

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

- 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

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

### RISK ISSUES

- 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	

- 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

- 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.
- 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."
- 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

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