

## LICENSING BOARD

**Venue:** Bailey Suite, Bailey House, Rawmarsh Road,  
Rotherham.

**Date:** Wednesday, 14 April 2010

**Time:** 9.30 a.m.

### A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Minutes of the Board held on 17th March, 2010 (herewith) (Pages 1 - 2)
4. House to House Collections (report herewith) (Pages 3 - 16)
5. Licensing Fees 2010/11 (Licensing Manager to report)
6. Exclusion of the Press and Public.  
The following item is likely to be considered in the absence of the Press and Public as being exempt under the Police Act 1997 and Paragraphs 3 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime)
7. Applications for the Grant/Review of Hackney Carriage/Private Hire Drivers' Licences (reports herewith) (Pages 17 - 26)

24Q

**LICENSING BOARD**  
**17th March, 2010**

Present:- Councillor F. Wright (in the Chair); Councillors Burton, Dodson, Falvey, Foden, Goult, N. Hamilton, Havenhand, McNeely, P. A. Russell, Slade and Swift.

Apologies for absence were received from Councillors Donaldson, Doyle, J. Hamilton, Jack, Sangster and Wootton.

**Q54. MINUTES**

Resolved:- That the minutes of the meeting of the Licensing Board held on 17th February, 2010 be approved as a correct record for signature by the Chairman.

**Q55. HOUSE TO HOUSE COLLECTION**

The Senior Licensing Officer submitted a report concerning the following application for the grant of a licence to carry out house to house collections:-

<b>Organisation</b>	<b>Area</b>	<b>Date</b>
Fundraising Initiatives Ltd.	Whole of Rotherham Borough	1st to 27th March, 2010

Resolved:- That the application be approved.

**Q56. EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the Police Act 1997 and Paragraphs 3 and 7 of Part I of Schedule 12A to the Local Government Act 1972 (business affairs and prevention of crime).

**Q57. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES - APPLICATIONS**

The Board considered reports by the Director of Housing and Neighbourhood Services relating to applications for the grant of hackney carriage/private hire drivers' licences from Messrs. J.H., M.K., M.J.B. and M.Z.

Messrs. J.H. and M.K. attended the meeting and were interviewed by the Board.

Resolved:- (1) That the applications in respect of Messrs. J.H., M.K. and M.Z. be refused.

(2) That consideration of the application in respect of Mr. M.J.B. be deferred until the next meeting.

**Q58. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' LICENCES**

The Board considered reports by the Director of Housing and Neighbourhood Services relating to the hackney carriage/private hire drivers' licences held by Messrs. I.P.D., A.H. and Z.A.

Messrs. I.P.D., A.H. and Z.A. attended the meeting and were interviewed by the Board.

Resolved:- That Messrs. I.P.D., A.H. and Z.A. be warned as to their future conduct.

(Councillor Dodson declared a personal interest in the matter relating to Mr. I.P.D., Mr. I.P.D. being known to him and left the room during consideration of that item)

**Q59. PRIVATE HIRE OPERATOR'S LICENCE**

The Board considered a report by the Director of Housing and Neighbourhood Services relating to the private hire operator's licence held by Mr. W.S.H.

The Board also heard evidence from the complainants and a Licensing Enforcement Officer.

Resolved:- That the private hire operator's licence held by Mr. W.S.H. be revoked.

<b>1. Meeting:</b>	<b>Licensing Board</b>
<b>2. Date:</b>	<b>14 April 2010</b>
<b>3. Title:</b>	<b>Determination of Licensing Issues - House to House Collections</b>
<b>4. Programme Area:</b>	<b>Neighbourhoods and Adult Services</b>

**5. Summary**

This report concerns applications made for proposed House to House collection Promoters permits in or about the Borough of Rotherham.

Where a person who is promoting, or proposes to promote, a collection in any locality for a charitable purpose makes an application to the authority for the area in the prescribed manner specifying the purpose of the collection and the locality within which the collection is to be made, and furnishes them with the prescribed information, the authority shall, subject to the provisions of the act, grant to them a licence authorising them to “promote” a collection within that locality for that purpose.

“Promoter” means, in relation to a collection, a person who causes others to act as collectors for the purposes of the collection.

**6. Recommendations**

**THAT MEMBERS INFORM THE LICENSING OFFICER OF THEIR DECISION ON EACH CASE.**

## 7. Proposals and Details

The following application for a promoters permit has been received by the Licensing Office for consideration of a House to House collection:-

- |                                |   |
|--------------------------------|---|
| 1. Charity/Charitable Purpose: | <b><u>Childrens Aid Foundation – Charity Reg. 1124550</u></b> |
| Permit Applicant               | Childrens Aid Foundation – C Wilson (Promoter)                |
| Permit Collection Area         | Whole Area of Borough   |
| Collection Dates/times         | 12/04/2010 to 30/04/2010                                      |

Further details and the application for this permit, are attached at “Appendix A” of this report.

- |                                |   |
|--------------------------------|---|
| 2. Charity/Charitable Purpose: | <b><u>Rotherham Hospice – Charity Reg. 700356</u></b> |
| Permit Applicant               | BRC Promotions Ltd – M Campion (Promoter)             |
| Permit Collection Area         | Whole Area of Borough                                 |
| Collection Dates/times         | 18/04/2010 to 18/04/2011                              |

Further details and the application for this permit, are attached at “Appendix A” of this report.

Should the licence be granted at the hearing any permit would only run from the date of grant to the requested expiry date unless otherwise granted by members.

## 8. Finance

Permits for House to House collections in or about the Borough of Rotherham are provided free of charge to applicants. Any relating enforcement and other matters of application processing are financed through the authority’s normal budgeting methods.

## 9. Risks and Uncertainties

Failure to consider each application to the extent that members feel necessary to satisfy themselves they have reached a reasoned decision could lead to inappropriate collections being made within the Borough.

## 10. Policy and Performance Agenda Implications

The granting of House to House permits is consistent with the Corporate Plan and community strategy as it ensures the deliver under the themes of a Safer and Fairer Rotherham; also ensuring that the Council continues to maintain its statutory functions and undertakes appropriate enforcement to support the delivery of safe communities in Rotherham.

## 11. Background Papers and Consultation

Applications received, as detailed in section 7 of this report and associated appendices.

**Contact Name:** Katy Giller, Senior Licensing Officer, 4525, [katy.giller@rotherham.gov.uk](mailto:katy.giller@rotherham.gov.uk)

## Neighbourhood and Adult Services

### Application for a House to House Collections Promoters Licence

For office use only	
Date	
Fee	Free of Charge
Permit number	

Use this form to apply for a house to house promoters collection licence. The licence will allow you to authorise collectors to collect from door to door for charitable purposes. No collection for a charitable purpose may be made in the locality unless the applicant is an appropriately licensed promoter by this authority, or holds an exemption granted by the Secretary of State from obtaining a licence from this authority.

The attention of applicants for licences under the House to House Collections Act is drawn to Paragraph 4 of the House to House Collections Regulations 1947 made by the Secretary of State on the 12 December 1947. This paragraph provides that ordinarily an application for licence shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

### House to House Collections Act 1939 House to House Collections Regulations 1947 (as amended)

#### Data Protection Act, 1998

We may use the information you have provided in this form to carry out checks to prevent and detect fraud or crime. We may use the information in this way or for connected purposes, and we may also share the information with certain other people or organisations who manage or protect public funds. By signing this application, you are agreeing to us using your information in this way.

**Please answer all the questions on this form in BLOCK CAPITALS and in ink.  
Enter NONE or N/A as appropriate in all boxes you do not enter information in.**

#### Applicants personal details (Promoter)

1. Your Title (Mr, Mrs, Miss, etc):  Date of Birth:

Surname:  First names:

Home Address:   
  
Post code:

Home phone number:  Mobile phone number:

E-mail address:

#### Details of Business or Organisation Responsible for the Collection

2. Name of Business/Organisation conducting collection:

Office address of the Business/Organisation:   
  
Post code:

Contact phone number:  Mobile phone number:

E-mail address:

2. a. Are you an employee of this Business/Organisation YES  No  *Trustee*

If YES, please state your position within the Business/Organisation:

\*If NO, you must supply a letter, with this application form, from the Society/Organisation to benefit from the collection and which is authorising you to organise collections on the society's behalf.

**Licensing history**

3. Have you, or the business ever held a house to house collection licence before? Yes  No

If 'Yes', who issued it?

What date was it granted?  What licence number was it?

3.a. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order **with this** local authority, refused, or revoked before? Yes  No

3.b. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order, **with any other authority** refused, or revoked before? Yes  No

If Yes, where was it held, when was it refused, or revoked and why was it revoked?  
Please use an extra sheet if required.

**Collection Details**

4. Name of Society/Charity/Fund to benefit from the proceeds of this collection:

Address of the Society/Charity/Fund:

Post code:

E-mail address:  Contact phone number:

4.a. Objective/aims of the Society/Charity/Fund to benefit from the proceeds of this collection. Please attach recent literature, & accounts etc.

4.b. Is the Society/Charity/Fund a registered charity Yes  No  Registered Charity Number:

4.c. Over what parts of the licensing area is it proposed that collections will be made?

4.d. Over what periods in the year, dates & times, is it proposed that collections will be made?

**Collection Details - Continued**

4.e. How many collectors will be permitted to make the collections:

4.f. Is it proposed to collect money including direct debits as money Yes  No  Direct Debits

4.g. Is it proposed to collect "other" types of property Yes  No

If Yes, what type(s) of property will be collected (include direct debits as a collection of money)

Is it proposed to Sell, Give Away, or Use this "other" property Sell  Give Away  Use

4.h. Are applications also being made for licences for the same purposes in other areas of the UK: Yes  No

If Yes, which other licensing authorities

How many collectors will be permitted to make these collections

Will these collectors be the same collectors as those you intend to use in this authority Yes  No

4.i. Is it proposed to promote this collection in conjunction with a street collection Yes  No

If Yes, is it proposed to combine the House to House and Street Collection accounts or submit separate accounts: Combined accounts  Separate accounts

4.j. If the collection is for a War Charity, state if the charity has been registered or exempted from registration under the War Charities Act 1940, and give the name of the registration authority, date of registration or exemption in the box below.

**Proceeds of Collections Details**

5. Are the whole of the receipts to be paid over to the Society/Charity/Fund Yes  No

If NO, please state the purposes for which deductions will be made

5.a. Please state how much will be deducted for expenses or other purposes

5.b. Is it proposed to use some of the proceeds for the remuneration of any persons Yes  No

If YES; is it to Collectors Yes  No  is it to Other Persons Yes  No

5.c. Please state details, how much will be deducted, for what reasons and if applicable what "other persons"

**Applicant Promoter's "Criminal Records" history request**

6. **Convictions, Cautions, Warnings and Reprimands Details.** In the box at 6.b. list any convictions/cautions etc you may have which are not considered as "spent" with in the terms of the "Rehabilitation of Offenders Act 1974".

6.a. Are you waiting to hear about any prosecutions or other actions of any type, pending against you? Yes  No

If 'Yes' please give details in this box.



**Applicant Promoter's "Criminal Records" history request (continued)**

6.a. If known, name of court hearing the case:  If known, date of future court hearing date:  /  /

6.b. Have you ever been convicted of any criminal offence, or received any police cautions, warnings or reprimands? (If you answer YES to this question give details in the box below.) Yes  No

Date of conviction(s)	Details of Offence(s) and Conviction(s)	Sentence Or Penalty
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		
/ /		

**Declaration**

I am aware that should a House to House Collection Licence be granted to me the collection must take place in strict compliance with the House to House Regulations, which I have read and fully understand. I am aware that it is also necessary for me to submit a certified form of statement within 28 days of the collection taking place.

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 in this form.

Applicants Signature CWilson Date form signed by applicant 111 3 / 10

For office use only					
Date form received in Licensing Office		Refer to licensing board for consideration	Yes <input type="checkbox"/>	Date of Board Meeting Hearing application	
			No <input type="checkbox"/>		
		Decision of Licensing Board	Grant <input type="checkbox"/>	Comments:	
			Refuse <input type="checkbox"/>		
Date Permit Sent Out to applicant		Permit Issue Number		Dates permit Valid	
				From:	.....
				To:	.....



I hereby confirm that Clare Wilson is authorised to book collections on behalf of this charity.

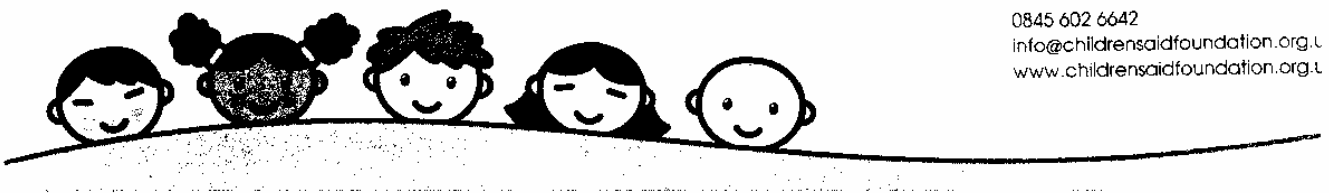
Yours Faithfully



Jan Dickinson/ Chairperson

Childrens Aid Foundation  
Mulberry House  
12b The Green  
Elwick TS27 3ED

0845 602 6642  
[info@childrensaidfoundation.org.uk](mailto:info@childrensaidfoundation.org.uk)  
[www.childrensaidfoundation.org.uk](http://www.childrensaidfoundation.org.uk)



**CHILDREN'S AID FOUNDATION**  
**STATEMENT OF RECEIPTS AND PAYMENTS**  
**FOR THE PERIOD ENDED 31 AUGUST 2009**

	Note	Unrestricted Funds £	2009 Total Funds £
<b><u>Receipts</u></b>			
Donations and fundraising	3	19,002	19,002
<b>Total Receipts</b>		19,002	19,002
<b><u>Payments</u></b>			
Beneficiaries	4	4,997	4,997
Equipment purchased on behalf of beneficiaries		2,180	2,180
Administration services		2,332	2,332
Insurance		415	415
Polo shirts		228	228
Leaflet, posters and stickers		1,459	1,459
Letterheads		1,009	1,009
Booklet publication and design		1,552	1,552
Website design		805	805
Soft toys		605	605
Collecting boxes		356	356
Licence fee		109	109
		16,047	16,047
<i>Payments Relating to Assets</i>			
Sign boards		1,342	1,342
<b>Total Payments</b>		17,389	17,389
<b>Surplus for the Period</b>		1,613	1,613

**CHILDREN'S AID FOUNDATION**  
**STATEMENT OF BALANCES**  
**(INCLUDING STATEMENT OF ASSETS AND LIABILITIES)**  
**AS AT 31 AUGUST 2009**

	Unrestricted Funds £	Total 2009 £
<b><u>Cash Funds</u></b>		
Surplus Shown on Receipts and Payments Account	1,613	1,613
Cash and Bank at the Period End	1,613	1,613
<b><u>Other Assets (@COST)</u></b>		
Signboards	1,342	1,342
<b><u>Liabilities</u></b>		
Polo Shirts	422	422
Accountancy	460	460
	882	882

Approved by the trustees on this 1<sup>st</sup> day of December 2009 and signed on their behalf.

C Wilson  
Trustee

*C Wilson* 11.12.09.

**CHILDREN'S AID FOUNDATION**  
**NOTES TO THE ACCOUNTS FOR THE PERIOD ENDED 31 AUGUST 2009**

1. **Accounting policies**

The receipts and payments accounts have been drawn up as a summary of the receipts and payments made during the year by the association. Amounts are included as received by the association or as cheques are drawn.

The statement of assets and liabilities includes amounts due to the charity and amounts payable by the charity for which bills were received relating to the year ended 31 August 2009 but which had not been paid at that date. The accounts and statement do not include other accruals and prepayments in respect of income or expenses.

The receipts and payments accounts and statement of assets and liabilities have been prepared following the guidance for accounting for smaller charities issued by the charity commission.

2. **Nature and purpose of funds**

Unrestricted funds are available for general purposes in accordance with the charity's purpose.

3. **Donations**

<b>Unrestricted Funds</b>	<b>Total 2009</b>
<b>£</b>	<b>£</b>
Individuals	16,402
	16,402

4. **Grants**

<b>No of Grants Made</b>	<b>£</b>
Joshua Edwards                      Individual	1,000
Riding for Disabled Teesside Group   Institution	100
Butterwick Hospice                      Institution	500
Technology in Motion                      Institution	2,000
Mrs A Nodwell                              Individual	397
Northern Ireland Children's Hospice   Institution	1,000
	4,997
Equipment purchased on behalf of beneficiaries   3	2,180

## Neighbourhood and Adult Services

### Application for a House to House Collections Promoters Licence

For office use only	
Date	
Fee	Free of Charge
Permit number	
Lalpac entry date:	
Board Result	

Use this form to apply for a house to house promoters collection licence. The licence will allow you to authorise collectors to collect from door to door for charitable purposes. No collection for a charitable purpose may be made in the locality unless the applicant is an appropriately licensed promoter by this authority, or holds an exemption granted by the Secretary of State from obtaining a licence from this authority.

The attention of applicants for licences under the House to House Collections Act is drawn to Paragraph 4 of the House to House Collections Regulations 1947 made by the Secretary of State on the 12 December 1947. This paragraph provides that ordinarily an application for licence shall be made not later than the first day of the month preceding that in which it is proposed to commence the collection.

### House to House Collections Act 1939 House to House Collections Regulations 1947 (as amended)

#### Data Protection Act, 1998

We may use the information you have provided in this form to carry out checks to prevent and detect fraud or crime. We may use the information in this way or for connected purposes, and we may also share the information with certain other people or organisations who manage or protect public funds. By signing this application, you are agreeing to us using your information in this way.

**Please answer all the questions on this form in BLOCK CAPITALS and in ink.  
Enter NONE or N/A as appropriate in all boxes you do not enter information in.**

#### Applicants personal details (Promoter)

1. Your Title (Mr, Mrs, Miss, etc):  Date of Birth:

Surname:  First names:

Home Address:   
  
 Post code:

Home phone number:  Mobile phone number:

E-mail address:

#### Details of Business or Organisation Responsible for the Collection

2. Name of Business/Organisation conducting collection:

Office address of the Business/Organisation:   
  
 Post code

Contact phone number:	08448 732 444	Mobile phone or Fax number:	mobile: 07825 604 222
E-mail address:	mark@brc-uk.com		

2. a. Are you an employee of this Business/Organisation YES  No

If YES, please state your position within the Business/Organisation: Director

\*If NO, you must supply a letter, with this application form, from the Society/Organisation to benefit from the collection and which is authorising you to organise collections on the society's behalf.

### Licensing history

3. Have you, or the business ever held a house to house collection licence before? Yes  No

If 'Yes', who issued it? Oldham Council

What date was it granted? 15 / 03 / 2010

What licence number was it? HH0062

3.a. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order **with this** local authority, refused, or revoked before? Yes  No

3.b. Have you, or to your knowledge anyone associated with this collection, ever had a house to house licence or order, **with any other authority** refused, or revoked before? Yes  No

If Yes, where was it held, when was it refused, or revoked and why was it revoked?

Please use an extra sheet if required.

### Collection Details

4. Name of Society/Charity/Fund to benefit from the proceeds of this collection: The Rotherham Hospice

Address of the Broom Road

Society/Charity/Fund Rotherham

South Yorkshire

Post code S60 2SW

E-mail address: Colin.cambell@rotherham.nhs.uk

Contact phone number: 01709 308918

4.a. Objective/aims of the Society/Charity/Fund to benefit from the proceeds of this collection. Please attach recent literature, & accounts etc. Supporting care for patients with life limiting illnesses

4.b. Is the Society/Charity/Fund a registered charity Yes  No  Registered Charity Number 700356

4.c. Over what parts of the licensing area is it proposed that collections will be made? Whole Borough

4.d. Over what periods in the year, dates & times, is it proposed that collections will be made? Between 18 April 2010 to 18 April 2011

**Collection Details - Continued**

4.e. How many collectors will be permitted to make the collections:

Up to 3

4.f. Is it proposed to collect money including direct debits as money Yes  No  Direct Debits  by Standing Order4.g. Is it proposed to collect "other" types of property Yes  No 

If Yes, what type(s) of property will be collected (Include direct debits as a collection of money)

Standing Order direct payments

Is it proposed to Sell, Give Away, or Use this "other" property Sell  Give Away  Use 4.h. Are applications also being made for licences for the same purpose in other areas of the UK: Yes  No 

If Yes, which other licensing authorities

How many collectors will be permitted to make these collections

Will these collectors be the same collectors as those you intend to use in this authority Yes  No 4.i. Is it proposed to promote this collection in conjunction with a street collection Yes  No If Yes, is it proposed to combine the House to House and Street Collection accounts or submit separate accounts: Combined accounts  Separate accounts 

4.j. If the collection is for a War Charity, state if the charity has been registered or exempted from registration under the War Charities Act 1940, and give the name of the registration authority, date of registration or exemption in the box below.

**Proceeds of Collections Details**5. Are the whole of the receipts to be paid over to the Society/Charity/Fund Yes  No 

If NO, please state the purposes for which deductions will be made

Fee per member

5.a. Please state how much will be deducted for expenses or other purposes

£30 / member

5.b. Is it proposed to use some of the proceeds for the remuneration of any persons Yes  No If YES; is it to Collectors Yes  No  is it to Other Persons Yes  No 

5.c. Please state details, how much will be deducted, for what reasons and if applicable what "other persons"

£30 fee per member to BRC

**Applicant Promoter's "Criminal Records" history request**6. **Convictions, Cautions, Warnings and Reprimands Details.** In the box at 6.b. list any convictions/cautions etc you may have which are not considered as "spent" with in the terms of the "Rehabilitation of Offenders Act 1974".6.a. Are you waiting to hear about any prosecutions or other actions of any type, pending against you? If 'Yes' please give details in the box below Yes  No



**Applicant Promoter's "Criminal Records" history request (continued)**

6.a. If known, name of court hearing the case:  If known, date of future court hearing date:  /  /

6.b. Have you ever been convicted of any criminal offence, or received any police cautions, warnings or reprimands? (If you answer YES to this question give details in the box below.) Yes  No

Date of conviction(s)	Details of Offence(s) and Conviction(s)	Sentence Or Penalty
/ /		
/ /		
/ /		
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/ /		

**Declaration**

I am aware that should a House to House Collection Licence be granted to me the collection must take place in strict compliance with the House to House Regulations, which I have read and fully understand. I am aware that it is also necessary for me to submit a certified form of statement within 28 days of the collection taking place.

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 in this form.

Applicants Signature \_\_\_\_\_ Date form signed by applicant / /

For Office use only					
Date form received in Licensing Office		Refer to licensing board for consideration	Yes <input checked="" type="checkbox"/>	Date of Board Meeting Hearing application	
		Decision of Licensing Board	Grant <input type="checkbox"/> Refuse <input type="checkbox"/>	Comments:	
Date Permit Sent Out to applicant		Permit Issue Number		Dates permit Valid From:	.....
				To:	.....

By virtue of paragraph(s) 3, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted