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|---------------------------|---|
| 1. Meeting: | Licensing Board |
| 2. Date: | 15 June 2011 |
| 3. Title: | Determination of Licensing Issues - House to House Collections |
| 4. Programme Area: | Neighbourhoods and Adult Services |

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: | <u>Cancer Research & Genetics UK – Charity Reg. 1121512</u> |
| Permit Applicant | L Kulikauskaite – (Secretary for Re-Cycle Pro-line Ltd) |
| Permit Collection Area | Whole Borough Area |
| Collection Dates/times | 13/06/2011 to 12/06/2012 |

Should the licence be granted at the hearing any permit would only run from the date the Members of the board approve the application until the requested expiry date unless otherwise granted by members.

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

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



Neighbourhood and Adult Services
Application for a House to House Collections

Permit

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

| Grant | |
|---------------------|----------------|
| For office use only | |
| Date | |
| Fee | Free of Charge |
| Permit number | |
| | |
| | |

Use this form to apply for a house to house promoters collection permit. The licence will allow you to authorise collectors to collect from door to door for charitable purposes only. 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 1939 is drawn to Paragraph 4 of the House to House Collections Regulations 1947 (as amended) 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.

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.

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 (Promoter) personal details

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

Surname: First names:

Address:

Post code:

Daytime phone number: Mobile phone number:

E-mail address:

Details of Business or Organisation Responsible for the Collection

2. Name of Business/Organisation conducting collection: **RECYCLE PROLINE LTD**

Office address of the Business/Organisation: **18 LAWRENCE ROAD**
LIVERPOOL

Post code **L15 0EG**

Contact phone number: **0844 335 6540** Mobile phone number:

E-mail address: **info@recycleproline.com**

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

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

*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? **ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

What date was it granted? **20/05/10** What licence number was it? **HH0044**

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. **N/A**

Collection Details

4. Name of Society/Charity/Fund to benefit from the proceeds of this collection: **CANCER RESEARCH & GENETICS UK**

Address of the Society/Charity/Fund **SHERWOOD, LANDRAW WOODS, MAESYCOED,**
PONTYPRIDD

Post code **CF 37 1EX**

E-mail address: **cancergeneticsuk@ed.com** Contact phone number: **01443 408813**

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

4.b. Is the Society/Charity/Fund a registered charity Yes No Registered Charity Number **11215121**

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

ALL OVER ROTHERHAM AREA

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

13/6/11 - 12/6/12

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 purposed 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 Details. In the boxes below 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. Have you ever been convicted of any criminal offence, or received any police cautions etc or are you waiting to hear about any prosecutions or other actions of any type, pending against you?, warnings or reprimands? (If you answer YES to this question give details in the box below.) Yes No

6.b. If you are waiting to hear about any prosecution enter the court hearing the case: If known, date of future court hearing date:

| Date of conviction(s) | Details of Offence(s) and Conviction(s) | Sentence Or Penalty |
|-----------------------|---|---------------------|
| / / | N/A | |
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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 at least 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

Paul

Date form signed
by applicant

23/05/2011

Contact & trustees

Contact

MR NICHOLAS PHILLIPS
SHERWOOD
LLANDRAW WOODS
PONTYPRIDD
CF37 1EX

Tel: 01443 408813
Email: cancergeneticsuk@aol.com
Website: www.cancerrresearchgenetics.co.uk

Charity trustees

MR NICHOLAS PHILLIPS

MR DARYLL JOHN PHILLIPS GRADUATE UWC. EST
AGENT.

Charity framework

Date of registration

07 Nov 2007

Other names

None

Governing document

CONSTITUTION ADOPTED 1 SEPTEMBER 2007 AS AMENDED 20 OCTOBER 2007

Charitable objects

(1) THE RELIEF OF SICKNESS AND THE RELIEF OF MENTAL AND EMOTIONAL DISTRESS OF THOSE WITH CANCER, THEIR FAMILIES AND CARERS IN PARTICULAR BY THE PROVISION OF A WEBSITE AND HELPLINE PROVIDING INFORMATION, ADVICE AND SUPPORT. (2) TO ADVANCE THE EDUCATION OF THE PUBLIC AND OTHER CHARITIES/ORGANISATIONS IN THE DIAGNOSIS TREATMENT AND CARE OF THOSE SUFFERING FROM CANCER (3) TO CARRY OUT OR TO PROVIDE FUNDS TO SUPPORT RESEARCH INTO CANCER AND ITS GENETIC LINKS, CAUSES, TREATMENTS AND CURE AND PUBLISH THE USEFUL RESULTS OF SUCH RESEARCH

Classification

What

- EDUCATION/TRAINING
- MEDICAL/HEALTH/SICKNESS

Who

- OTHER CHARITIES/VOLUNTARY BODIES
- GENERAL PUBLIC/MANKIND

How

- PROVIDES SERVICES
- PROVIDES ADVOCACY/ADVICE/INFORMATION
- SPONSORS OR UNDERTAKES RESEARCH
- ACTS AS UMBRELLA OR RESOURCE BODY

Area of benefit

NATIONAL

Where the charity operates

- THROUGHOUT ENGLAND AND WALES
- SCOTLAND
- NORTHERN IRELAND

1121512 -
CANCER RESEARCH AND GENETICS UK

DUE DOCUMENTS RECEIVED

Activities

PROVIDES
INFORMATION AND

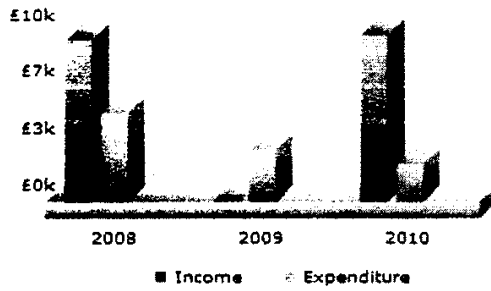
Where it operates

THROUGHOUT ENGLAND
AND WALES

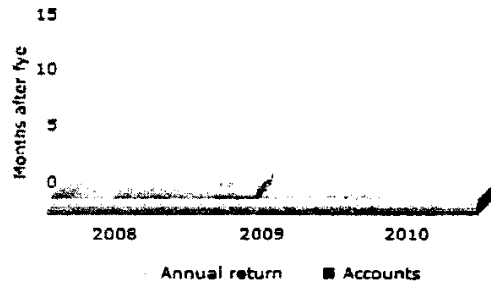
received 07 Nov 2010

Annual Update for 07 Nov 2010:

Financial history



Compliance history



Financial summary

| Financial year end (FYE) | Income | Spending | Accounts received | Annual Return/Annual Update received |
|--------------------------|--------|----------|-------------------|--------------------------------------|
| 07 Nov 2010 | £9,747 | £2,194 | Not Required | 07 Nov 2010 ** |
| 07 Nov 2009 | £10 | £3,096 | Not Required | 09 Nov 2009 ** |
| 07 Nov 2008 | £9,467 | £5,234 | Not Required | 07 Nov 2008 ** |

** Annual Update received - charity below Annual Return £10,000 threshold for this financial year

Useful websites

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THIS AGREEMENT is made the 28 day of APRIL 2011

BETWEEN (1) **Cancer Research and Genetics UK** (registered charity number 1121512) whose head office is located at Sherwood, Llandraw Woods, Maesycoed, Pontypridd, South Wales, CF37 1EX and the Trustees and Members of the Management Committee as Trustees of Cancer Research and Genetics UK (hereinafter referred to as "the Charity") and

(2) **Recycle Proline Limited** whose registered office is at 18 Lawrence Road, Wavertree, Merseyside, L15 0EG (hereinafter referred to as "the Company")

WHEREAS

- (a) The Charity wishes to maximise the income it can generate for the purpose of carrying out its charitable objectives and is the beneficial owner of the name and logos.
- (b) The Charity wishes to make an arrangement with the Company to collect clothing and shoes for the purposes of re-sale so as to raise funds on behalf of the Charity.

THE AGREEMENT

1. Definitions

In this agreement the following words and phrases shall have the following Meanings:

- 1.1 "The Act" shall mean the Charities Act 1992.
- 1.2 "The Logo" shall mean the logo a copy of which appears in Schedule One of this agreement.

1.3 "The Area" shall mean all those Councils falling within the prescribed area defined in Schedule Two to this agreement.

2. In consideration of the obligations on the part of the Company as set out in this agreement the Charity hereby authorises the Company to use the Charity's name and logo in connection with the collection of clothing and shoes within the area.

3. The Company shall at such times and in such districts as it, in its absolute discretion it shall decide, make arrangements for and carry out the collection of clothes and shoes and other recyclable items donated by households within the Area.

4. In carrying out its collections the Company shall:

(i) make a visit to addresses within the district the details of which will be recorded and leave a leaflet and a collection bag which will be of a design determined by the Company but worded in accordance with the wording set out in Schedule 3 of this agreement.

(ii) On the date stated in the leaflet delivered to each address the Company will re-visit the district and collect all clothes and shoes which have been designated by householders for collection.

When collected the company shall be entitled to sell all clothes and shoes and other recyclable material collected in what ever manner they deem appropriate.

5. In carrying out leaflet delivery and collection services the Company and its servants or agents will at all times act in a polite and courteous manner towards householders so as not to bring the name and Logo of the Charity into disrepute.

- 6. The Company shall not use the name and Logo of the Charity in any other manner than is sanctioned by this agreement without the prior written consent of the Charity and will at all times act in accordance with the Act.**
- 7. The Company shall keep legible and detailed books of accounts and records relating to the collection of clothing and shoes and the sale thereof and shall allow the Charity, its employees, agents and professional advisors, to audit and take copies of any such books of account, VAT records, bank statements or other records of the Company relevant to this agreement.**
- 8. The Company shall be responsible for all its own costs which are incurred in relation to the collection and sale of the clothes and shoes and other recyclable material.**
- 9. At its own costs the Company shall be responsible for obtaining and maintaining a license permitting collections for all districts within the Area where it carries out collections.**
- 10. Neither the Company nor its servants or agents shall hold themselves out as acting as agent on behalf of the Charity for the purposes of entering into any contractual arrangement with any third party.**
- 11. On a monthly basis the Company will make a payment to the Charity in the minimum sum of £2,500.00.**
- 12. The term of this agreement shall be twelve months from the date of the agreement and shall continue in effect at the expiration of twelve months unless either party gives to the other six months written notice of the termination of the agreement.**

AS WITNESS the hands of the parties

Signed by *N.J. Phillips*

Name *MR NICHOLAS JOHN PHILLIPS (DIRECTOR)*

For and on behalf of Cancer Research and Genetics UK

Signed by..... *K. Donselene / L. Kulikauskaite*

Name *K. DONSELENE / L. KULIKAUSKAITE*

Recycle Proline Limited

Schedule One



Schedule Two

England Scotland and Wales excluding the area bounded by the M25

Cancer Research & Genetics UK

Registered charity number: 1121512

Clothing Collection

Cancer Research & Genetics UK fundraises to further our campaign to raise awareness of cancer and its genetic links in the UK and Europe.

Please put these items into plastic bags and leave visible outside your front door from 9 am on the day indicated below to help us with identification. Please stick this notice onto the bag.

MONDAY

COLLECTION DAY

No books, Bric-a-brac or electrical items

If you have any queries please contact a member of our telephone team on

0844 335 6540

We urgently need your clothing, bedding, curtains, soft toys, paired shoes and handbags.

Cancer Research & Genetics UK received at least £2000 per month from our collection.

Recycle Proline Ltd authorised operators will pick up all visible bags. All our collectors carry identity cards, please check if you are unsure. Our collectors CAN NOT accept cash donations.

Cancer Research & Genetics UK

fundraises to raise awareness of Cancer and to research its Genetic links in the UK and Europe

- ✓ CLOTHING
 - ✓ BEDDING
 - ✓ CURTAINS
 - ✓ PAIRED SHOES
 - ✓ HANDBAGS
- × PLEASE NO BRIC-A-BRAC, TOYS OR BOOKS

Please leave your bag(s) outside in full view of the road. Collections will be between 9 am and 7 pm and we will collect it on:

| | | | | | |
|-----|-----|-----|------|-----|-----|
| MON | TUE | WED | THUR | FRI | SAT |
| | | | | | |

If you have any queries please contact the clothing collection helpline on

Cancer Research & Genetics UK received at least £2000 per month from our collection. Recycle Proline LTD authorised operators will pick up all visible bags. All our collectors carry identity cards, please check if you are unsure. Our collectors CAN NOT accept cash donation.