ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

Meeting:	Licensing Board Sub-Committee
Date:	5th November 2018
Title:	**Determination of Applications for a House to House Collection Permit**
Directorate:	Regeneration and Environment

1. Summary

This report concerns applications made for proposed House to House Collection Promoters permits in or about the Borough of Rotherham. The applications have been made in accordance with the House to House Collections Act 1939.

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.

2. Recommendations

- That the Sub-Committee informs the Licensing Manager of the decision in relation to each of the applications introduced by this report.

3. Proposals and Details

The Council has recently received a total of eight applications for consideration of a House to House collection permit. Further details on each of these is provided below:

Application 1

Charity / Charitable Purpose:	Cancer Support UK (Registered Charity 05048319)
Permit Applicant:	Steve Jenkinson
Collections Made By:	Clothes Aid (Services) Ltd
Permit Collection Area:	Whole of Borough
Collection Dates/times:	12 months from 1st November 2018.
Further Information:	See Appendix 1 to this report.

Charitable Objectives:	As defined on the application are: Provision of practical and emotional support to people with cancer, both during and after the treatment period.
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: This would enable the charity to give the support needed.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 1.

Application 2

Charity / Charitable Purpose:	Rotherham Lion's Club
Permit Applicant:	Peter Machin
Collections Made By:	Rotherham Lion's Club
Permit Collection Area:	Whole of Borough
Collection Dates/times:	Last week in November 2018 until 24th December 2018.
Further Information:	See Appendix 2 to this report.
Charitable Objectives:	As defined on the application are: For the residents of Rotherham Borough on welfare cases, medical anything that is needed i.e. house fire this weekend we supplied bedding to all four occupants.
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: All proceeds from Rotherham Lions goes into our own local community. We give away around £30K a year on all deserving cases.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 2.

Application 3

Charity / Charitable Purpose:	Treating Children with Cancer (Registered Charity 1132491)
Permit Applicant:	Lynne Walker

Collections Made By:	Treating Children with Cancer
Permit Collection Area:	Whole of Borough
Collection Dates/times:	12 month period from 1st December 2018 (collections limited to 8am to 5pm).
Further Information:	See Appendix 3 to this report.
Charitable Objectives:	As defined on the application are: To raise funds to assist in the treatment and research of treatments for children with cancer..
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: As above.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 3.

Application 4

Charity / Charitable Purpose:	Mexborough and District Lions Club
Permit Applicant:	Neil Luckcuck
Collections Made By:	Mexborough Lions Club
Permit Collection Area:	Wath, Manvers, Brampton
Collection Dates/times:	22nd November, 11th, 17th and 22nd December (between 10am and 8pm).
Further Information:	See Appendix 4 to this report.
Charitable Objectives:	As defined on the application are: To raise funds and help needy people in our area.
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: Various donations of white goods, furniture etc to needy people. Support care home in area.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 4.

Application 5

Charity / Charitable Purpose:	Coping with Cancer North East (Registered Charity 513820)
Permit Applicant:	Olena Romanyshyn
Collections Made By:	Unicare Ltd
Permit Collection Area:	Whole of Borough
Collection Dates/times:	12 months from 1st January 2019.
Further Information:	See Appendix 5 to this report.
Charitable Objectives:	As defined on the application are: To support services for cancer patients and their carers in the North East. Weekly complementary therapy in chemotherapy day unit at St Foundation Hospital, 3 sessions at St Claire's and weekly breast cancer support group.
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: See information attached as Appendix 5.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 5.

Application 6

Charity / Charitable Purpose:	National Hereditary Breast Cancer Helpline (Registered Charity 1150183)
Permit Applicant:	Inese Moncevica
Collections Made By:	Skyecycle Ltd
Permit Collection Area:	Whole of Borough
Collection Dates/times:	12 months from 1st August 2018 on any available dates (weekdays between 8am and 5pm).
Further Information:	See Appendix 6 to this report.
Charitable Objectives:	As defined on the application are: Skyecycle Ltd is a commercial partner of the charity National Hereditary Brest Cancer Helpline, our goal is to provide a steady income of funds to NHBCH, The NHBCH runs 24 hours a

day to support women and their families affected with familial cancer. We sell all the property collected to a wholesaler in Poland and donate £75 made per tonne back to the charity. We do this in regular monthly payments.

Charitable Benefit for Rotherham: As defined by the applicants in the application or with supporting documentation: NHBCH helps those affected by familial cancer across the UK including those in Rotherham.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 6.

Application 7

Charity / Charitable Purpose: Child and Teenage Cancer and Leukaemia Foundation (Registered Charity 1156384)

Permit Applicant: Cira Franchi

Collections Made By: Child and Teenage Cancer and Leukaemia Foundation

Permit Collection Area: Whole of Borough

Collection Dates/times: 12 month period from 1st January 2019 (seeking allocation of five days per month).

Further Information: See Appendix 7 to this report.

Charitable Objectives: As defined on the application are: To support research into the causes, symptoms, distribution, pathology and treatment of cancers in children and young people. To promote and fund practical application of this research. To advance the education of parents, carers and others in the causes, symptoms and treatment of cancers in children and young people.

Charitable Benefit for Rotherham: As defined by the applicants in the application or with supporting documentation: Not specified.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 7.

Application 8

Charity / Charitable Purpose:	Yorkshire Children's Trust (Registered Charity 1146884)
Permit Applicant:	Simon Widdop
Collections Made By:	Recycling and Management Services Ltd
Permit Collection Area:	Whole of Borough
Collection Dates/times:	12 month period from 1st January 2019 (seeking allocation of five days per month).
Further Information:	See Appendix 8 to this report.
Charitable Objectives:	As defined on the application are: To relieve the charitable needs of families with sick or disabled children, up to the age of 18, by the provision of grants, in particular but not exclusively towards the cost of medical equipment, home modifications or respite holidays for the family.
Charitable Benefit for Rotherham:	As defined by the applicants in the application or with supporting documentation: Nor specified.

Should the permit(s) be granted at the hearing any permit would only run from the date the Sub-Committee approves the application until the requested expiry date unless otherwise granted by the Sub-Committee.

If the dates requested by the applicant have passed then alternatives dates can be offered for the time period requested e.g. one week / one month etc.

A copy of the original application paperwork is attached as Appendix 8.

4. Finance

Permits for House to House collections in or about the Borough of Rotherham are provided free of charge to applicants (there is no statutory provision for charging). Any relating enforcement and other matters of application processing are financed through the authority's normal budgeting methods.

5. Risks and Uncertainties

Failure to fully consider each application could lead to inappropriate collections being made within the Borough.

When a licensing authority refuse to grant a licence (or revoke a licence) which has been granted, they shall forthwith give written notice to the applicant or holder of the licence stating upon which one or more of the grounds set out in House to House Collections Act 1939 Section 2 sub section 3 (copied below in italics) the licence has been refused (or revoked) and informing him of the right of appeal given by this section, and the applicant or holder of the licence may thereupon appeal to the Secretary of State against the refusal or revocation of the licence as the case may be and the decision of the Secretary of State shall be final. The time

within which any such appeal may be brought shall be fourteen days from the date on which notice is given.

A licensing authority may refuse to grant a licence, or, where a licence has been granted, may revoke it, 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;

c) that the grant of a licence would be likely to facilitate the commission of an offence under section three of the Vagrancy Act 1824, or that an offence under that section has been committed in connection with the collection;

d) that the applicant or the holder of the licence is not a fit and proper person to hold a licence by reason of the fact that he has been convicted in the United Kingdom of any of the offences specified in the Schedule to this Act, or has been convicted in any part of His Majesty's dominions of any offence conviction for which necessarily involved a finding that he acted fraudulently or dishonestly, or of an offence of a kind the commission of which would be likely to be facilitated by the grant of a licence;

e) that the applicant or the holder of the licence, in promoting a collection in respect of which a licence has been granted to him, has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purposes of the collection were fit and proper persons, to secure compliance on the part of persons so authorised with the provisions of regulations made under this Act, or to prevent prescribed badges or prescribed certificates of authority being obtained by persons other than persons so authorised; or

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

6. 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.

7. Background Papers and Consultation

None.

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