

Mr Gregory Bourne

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UK RECYCLING ASSISTANCE

Elegant House, Whessoe Road, Darlington, DL3 oQT www.recyclingassistance.co.uk or email: info@recyclingassistance.co.uk Telephone: 0800 169 45 38

Dear Janet Brereton

I have been running a successful business for 5 months now; my business promotes re-use of clothing, to help achieve this goal a decision was made to become a commercial participator with a charitable cause (Rainbow Trust Children's Charity) so we could appeal to a wider audience across the UK. Our results so far have been very exciting; we have collected 79 tonnes of clothing that will be used for re-use/recycling purposes. From that we will have raised £5,931 for the Rainbow Trust.

We have held collections in Durham, Sedgefield, Wear Valley, Sunderland, Gateshead, Newcastle and Tynedale all with good responses from the public and no problems reported to ourselves or to the councils.

I come from a charity background working in the same field; I felt the charity I worked for did not maximise the donations from the public for the benefit for the cause and instead misspent money on salaries for 3 people doing one person's job, paying sick pay to everyone even when they were not entitled and letting one manager who was on £21,000 pa sit around all day reading the paper.

Coming from this environment I felt strongly that this kind of work should be approached more as a business in a way that wasn't open to abuse.

That is why I decided to pay royalties on turnover, I knew it didn't look great on paper just seeing 15% of turnover goes to the charitable cause but I hoped that people would understand that there are massive costs involved in running house-to-house collections, which on the whole they have.

Paying on turnover means that the charity doesn't need to get wrapped up in the running of my business and they can concentrate on their core objectives. I have to wait until I have raised money to invest rather than taking it out of what should be the charities share; after all when other companies say that the charity receives say 75% of the profits – who's to say there will be any profit if they decide to buy a van or equipment etc.

I have done a breakdown of where the remaining 85% is spent:

15% UK Recycling Assistance

Out of this share there are costs to be paid for:

Van hire/Insurance/Fuel Telephonist wages Salary for Head of Licensing Telephone/Internet/Electric/Repairs Storage/Rent (National Call Centre) Warehouse - collections audit trail (contracted out to C & G Distribution) Wage for myself (if there is any profit) Accountants Fees

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70% paid to a team of Sub-Contractors

Out of this share there are costs to be paid for:

Van hire/Insurance/Fuel Collection Sacks Leaflets Rubber Bands Folding (it takes around 7.5 Hours to fold a days worth of bags then put leaflets around) Distribution Equipment Wages for a team of 3 or 4 people

Financial breakdown Example:

We distribute 2000 leaflets to get an average return of 1 tonne each day, so to see how much as a percentage of profit we pay to Rainbow, in practise rather than the figure of 15% of turnover, then please refer to the Daily Operating Costs sheet.

We have invested £10,000 into buying folded bags already packed and sealed within printed sacks from abroad, which should bring us into line with what other organisations and charities pay for their operating costs, this is a big commitment for us as there is a 4 month lead time. The charity commission recognisers that new organisations cannot possibly get the same price advantages as larger and more experienced companies and in a case I recently read on their web site, the charity was receiving 62% of profits and the charity commission felt that this was not unfair and felt that over time operating costs would come down giving more benefit to the charity.

I feel we are not excessively spending or profiteering in any one area and are continually working very hard in the best interests of Rainbow Trust, we are hoping to build a life long association as they are a fantastic cause, we are both very happy with our relationship and we have ensured it complies with the charity commissions guidelines when making commercial participator agreements.

Yours truly

C Hutchinson

Miss Claire Hutchinson (Director)

Daily Operational Costs	Anonda	Page	20	/	ممم	da It	om 6
	лусни¢	λ I1 (PEYAM	2 TEAMS	3 TEAMS	4 SEXMS	STEAMS	OTEAMS
INCOME		£525	£1,050	£1,575	£2,100	£2,625	£3,150
Bags (0.043 x 2000)		£86	£172	£258	£344	£430	£516
Leaflets (0.016 x 2000)		£32	£64	£96	£128	£160	£192
Folding (0.019 x 2000)		£38	£76	£114	£152	£190	£228
Bands (0.001 x 2000)	· · · · ·	£2	£4	£6	£8	£10	£12
Van Hire		£29	£58	£87	£116	£145	£174
Van Hire (Manager)		£18	£18	£18	£18	£18	£18
Van Insurance		£4	£8	£12	£16	£20	£24
Van Insurance (Manager)		£3	£3	£3	£3	£3	£3
Fuel		£25	£50	£75	£100	£125	£150
Fuel (Manager)	N 14	£10	£15	£20	£25	£30	£35
Wage Telephonist		£45	£45	£45	£45	£45	£45
Salary Head of Licensing		£46	£52	£58	£64	£70	£76
Telephone/Internet/Printing		£15	£25	£35	£45	£55	£65
Storage/Rent		£10	£10	£10	£10	£10	£10
Contract with C&G Distribution (warehouse auditing	g)	£15	£30	£45	£60	£75	£90
Accountants Fees (returns for councils)		£2	£4	£6	£8	£10	£12
Collector Wages (to share between the team - 3 to	o each team)	£155	£310	£465	£620	£775	£930
TOTAL COSTS		£535.00	£944.00	£1,353.00	£1,762.00	£2,171.00	£2,580.00
PROFIT (without taking Rainbows or UKRA sha	ire)	-£10.00	£106.00	£222.00	£338.00	£454.00	£570.00
Rainbow Trust Children's Charity		£79.00	£158.00	£237.00	£316.00	£395.00	£474.00
% Of Profit		?	149	107	93	87	83
UK Recycling Assistance		-£89.00	-£52.00	-£15.00	£22.00	£58.00	£96.00
% Of Profit		?	-49	-7	7	13	17

We currently only have 2 Teams but this shows that this is a long term project for ourselves and we are investing quite a lot of money in ensuring it's future success.

These figures do not include extra costs such as transporting our stock across the country/repairs/renewals extra staff to manage calls and licensing, these costs will only impact on UK Recycling Assistance's share as we pay royalties on turnover.

I think this figures show that in practise whether you're a charity or business the cost of house-to-house collections is massive but it does offer something other fundraising doesn't and that is a stable predictable income for the decision making process

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RAINBOW TRUST CHILDREN'S CHARITY (Company limited by guarantee)

REPORT AND CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30TH JUNE 2004

Company number 3585123 Charity number 1070532

No 2 ACCOUNTS ິ ແຟລິ RECEIVEN COMPLIANCE DIVISION

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RAINBOW TRUST CHILDREN'S CHARITY

REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30TH JUNE 2004

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Statement of financial activities	6
Balance sheet	7
Consolidated balance sheet	8
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RAINBOW TRUST CHILDREN'S CHARITY

REPORT AND FINANCIAL STATEMENTS

LEGAL AND ADMINISTRATION

Trustees

۰:

Chief Executive

Secretary

Address

Auditors

Solicitors

Bankers

Company number

Charity number

The Hon Richard Stanley (Chairman)(from 21 May 2004) Mr James Russell CBE (Chairman)(to 21 May 2004) Dr Eileen Anderson Ms Mary Byatt Mr Dennis Cleary Mr John Curtis Mr Bernard Farrell Mrs Bernice Lovell-Clark Dr Brian Mathews Dr Simon Meller Mr Aled Miles

Mrs Heather Wood

Mr Adrian Radford

6 Cleeve Court Cleeve Road Leatherhead KT22 7UD

haysmacintyre Fairfax House 15 Fulwood Place London WC1V 5AY

Farrer & Co 66 Lincoln's Inn Fields London WC2A 3LH

RadcliffesLeBrasseur 5 Great College Street Westminster London SW1P 3SJ

National Westminster Bank Plc 1 Bridge Street Leatherhead Surrey KT22 8BT

Cafcash Ltd Kings Hill West Malling Kent ME19 4TA

3585123

1070532

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RAINBOW TRUST CHILDREN'S CHARITY

TRUSTEES' REPORT

FOR THE YEAR ENDED 30TH JUNE 2004

The Trustees, who are also the directors, present their report together with the financial statements for the year ended 30 June 2004.

Rainbow Trust Children's Charity provides family centred care for children with life threatening or terminal illness and their families, at times of crisis. Practical and emotional support is offered from diagnosis through to and following bereavement, both within the family home, and at our two respite centres in Surrey and Northumberland.

REVIEW OF THE CHARITY'S ACTIVITIES

Rainbow Trust Children's Charity is a registered charity (Number 1070532), incorporated under the Companies Acts, being a company limited by guarantee having no share capital (Number 3585123).

Rainbow Trust Children's Charity provides care, without charge, to families who have a child with a life threatening or terminal illness. Rainbow's non-medical service continues to meet the needs of families across the counties of southern and northern England. Referrals exceed capacity at times but effective management has ensured an increase in the number of families receiving support over a larger area.

The Hon Richard Stanley took over the Chairmanship of Rainbow in May 2004. The Trustees acknowledge that under James Russell's Chairmanship the charity has grown from an operation working from the Founder, Bernadette Cleary's garden shed to an organisation that this past year has helped over 1,000 families.

The year 2003/4 has continued the development of the charity. The Rainbow Appeal was launched in September 2003 to double Rainbow Trust's reach to support 20% of the families in the UK who have a child with a life threatening or terminal illness. This will be achieved by increasing the number of Family Support Workers in existing teams and introducing teams in new areas over the next 5 years. We also plan a third respite home.

Our core income has remained stable at around £2.1 million but in November 2003 we had the benefit of a Gold Ball held at London's Natural History Museum which raised a net £2.3 million. The funds raised will go towards caring for many families and have made it possible for us to progress our expansion during the next year. It will be a challenge to raise funds of this amount in the current year.

To support the ambitions of the appeal a major recruitment of fundraising staff has been instigated and we plan to expand our activities to include more volunteers and groups across the country. We will continue to spread our range of fundraising activities to ensure that we raise not only much-needed funds but our profile too.

Expenditure, excluding the costs of the November Ball, has increased this year to £2.9 million reflecting investment in the care and fundraising teams.

All our Family Support teams are registered with the Care Standards Commission, now known as the Commission for Social Care Inspection. The Commission for Social Care Inspection will be carrying out inspection visits on an annual basis and they will publish the inspection reports. We welcome this opportunity to demonstrate Rainbow's high standards of professional care.

One of the major highlights of the year was our first Rainbow Trust Conference, held at the Royal Marsden Hospital Education & Conference Centre in London. Over 120 care professionals attended the day which was opened by Dr Stephen Ladyman MP, and Chaired by Professor Sir Alan Craft and Dr Mike Shooter. Presentations were given by many eminent speakers and covered topics including Paediatric Palliative Care at Home, Neurological conditions, Changing Patterns of Care and Empowering families.

It has been a year of growth for our family support teams throughout the country. The Big Lottery Fund has generously supported this growth by funding two extra workers, one in the Bishop Auckland based team to support families in the York and Leeds area and one in the Essex based team, to support families living in South West Essex and North East London.

At Rainbow Fernstone the swimming pool was reopened in May after a period of refurbishment. Families and staff are delighted with the upgraded facilities.

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RAINBOW TRUST CHILDREN'S CHARITY

TRUSTEES' REPORT (continued)

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FOR THE YEAR ENDED 30TH JUNE 2004

REVIEW OF THE CHARITY'S ACTIVITIES(continued)

Both houses have had further redecoration this year, at Rainbow Fernstone a new carpet has been fitted in the lounge and the hall and stairs have been repainted. Rainbow House has also had new carpet in the lounge and ground floor bedroom, as well as a central heating system, a beautiful new kitchen and upstairs bathroom.

Rainbow Trust continues to rely on the dedication of its staff who are committed to the Appeal and to the future growth of the Charity. We have appointed a Director of Fundraising and Marketing, Carla Miller, to develop Rainbow's fundraising strategy.

Rainbow Trust would not be able to operate without the commitment of volunteers who support the various fundraising events and provide administrative help in all our offices.

We are sincerely grateful for the generosity of all our donors who have made such a difference to the families we work with. Sincere thanks are also due to our patrons and committees who have contributed their time and expertise towards our fundraising activities.

The Board would like to thank those trustees (Peter Bedford, Michael Keogh, Anthony Simonds-Gooding and Marchioness of Zetland) who have stood down since the last report for their support of Rainbow. The Board would like to welcome Bernice Lovell-Clark, Aled Miles and Bernard Farrell who have recently been appointed trustees.

The coming year will see the continued expansion of our care teams. We will continue with our aim to reflect that of our Founder, that every family in the UK who has a child with a life-threatening or terminal illness should have access to a Rainbow carer alongside them in their time of crisis

RESULTS

The results for the charity for the year ended 30 June 2004 are set out in pages 6 to 16.

RISK REVIEW

The Trustees sought professional guidance and considered major risks within Rainbow Trust Children's Charity. A formal risk management process to assess risks and implement strategies is in place. This identifies the types of risks the Charity faces, prioritises them in terms of likelihood of occurrence and potential impact, and identifies the means of mitigating these risks. Work is ongoing to implement systems and controls wherever practical to ensure this risk management framework is part of the day to day processes of the Charity and is reviewed regularly.

INVESTMENT POLICY, POWERS AND PERFORMANCE

The Trustees considered it desirable to build up a long term investment portfolio. Investment managers were appointed in 2002 with a brief to maximise total return over the long term with due regard to risk. During the year the value of investments has increased from £673,981 to £745,300. Income from investments and short term deposits was £56,352. Performance of the portfolio this year has shown an increase in investment values reflecting the improvement in asset values over all markets.

RESERVES POLICY

The Trustees have a policy to maintain readily realisable reserves equivalent to approximately six months operating costs of the Charity. The year 2003/4 has continued Rainbow Trust's development and expansion which started last year. As a result the reserves are currently equivalent to three months operating costs. The Trustees and Management aim to bring these reserves back up to a level of six months operating costs.

Designated funds are amounts that have been set aside at the discretion of the Board of Trustees.

Restricted funds are funds subject to specific restricted conditions imposed by the donors.

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RAINBOW TRUST CHILDREN'S CHARITY

TRUSTEES' REPORT (continued)

FOR THE YEAR ENDED 30TH JUNE 2004

TRUSTEES

The Trustees, who are also Directors, in office during the period were:

The Hon Richard Stanley (Chairman) -appointed Trustee and Chairman 21 May 2004 Mr James Russell CBE (Chairman to 21 May 2004) Dr Eileen Anderson Mr Peter Bedford - resigned 19 October 2004 Ms Mary Byatt Mr Dennis Cleary Mr John Curtis Mr Bernard Farrell - appointed 20 January 2005 Mr Michael Keogh - resigned 8 November 2004 Mrs Bernice Lovell-Clark - appointed 20 July 2004 Dr Brian Mathews Dr Simon Meller Mr Aled Miles - appointed 20 July 2004 Mr Anthony Simonds-Gooding - resigned 29 January 2004 Marchioness of Zetland - resigned 26 May 2004

TRUSTEES' RESPONSIBILITIES FOR THE FINANCIAL STATEMENTS

Company law requires the Trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the Charity and the Group and of the surplus or deficit of the Charity and the Group for that period. In preparing those statements, the trustees are required to;

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- follow applicable accounting standards, and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in operation.

The Trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Charity and to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the Charity and the Group and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

AUDITORS

haysmacintyre have expressed their willingness to continue in office and offer themselves for re-appointment.

SIGNED ON BEHALF OF THE TRUSTEES

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The Hon Richard Stanley Chairman

21 February 2005

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF RAINBOW TRUST CHILDREN'S CHARITY

We have audited the financial statements of Rainbow Trust Children's Charity for the year ended 30th June 2004 which comprise the Statement of Financial Activities, the Balance Sheet and the related notes. These financial statements have been prepared under the historical cost convention as modified by the revaluation of certain fixed assets and the accounting policies set out therein.

This report is made solely to the company's members, as a body, in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of trustees and auditors

As described in the Statement of Trustees' Responsibilities the charity's trustees are responsible for preparation of the financial statements in accordance with applicable law and United Kingdom Accounting Standards. The Trustees are also Directors of Rainbow Trust Children's Charity for the purposes of Company Law.

Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and United Kingdom Auditing Standards.

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Trustees' Report is not consistent with the financial statements, if the charitable company has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding trustees' remuneration and transactions with the charitable company is not disclosed.

We are not required to consider whether the statement in the Trustees' Report concerning the major risks to which the charity is exposed covers all existing risks and controls, or to form an opinion on the effectiveness of the charity's risk management and control procedures.

We read the Trustees' Report and consider the implications for our report if we become aware of any apparent misstatements within it.

Basis of audit opinion

We conducted our audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Trustees in the preparation of the financial statements, and of whether the accounting policies are appropriate to the charitable company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements give a true and fair view of the state of the charity and of the group's affairs as at 30th June 2004 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended and have been properly prepared in accordance with the Companies Act 1985.

haysmacintyre Chartered Accountants Registered Auditors

Fairfax House 15 Fulwood Place London WC1V 5AY

21 February 2005

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RAINBOW TRUST CHILDREN'S CHARITY

STATEMENT OF FINANCIAL ACTIVITIES

FOR THE YEAR ENDED 30TH JUNE 2004

	Notes	General Fund £	Designated Funds £	Restricted Funds £	Total Funds 2004 £	Total Funds 2003 £
Incoming Resources						
Donations, gifts, covenants &						
membership		1,291,043	-	294,892	1,585,935	1,470,015
Grants received	2	-	-	34,320	34,320	95,000 40,805
Investment income	3	53,796	-	2,556	56,352	40,805
Activities to generate funds: Income from commercial		32,428		•	32,428	. -
operations Income from fundraising activities		172,079		-	172,079	69,328
November and May Ball (see related expenditure below)		3,798,751	-	-	3,798,751	446,831
Total incoming resources		5,348,097		331,768	5,679,865	2,121,979
Resources Expended						
Cost of generating funds:						
Costs of November and May Ball		1,395,575	-	-	1,395,575	152,468
Costs of commercial operations		21,476	-	· -	21,476	-
Costs of fundraising activities	5	146,478	-	-	146,478	48,207
Fundraising costs		484,381	-	-	484,381	273,042
Direct Charitable Expenditure						
Respite and domiciliary carer Services	5	1,835,298	-	288,597	2,123,895	1,773,311
Management and Administration	5	135,413	-	-	135,413	102,832
Total resources expended		4,018,621	· •	288,597	4,307,218	2,349,860
Net incoming/(outgoing) resources before transfers		1,329,476	-	43,171	1,372,647	(227,881)
Transfers between funds	13	(1,388,186)	1,388,186		-	-
Gains on investment assets						
Realised gains/(losses) Unrealised gains/(losses)		5,734 67,600	- ;	•	5,734 67,600	(23,651) (52,383)
Net movement in funds		14,624	1,388,186	43,171	1,445,981	(303,915)
Fund balance brought forward at 1st July 2003		775,715	387,793	650,667	1,814,175	2,118,090
Fund balance carried forward at 30th June 2004		£790,339	£1,775,979	£693,838	£3,260,156	£1,814,175

• All transactions during the year are derived from continuing activities.

• All recognised gains and losses are included in the statement of financial activities.

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RAINBOW TRUST CHILDREN'S CHARITY

BALANCE SHEET

AT 30TH JUNE 2004

		20	2004		03
	Notes	£	£	£	£
FIXED ASSETS					
Tangible assets Investments	9 10		1,032,050 1,369,206		910,481 870,927
			2,401,256		1,781,408
CURRENT ASSETS					
Stocks Debtors Short term deposits Cash at bank and in hand	11	164,906 87,912 988,087		6,483 125,209 13,130 34,084	
		1,240,905		178,906	
CREDITORS: amounts falling due within one year	12	(386,957)		(146,139)	
NET CURRENT ASSETS			853,948	· · · · · · · · · · · · · · · · · · ·	32,767
NET ASSETS			£3,255,204		£1,814,175
FUNDS					•
Restricted funds Unrestricted funds	14		693,838		650,667
Designated funds General fund	13 15	- - -	1,775,979 785,387		387,793 775,715
TOTAL FUNDS			£3,255,204	.*	£1,814,175

Approved by the Trustees and signed on their behalf on 21 February 2005

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CHAIRMAN

The Hon Richard Stanley

TRUSTEE

John Curtis

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RAINBOW TRUST CHILDREN'S CHARITY

CONSOLIDATED BALANCE SHEET

AT 30TH JUNE 2004

		2004		2003	
	Notes	£	£	£	£
FIXED ASSETS					
Tangible assets Investments	9 10		1,032,050 1,369, 20 6		910,481 870,827
			2,401,256		1,781,308
CURRENT ASSETS					
Stocks Debtors Short term deposit Cash at bank and in hand	11	3,923 152,006 87,912 1,003,780		6,483 125,209 13,130 34,084	
CREDITORS: amounts falling due within one year	12	1,247,621 (388,721)		178,906 (146,039)	
NET CURRENT ASSETS			858,900		32,867
NET ASSETS			£3,260,156		£1,814,175
FUNDS			X		
Restricted funds Jnrestricted funds	14		693,838		650,667
Designated Funds General Fund	13 15		1,775,979 790,339		387,793 775,715
FOTAL FUNDS			£3,260,156		£1,814,175

Approved by the Trustees and signed on its behalf on 21 February 2005

TRMOSTAL HY The Hon Richard Stanley Juns

TRUSTEE

CHAIRMAN

John Curtis

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RAINBOW TRUST CHILDREN'S CHARITY NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED 30TH JUNE 2004

1. ACCOUNTING POLICIES

Basis of Accounting

The financial statements are prepared under the historical cost basis, modified by the revaluation of investments and in accordance with the Statement of Recommended Practice (Accounting by Charities), SORP 2000, Companies Act 1985 and with applicable accounting standards.

Fund Accounting

Unrestricted funds comprise accumulated surpluses and deficits on general funds. They are available for use at the discretion of the Board of Trustees in furtherance of the general charitable objectives.

Designated funds are amounts that have been set aside at the discretion of the Board of Trustees.

Restricted funds are funds subject to specific restricted conditions imposed by the donors.

Incoming Resources

Incoming resources represents the total income receivable during the year comprising donations, income from fundraising activities and investment income.

Grants

Grant income is recognised in the accounting period to which it relates.

Resources Expended

The costs of respite and domiciliary care, fundraising and promotional publicity and of administration comprise expenditure, including staff costs, directly attributable to the activity. Where costs cannot be directly attributed they have been allocated to activities on a cost basis.

Central overheads are allocated to operational and fundraising functions on the basis of their use of central support services with the aim of ensuring that those costs remaining within administration relate to the management of the charity's assets, organisational administration and compliance with constitutional and statutory requirements.

Depreciation

Depreciation is calculated to write-off the cost of fixed assets over their estimated useful lives on the following basis:-

Freehold property (excluding land) Short leasehold property Swimming pool Freehold improvements Furniture and equipment Motor vehicles Computer equipment

2% on cost Over period of lease 10%-20% on cost 2% on cost 20% on net book value 25% on net book value 33% on net book value

Income tax

Income tax recoverable on covenants and gift aid accounted for on a receivable basis.

Basis of consolidation

The group financial statements consolidated the financial statements of Rainbow Trust Children's Charity and its subsidiary, Rainbow Trust Trading Limited drawn up to 30th June 2004. No statement of financial activities is presented for Rainbow Trust Children's Charity as provided by section 230 of the Companies Act 1985.

Donated assets

Where the charity has been donated assets or gifts in kind and it is possible to quantify the value then this is reflected in the statement of financial activities.

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RAINBOW TRUST CHILDREN'S CHARITY NOTES TO THE FINANCIAL STATEMENTS (continued) YEAR ENDED 30TH JUNE 2004

2.	GRANTS	2004 £	2003 £
	Community fund	24,320	95,000
3.	INVESTMENT INCOME	2004 £	2003 £
	Treasury stock interest and dividends	20,530	17,483
	Term deposit interest	10,000	4
	Other bank interest	25,822	23,322
	£56,352	£40,805	

4. RESULTS FROM TRADING ACTIVITIES OF SUBSIDIARY

Rainbow Trust Trading Limited is a wholly owned subsidiary of Rainbow Trust Children's Charity which is incorporated in the UK, pays all its profits to the charity by gift aid. The charity owns the entire issued share capital of 100 Ordinary shares of £1 each. A summary of the trading results is shown below.

Summary profit and loss account

	2004	2003
	£	£
Turnover	32,428	
Cost of sales and administrative expenses	(21,476)	-
Net profit	10,952	-
Amount gifted to the charity	(6,000)	-
Retained in the subsidiary	£4,952	£Nil
The assets and the liabilities		
Current assets	19,616	-
Creditors: amounts falling due within one year	15,707	-
Total net assets	£3,909	£Nil
Aggregate share capital and reserves	£3,909	£Nil

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RAINBOW TRUST CHILDREN'S CHARITY NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

5. ANALYSIS OF TOTAL RESOURCES EXPENDED

	Staff costs	Other costs	Depreciation	2004 Total	2003 Total
	£	£	£	£	£
Costs of generating funds					
Costs of November and May Ball	-	1,395,575	-	1,395,575	152,468
Costs of commercial operations	-	21,476	-	21,476	-
Costs of fundraising activities	-	146,478		146,478	48,207
Fundraising and publicity	364,790	110,346	9,245	484,381	273,042
Direct charitable expenditure			• •		
Respite and Domiciliary Carer services	1,381,176	673,468	69,251	2,123,895	1,773,311
Management and administration	50,111	80,558	4,744	135,413	102,832
	£1,796,077	£2,427,901	£83,240	£4,307,218	£2,349,860
Other costs consist of:					
				2004	2003
				£	£
Costs of November and May Ball				1,395,575	152,468
Costs of commercial operations				21,476	-
Costs of fundraising activities				146,478	48,207
Motor and travelling			× .	235,218	232,141
Rent rates etc				73,735	66,173
Repairs, renovations and relocation costs				92,613	39,767
Training and recruitment and other staff related costs				93,349	78,263
Printing, postage and stationery and telephor	e			69,920	54,555
Other operating costs				299,537	218,907
/				£2,427,901	£890,481

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RAINBOW TRUST CHILDREN'S CHARITY

NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

6.	NET INCOMING RESOURCES	2004 £	2003 £
	These are stated before charging:	-	*
	Depreciation - owned asset	83,240	54,096
	Audit fees	6,500	6,000
	Interest payable	1,169	-
7.	STAFF COSTS AND NUMBERS	2004	2003
	Wasses and relation	£ :	£
	Wages and salaries	1,544,981	1,250,798
	Social security costs Pension contribution	161,590	120,823
	Pension condition	44,764	33,662
		£1,751,335	£1,405,283
		2004	2003
		No	No
	Employee's earning over £50,000 fell into the following bandings.		
	£50,000 - £60,000	ł	1
	The average number of employees by function was		2002
	The average number of employees by function was:-	2004 No.	2003 No.
	Respite and domiciliary carer services	57	49
	Fund-raising and administration	18	16
		·····	
		75	65

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9.

TRUSTEES' REMUNERATION AND REIMBURSED EXPENSES

The board of trustees received no remuneration or reimbursed expenses during the year and there are no related party transactions.

FIXED ASSETS - GH	ROUP AND TI	RUST	Furniture			
	Freehold property &	Leasehold property	And equipment	Computer equipment	Motor Vehicles	Total
	Swimming pool					
COST	£	£	£	£	£	£
At 1st July 2003	921,125	9,894	209,870	80,000	7,200	1,228,089
Additions	80,646	<i>,</i> _	106,863	17,300	-	204,809
Write down of assets	, -	-	(142,157)	(50,748)	-	(192,905)
At 30th June 2004	1,001,771	9,894	174,576	46,552	7,200	1,239,993
DEPRECIATION				••••••••••••••••••••••••••••••••••••••		
At 1st July 2003	113,010	9,893	142,157	50,748	1,800	317,608
Write down of assets	-	-	(142,157)	(50,748)	-	(192,905)
Charge for year	48,900	-	20,070	12,470	1,800	83,240
At 30th June 2004	161,910	9,893	20,070	12,470	3,600	207,943
NET BOOK VALUE		Anna an Anna Anna Anna Anna Anna Anna A				
At 30th June 2004	£839,861	£1	£154,506	£34,082	£3,600	£1,032,050
At 30th June 2003	£808,115	£1	£67,713	£29,252	£5,400	£910,481
			112010-1100-110			

Note: Following the relocation of the Charity's offices certain of the assets have been written off. The net book value is not affected.

RAINBOW TRUST CHILDREN'S CHARITY

NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

9. FIXED ASSETS - GROUP AND TRUST (continued)

The net book value at 30th June 2004 represents fixed assets used for;

Leasehold Property £	And Equipment £	Computer equipment £	Motor Vehicles £	Total £
-	137,049	2,471	3,600	982,981
-	10,431	17,629	•	28,060
1	7,026	13,982	-	21,009
£1	£154,506	£34,082	£3,600	£1,032,050
	Property £ - 1	Property Equipment £ £ - 137,049 - 10,431 1 7,026	Property Equipment £ equipment £ equipment £ - 137,049 2,471 - 10,431 17,629 1 7,026 13,982 £1 £154,506 £34,082	Property Equipment equipment equipment Vehicles \pounds \pounds \pounds \pounds \pounds \pounds - 137,049 2,471 3,600 - 10,431 17,629 - - 10,431 17,629 - - 13,982 - - - \pounds \pounds \pounds \pounds

10. FIXED/ASSET INVESTMENTS - Group and Trust

	UK Listed £	In Subsidiary £	Cash £	Total £
Market value				
As at 1st July 2003	673,981	100	196,846	870,927
Additions at cost	101,420	-	600,000	701,420
Cash drawn down			(173,041)	(173,041)
Disposals at market value (Proceeds: £150,164)	(97,701)	-		(97,701)
Unrealised profits	67,600	-	•	67,600
As at 30th June 2004	£745,300	£100	£623,806	£1,369,206
Historic cost at 30th June 2004	£785,730	£100	£623,806	£809,636

Investment

Details of investments representing 5% or more of the market value at 30 June 2004 are as follows:

Schroder - The Charity Equity Fund Schroder- The Charity Fixed Interest Fund Schroder - UK Alpha Plus Income Units Other holdings < 5%

£	2
368	,289
64	,736
61	,524
250	,751
745	300

RAINBOW TRUST CHILDREN'S CHARITY

NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

11.	DEBTORS		Group		Trust	
		2004	2003	2004	2003	
		£	£	£	£	
	Prepayments and accrued income	65,864	34,132	65,864	34,13	
	Taxation recoverable	10,000	8,500	10,000	8,50	
	Amount due from trading subsidiary	-	-	13,945		
	Other debtors	76,142	82,577	75,097	82,57	
		152,006	125,209	£164,906	£125,20	
12.	CREDITORS: Amounts falling	Group		Trust		
	due within one year	2004	2003	2004	2003	
	-	£	£	£	£	
	Accruals and deferred income	155,147	50,759	153,383	50,759	
	Other taxation and social security	60,707	44,411	60,707	44,411	
	Other creditors	172,867	50,869	172,867	50,869	
	Due from trading subsidiary	-	-	-	100	
		£388,721	£146,039	£386,957	£146,139	
					<u></u>	
3.	DESIGNATED FUNDS		At 1st July	Utilised/	At 30th June	
			2003	Realised	2004	
			£	£	£	
	Development fund		-	1,319,500	1,319,500	
	Property and other fixed asset fund		387,793	68,686	456,479	

The property and other fixed assets fund represents the net book value of the charity's unrestricted tangible fixed assets.

The development fund represents funds set aside by the trustees for the future expansion of the charity.

RAINBOW TRUST CHILDREN'S CHARITY

NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

. RESTRICTED FUNDS	At 1st July 2003	Incoming Resources	Transfer	Resources Expended	At 30th Jun 2004
	£	£	£	£	£
South - Rainbow House	257,517	-	_	6,332	251,185
South - Rainbow house other expenditure	60,844	54,691	-	35,212	80,323
South - Hydrotherapy pool	234,862	5,700	-	34,885	205,677
South – Family support workers	· · · ·	44,269	-	17,283	26,986
Essex – Family support worker	-	5,045	-	2,000	3,045
Essex – Van	5,441		-	1,800	3,641
Swindon- Family support workers and related costs	27,335	110,013	-	136,470	878
North – Fernstone	13,144	36.971	-	35,727	14,388
North - Hydrotherapy pool	51,524	37,298	-	2,997	85,825
Other	-	8,121	-	2,459	5,662
North – Family Support Worker	-	29,660	-	13,432	16,228
	£650,667	£331,768		£(288,597)	£693,838
					

South – Rainbow House- freehold property. Following receipt of the Community Fund grant towards the hydrotherapy pool the conditions of the grant require that the whole property be shown as a restricted fund. The net book value of the property has been transferred from designated funds.

South - Rainbow House - funds towards kitchen, bathroom and garden refurbishment.

South - Hydrotherapy pool - funds for completion and maintenance. Income includes £95,000 from the Community Fund. The expenditure charged against the grant represents depreciation and amounts to $\pounds 20,063$ and therefore the grant remaining is $\pounds 74,937$.

South Family Support Workers - funds towards salary and operating costs of Care staff.

Essex - Family support worker. Represents Community funding towards a Family Support Worker covering the Essex area.

North - Fernstone - funds towards repair of playroom roofing.

North - Fernstone - funds towards refurbishment of the hydrotherapy pool.

Swindon - funds towards salary and operating costs of Swindon care staff

North - Family support worker. Represents Community funding towards a Family Support Worker covering the Humberside area.

15. GENERAL FUND

The general fund balance at 30 June 2004 is £790,339 which is sufficient to continue the work of the charity and its ongoing development.

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RAINBOW TRUST CHILDREN'S CHARITY

NOTES TO THE FINANCIAL STATEMENTS (continued)

YEAR ENDED 30TH JUNE 2004

16.	ANALYSIS OF GROUP NET ASSETS BETWEEN FUNDS Fund balances at 30th June 2004 are represented by:	Restricted Funds £	Unrestricted Funds £	Designated Funds £	Total Funds £
	Tangible fixed assets	575,571	-	456,479	1,032,050
	Investments	-	769,206	600,000	1,369,206
	Current assets	125,020	403.101	719.500	1,247,621
	Current liabilities	(6,753)	(381,968)	-	(388,721)
		£693,83 8	£790,339	£1,775,979	£3,260,156
		1			

17. TAXATION

As a registered charity, the company is not liable to income tax or corporation tax on income or gains derived from its charitable activities.

18. **COMMITMENTS**

At 30 June 2004 the Group had annual commitments under non cancellable operating leases as set out below:

	Land and buildings	Other	Total
	£	£	£
Annual commitments under			
non-cancellable operating			
leases expiring:			
Within one year		31,099	31,099
Within 1 to 2 years	8,000	79,428	87,428
Within 2 to 5 years	10,800	5,932	16,732
After 5 years	70,254	-	70,254
Total	£89,054	£116,459	£205,513
			-

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Disclosure

Mr GREGORY BOURNE 7 Larchfield Street Darlington County Durham DL37TG

United Kingdom

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Applicant Personal Details

Surname: BOURNE Forename(s): GREGORY

Date of Birth: 22/01/1968

Convictions

Date Court Offence Disposal NONE

Reprimands, Warnings and Cautions

Date Court Offence

Other Relevant Information

NONE. END OF DISCLOSURE **BASIC DISCLOSURE**

Disclosure Number:
Date of Issue:
page 01 of 01

Disposal

1 10100033624652 15/02/2006







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Referee

A character Reference can be obtained for Mr Gregory Bourne from the respected member of the community:

Ms Dorothy Sweet HM Inspector of Taxes 5 Larchfield Street Darlington County Durham DL3 7TG

Who has personally known the applicant for 8 Years.



DEVELOPMENT & ENVIRONMENT DEPARTMENT

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Trading Standards Section 11 Houndgate, Darlington DL1 5RF Tel: (01325) 388582 Fax: (01325) 388555 Web site: http://www.darlington.gov.uk Email: publicprotection@darlington.gov.uk

Miss Hutchinson UK Recycling Assistance 7 Roker Close Darlington DL1 2SL Date Please ask for Direct Line Your Reference Our Reference Document Name 20 January 2006 David Edgar 01325 388988

06/00134/TRA

Dear Miss Hutchinson

Re: UK Recycling Assistance Literature

I am writing to you following your visit to this office on 18 January 2006 requesting advice on your proposed literature and I enclose copies as reference.

The four sided leaflet lists the name of your company on two separate places and states 'Please help us promote re-use as well as our chosen charity of the year...' and 'We are helping..' to advise consumers that you are a separate company and that as part of your business you are helping the Rainbow Trust Charity.

At the base of the front page you confirm that your company are to 'pay royalties to Rainbow's Trading Company at the rate of 15% of turnover...'

Given this information it would appear to comply with trading standards legislation covering and descriptions made in the course of a trade or business although care should be taken with the definition of 'turnover' and evidence kept to show that this is being done.

You also provided a logo, which you wish to use on the bags provided for the collection. This logo again gives your name and the fact that 15% is to be donated to the Rainbow Trust.

The only advice given about this at the time was that it would be of benefit to insert 'We are helping' as it does on the leaflet.

Finally providing only general information is given on the outer bag ie) company name and telephone number there would not be an issue with any possible mis-description.



Director : John Buxton





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I hope this is of assistance with your enquiry and if you require any further advice please do not hesitate to contact me.

Yours sincerely

udin

David Edgar Trading Standards Officer



Director : John Buxton





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TRIPARTITE FORM OF AGREEMENT BETWEEN A CHARITY ITS TRADING COMPANY AND A COMMERCIAL PARTICIPATOR

(Version B - Lasts for less than One Year)

abriait **Amt**iai

Auth :____

08 SEP 2005

DATE

7th of September 2005

BETWEEN

Rainbow Trust Children's Charity And Rainbow Trust Trading Limited And UK Recycling Assistance

Definitions

In this agreement the following words and phrases shall have the following meanings, unless the context otherwise requires:

'The Act'	the Charities Act 1992
'Logo'	the logo of the charity, details of which appear in Schedule 1 which
	is a registered trade mark
'Name'	Charity, details of which appear in Schedule 1 which is a registered
	trademark
'Product'	the products/services details of which appear in Schedule 2
'Regulations'	the Charitable Institutions (Fundraising) Regulations 1994

Background

- a) Rainbow Trust Children's Charity ("Charity") is the beneficial owner of the name, logo and has licensed Rainbow Trust Trading Limited ("Trading Company") its Trading Company to exploit them and in particular to grant licences to commercial participators.
- b) The Trading Company covenants all of its taxable profits to the Charity
- c) UK Recycling Assistance is a commercial participator in relation to the Charity as defined in Section 58 of the Charities Act 1992.
- d) This agreement is entered into to comply with the Act and the Regulations.

1. Party's Involved

- Rainbow Trust Children's Charity (The Charity) (Charity No 1070532), (Company No 3585123), Whose Registered address is 6 Cleeve Court, Cleeve Road, Leatherhead, Surrey, KT22 7UD.
- Rainbow Trust Trading Limited (The Trading Company)(Company number 2361243), whose registered address is 6 Cleeve Court, Cleeve Road, Leatherhead, and Surrey, KT22 7UD.
- 3) UK Recycling Assistance (Registration No 2263006), the proprietors will accept service of documents at PO Box 65, Darlington, DL1 9AJ

2. Product

The purpose of the agreement is for UK Recycling Assistance to raise funds for Rainbow Trust Via its Trading Company by:

- Clothing Street Collections, a letter will be posted to households with a collection sack appealing for donations of clothing and other material items as well as Mobile Phones (format to be agreed).
- Mobile Phone Collections, there may be an appeal for Mobile Phones going out to Households and business's as well as an insertion on the Charity's web site to deal with enquires relating to the Mobile Phone appeal and to deal with any other collection enquires (format to be agreed).
- Ink Cartridge Collections, this will involve UK Recycling Assistance or agents acting on their behalf to contact business's and asking them to donate their used Ink Cartridges, if agreed an appropriate collection method will be implemented (format to be agreed)

3. Appointment of Sub-licensee

In consideration of the undertakings given by UK Recycling Assistance in this agreement, the Trading Company hereby appoints UK Recycling Assistance as its exclusive licensee to use the name and logo in connection with the products in section 2 within the UK for the term under 6.1 subject to termination in accordance with Clause 6.

4. Obligations of UK Recycling Assistance

UK Recycling Assistance undertakes with the Charity and the Trading Company that it shall:

- 4.1 Not bring the name or the logo into disrepute in any way whatsoever
- 4.2 Promote the sales of the product throughout the UK to the best of its abilities
- 4.3 Create and manage the design artwork, print and manufacture of the product and all advertising materials relating thereto, but on condition that it shall obtain the prior written approval of the Charity (which approval shall not be unreasonably withheld or delayed) to all materials which bear the name and/or logo

- 4.4 Be responsible for the production, promotion, marketing and distribution of the product and to that end may enter into such reasonable agreement as it shall think fit so as to fulfil its obligations under this agreement
- 4.5 Ensure that the product shall be of good quality and comply in all respects with all relevant statutory standards and shall contain the statement:

UK Recycling Assistance pays royalties to the Trading Company at the Rate of 15% of Turnover from the Sale of Goods Generated from all Operations Relating to the Registered Charity - Rainbow Trust Children's Charity (1070532). UK Recycling Assistance is Responsible for all Operating Costs from such Activities

And shall not use the name and logo in any other manner whatsoever without the prior written consent of the Charity and the Trading Company (such consent not to be unreasonably withheld or delayed)

- 4.6 Keep separate, legible and detailed books of account and records relating to the sales of the product and shall allow the Charity and the Trading Company, its employees, agents and professional advisers to inspect, audit and take copies of any such books of account, VAT records, bank statements of UK Recycling Assistance
- 4.7 Pay all monies due to the Trading Company from UK Recycling Assistance every 4 months into a separate bank account in UK Recycling Assistance's name and marked *"Rainbow Trust - Trust Account"*
- 4.8 Promptly pay to the Trading Company any sums revealed as having been underpaid as a result of an inspection pursuant to 4.6
- 4.9 Pay the reasonable professional costs of inspection under 4.8 in full if it has made an underpayment of at least 10% of the sums due
- 4.10 Provide details to the Charity and Trading Company of the sales of the product every 4 months from the date of agreement and of the royalty transferred under 4.7 of this agreement
- 4.11 Arrange that the statements of royalty prepared under this agreement are Certified and that a copy of such a certificate is promptly given to the Charity and Trading Company
- 4.12 Abide at all times with Part II of the Charities Act 1992 and in particular will state on all notices, advertisements and other documents soliciting funds for Rainbow Trust the fact that **Rainbow Trust** is a registered charity and its registered charity number is 1070532

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5. The Royalty

- 5.1 UK Recycling Assistance shall pay to Rainbow Trust Trading Company the royalty of 15% of Turnover plus VAT (if applicable)
- 5.2 prior to the payment of an instalment of royalty, UK Recycling Assistance shall advise Rainbow Trust Trading Company of the amount due and Rainbow Trust Trading Company shall promptly render a VAT invoice to UK Recycling Assistance in respect of the instalment
- 5.3 Rainbow Trust Trading Company undertakes with UK Recycling Assistance that it will donate all its taxable profits for the financial period(s) to which this agreement relates to the charity

6. Term of agreement and Termination

- 6.1 The Term of this agreement shall be 360 days from the date of this agreement. A written notice period of 120 days is required prior to termination, otherwise UK Recycling Assistance would conclude that another term of agreement is intended and therefore would purchase stock to this effect.
- 6.2 The Charity and Trading Company shall be entitled to terminate this agreement forthwith if:
 - (i) UK Recycling Assistance fails to pay any sum due to the Trading Company after the due date and Trading Company has given UK Recycling Assistance 30 days written notice requiring it to pay and UK Recycling Assistance has failed to pay in the 30 day period
 - UK Recycling Assistance does anything which in the reasonable opinion of the Charity or the Trading Company, brings or is reasonably likely to bring the name or logo or reputation of the Charity into disrepute
 - (iii) A resolution is passed for the voluntary or compulsory liquidation of UK Recycling Assistance or a receiver is appointed over all or part of its business.
- 6.3 If the Charity or the Trading Company terminates this agreement under 6.1 UK Recycling Assistance will no longer be authorised to use the name and logo and will cease immediately the distribution and sale of all existing products bearing the name and/or logo

- 6.4 Subject to Charity or the Trading Company's right to terminate under 6.2 this agreement shall last for the term, termination outside section 6 clause and UK Recycling Assistance shall have the right to sell all existing copies of the product which bear the name and/or logo as if termination had not taken place and in accordance with this agreement and it shall account to the Trading Company for all royalty payments in respect of such sales and the rights of Trading Company under this agreement shall continue during that period
- 6.5 Notwithstanding termination of this agreement clauses 4, 5 and 9 shall survive termination.

7. Indemnity

7.1 UK Recycling Assistance agrees to indemnify the Charity and the Trading Company in respect of any costs, claims, loss or liability whatsoever suffered by the Charity or the Trading Company (including reasonable legal costs and disbursements) as a result of any breach by UK Recycling Assistance of any of the terms of this agreement

8. Exclusive Agreement

8.1 The Charity and Trading Company undertakes with UK Recycling Assistance that for the duration of this agreement they will not enter into a similar agreement with any other party in respect of a product or service which is similar under section 2 of this agreement

9. Confidentiality

The Charity and Trading Company agrees with UK Recycling Assistance and UK Recycling Assistance with the Charity and Trading Company, to treat as secret and confidential and not to at any time, for any reason, disclose or permit to be disclosed to any person or persons, or otherwise make use of or permit to be made use of, any information relating to UK Recycling Assistance or Charity and Trading Company's business affairs or finances (as the case may be) where knowledge or details of the information were received during the period of the agreement.

The obligations of confidence referred to in this clause shall not apply to any confidential information which:

9.1 Is in the possession of and is at the free disposal of Charity and Trading Company or UK Recycling Assistance, or is published or is otherwise in the

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About Rainbow Trust

Since 1986 Rainbow Trust Children's Charity has been providing a helping hand, a listening ear and a shoulder to cry on when things get tough. Rainbow Trust recognizes that caring for a sick child can be stressful and demanding and that children with a life threatening or terminal condition often prefer to be cared for in their homes, which is why practical and emotional support is provided completely free of charge through:

- Care in the families' own homes
- Respite breaks for the whole family, either at Rainbow House in Surrey or Rainbow Fernstone in Northumberland

Rainbow Trust's Family Support Workers provide care that is tailored to the needs of each family member. They help to maintain family cohesion and provide an emotional lifeline at a time of extreme stress and trauma from diagnosis, through to bereavement and beyond.

On a practical level they help with the normal activities of daily life by supporting anxious parents, sick children and worried siblings. They provide help with running the home, provide transport and assist with endless hospital visits. Rainbow Trust understands that when a child is very ill all members of the family are affected, especially brothers and sisters.

Care workers provide 24-hour cover at the critical stage of a child's life and ensure the whole family receives appropriate support.

Rainbow Trust's two respite centres are carefully designed to cater for the needs of families under stress, up to three families can stay at any one time and relax in warm and welcoming surroundings away from the pressures of living with a very sick child at home. Both houses are set in spacious gardens and are fully staffed by professional care workers to provide respite support for the whole family.

Mia's Story

Mia Clark was just 18 months old when doctors discovered a large tumour in her stomach. Little Mia had to endure major operations, chemotherapy and a stem cell transplant as the cancer relapsed three times.

Christina, Rainbow's Family Support Worker, did what she could. "She was always there at the right time and she knew how to pick things up in a way that fitted in with what daily routine we could manage," remembers Lisa. "She'd collect Charlotte and Molly from school and help them with their homework, or sit with Mia so that we could have time to spend with them ourselves."

"After Mia died, Christina continued to give us amazing support," says Lisa.

As a bereaved family they've been to Rainbow House. The support Gary and Lisa received at Rainbow House restored their faith in the future. "We would never have been brave enough to try for another baby (Jemima) if we hadn't come across Rainbow Trust," says Lisa.

"People might think that you get over the death of a child," adds Gary. "The reality is that hopefully, you merely find a way through. Rainbow Trust helped us do that."

For more information about Rainbow go to:

www.rainbowtrust.org.uk

Additional information about Rainbow can be found in the Financial Accounts included in this application pack.

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By virtue of paragraph(s) 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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