

**NORTHAMPTON BOROUGH COUNCIL**

**TAXI & GENERAL LICENSING SUB COMMITTEE**

A Meeting of the Taxi & General Licensing Sub-Committee will be held at The Jeffrey Room,  
The Guildhall, St. Giles Square, Northampton, NN1 1DE on Tuesday, 11 June 2019 at 6:00  
pm

**George Candler**  
**Chief Executive**

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS/PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST**
- 5. HOUSE TO HOUSE APPLICATION**
- 6. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 7. EXCLUSION OF PUBLIC AND PRESS**

The Chair to Move:

“that the public and press be excluded from the remainder of the meeting on the grounds that there is likely to be disclosure to them of such categories of exempt information as defined by section 100I of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12a to such act.”

8. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE (1)
9. REVIEW OF PRIVATE HIRE DRIVER'S LICENCE (1)
10. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE (1)

## PROCEDURES FOR LICENSING SUB-COMMITTEE HEARING

- **Welcome** – Chairman welcomes the Applicant, Representors, Responsible Authorities and Interested Parties and introduces members of the sub-committee (+ other officers e.g. Solicitor, Licensing Officer, Democratic Services Officer etc).
- **Declarations of Interest by Councillors**
- **Reason for Hearing** – to be outlined by the **Licensing Officer** or the **Chair**.
- **Format of the hearing** – an explanation of the format of the proceedings:
  1. **Applicant** (or his/her representative) will address the sub-committee first and put their case.
  2. **The Chair** leads an examination of the **Applicant's case**. First, the panel may ask questions and then the Chair invites Responsible and Interested Parties to participate. Questions may only relate to the points made by the applicant.
  3. **The Representors/Respondents** (and responsible and Interested Parties) then state their case.
  4. **The Chair** leads an examination of the **Representor's case**.

Each party will be given an equal maximum period of time in which to present their case and may, if given permission by the Chair, question any other party.

- **Summing Up**
  - By the Representors/Respondents
  - By the Applicant
- **Sub-committee retires** – and may call for the Solicitor for advice if required.
- **Sub-Committee deliver their decision and reasons for their decision at the conclusion of the meeting IF:**
  1. Application for conversion of existing licence
  2. Application for conversion of existing club certificate
  3. Application by holder of justices' licence for grant of personal licence
  4. Application for conversion and variation of premises licence (including variation of DPS)
  5. Application for conversion and variation of club premises certificate
  6. Counter notice following police objection to temporary event notice
  7. Review of Premises Licence following Closure Order

In all other cases, the Sub-committee delivers its decision and reasons for its decision within five working days beginning with the day on which the hearing was held.

**If you require any further information regarding this meeting please contact Democratic Services on 01604 837722 or [democraticservices@northampton.gov](mailto:democraticservices@northampton.gov)**

## NORTHAMPTON BOROUGH COUNCIL

### TAXI & GENERAL LICENSING COMMITTEE

Tuesday, 23 April 2019

**PRESENT:** Councillor Sargeant (Deputy Chair); Councillors Beardsworth, Davenport, Duffy, G Eales and Walker

#### 1. APOLOGIES

Apologies for absence were received from Councillor Flavell.

#### 2. MINUTES

The minutes of the meeting held on 12<sup>th</sup> March 2019 were agreed and signed by the Chair.

#### 3. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

#### 4. DECLARATIONS OF INTEREST

There were none.

#### 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

#### 6. HOUSE TO HOUSE APPLICATION

The Deputy Chair, Councillor Sargeant explained to Members that the Applicant was not present. He further asked the Senior Licensing Enforcement Officer to present the House to House Collection Application Report. Members had a number of concerns regarding the application, in particular the proportion of the net proceeds which were paid to charity. The Applicant was invited to send in further supporting material.

The Solicitor explained that the Committee may adjourn and ask the Applicant to reply to any specific queries since it appeared that if further information was supplied the committee could consider whether or not there were grounds to refuse the application.

#### RESOLVED:

That the application be adjourned until the next meeting of the Committee and the applicant be invited to attend the meeting to answer members queries.

#### 7. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100I of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was carried and the public and press were excluded on the basis that information relating to an individual and information which is likely to identify an individual were contained in the report.

## 8. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The Senior Licensing Enforcement Officer outlined the circumstances as set out in the report.

The Deputy Chair welcomed the Applicant and asked him to present his case to the Committee.

The Applicant explained to Members that on visiting the Council Offices to complete his application, he was told that the information he had written was acceptable, he may leave it blank and his DBS certificate would come through. In response, the Licensing Manager who was present at the meeting stated that the application should have been completed before he came to the Council Offices. Licensing Officers do not comment on what should be added to the form and, in any event, the Officers would not know whether a person has convictions and so would not know if the information was correct or not.

The Solicitor explained to Members their options and the relevant test to be applied; whether the Applicant is deemed to be a "fit and proper person" to be granted a licence as a Private Hire Driver and the relevant provisions of the Council's policy on convictions.

### **RESOLVED:**

The Committee had carefully considered the information in the report, the presentations made by the applicant at the hearing and the responses to the questions asked of him.

The Committee made the following findings:

- A. There were a high volume of convictions recorded against the Applicant.
- B. These convictions were for a number of offences however, they are predominantly offences of an acquisitive nature, e.g. theft; obtaining property by deception and burglary;
- C. They are concerned about the period of offending. These were just not offences which were committed during his youth, they had continued well into his adulthood and he was still offending in his 30s.
- D. Members have a real concern about the offences committed in 2012 and for which the Applicant was convicted and sentenced in 2013. These were again acquisitive offences in respect of which there was an element of knowledge, i.e. he knew he was not entitled to the benefits concerned.
- E. The fact that he has committed further offences of that nature relatively recently shows that he is not a fit and proper person to hold a licence.

Accordingly, the Committee **REFUSE** the Applicant's application for a private hire driver's licence.

The meeting concluded at 19:20

**Appendices**  
1 = Email  
2 = Application  
3 = Additional  
Company information  
4 = Policy



## TAXI & GENERAL LICENSING COMMITTEE REPORT

<b>Report Title</b>	<b>House to House Application</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	11 <sup>th</sup> June 2019
<b>Policy Document:</b>	House to House Collections
<b>Directorate:</b>	Customers and Communities

### 1. Purpose

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1.1 To consider the application for a House to House permit submitted by Laura Kulikauskaite of Recycle Proline Ltd to collect on behalf of the Cancer Research & Genetics UK organisation. This is the first application to be considered by Northampton Borough Council for the Cancer Research & Genetics UK organisation. The aforementioned person and organisation is not the subject of a National Exemption Order from the requirement to obtain the necessary permit.

### 2. Recommendations

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2.1 That the application be determined in accordance with the policy criteria.

### 3. Issues and Choices

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#### 3.1 Report Background

3.1.1 This application was first presented at the Council's Taxi & General Licensing Committee meeting on the 23<sup>rd</sup> April 2019. At that meeting members had questions regarding the accounts submitted with the application and details regarding the number of licences issued by other Councils. As the applicant was not in attendance members decided to adjourn in order to give the applicant, or their representative, another opportunity to attend and answer some of the questions.

- 3.1.2 In a telephone conversation with Recycle Proline Ltd on the 29<sup>th</sup> April 2019 they were advised that a decision had been adjourned and that the application would be considered at a later date, in order to give them the opportunity to attend. On the same day an email invitation was sent and to date no response has been received. The email address was confirmed during the telephone conversation. **Appendix 1**
- 3.1.3 Public charitable collections conducted from house-to-house are regulated by the House to House Collections Act 1939 and the House to House Collections Regulations 1947. The 1947 regulations established a central licensing regime for collections.
- 3.1.4 The Local Government Act 1972 transferred responsibility for licensing of House to House Collections from the police to local authorities.
- 3.1.5 The Licensing Authority cannot grant a permit for a period longer than twelve months and may refuse a permit or, where granted, may revoke it, in circumstances specified in the House to House Collections Act 1939. Grounds for refusal are specified in section 2(3) sub-sections (a) to (f) of this Act, which are detailed in paragraphs 3.3.4 to 3.3.9 of this report.
- 3.1.6 National Exemption Orders are available to charities, which are issued by the Cabinet Office directly.
- 3.1.7 **Policy Criteria**
- 3.1.8 On the 14<sup>th</sup> July 1998 the Licensing Committee granted delegated authority, allowing officers to issue permits to charitable organisations which have previously been approved by a Licensing Committee.
- 3.1.9 **Application**
- 3.1.10 An application was received in November 2018. A summary of the application is detailed in **Appendix 2**.
- 3.1.11 Recycle Proline Ltd have submitted additional company supporting documents for consideration as detailed in **Appendix 3**.
- 3.1.12 The application is requesting a permit to raise funds under the name of UK Fundraising with at least 75% going to the charity and 25% to be deducted for expenses, including wages, fuel, printing and admin costs etc.
- 3.1.13 The applicant has not previously been granted a permit by this Licensing Committee and therefore delegated powers do not apply. The applicant has previously been granted permission by Eden, Bath & NE Somerset local authorities.
- 3.1.14 The applicant, if granted a licence, proposes to collect items of clothing, shoes and other recyclable items from households within the Council's area which

will then be sold and, after deducting reasonable expenses referred to above, pay a proportion of the proceeds to the charity.

### **3.2 Issues**

- 3.2.1 This organisation has not previously been granted a permit for house to house collections with this local authority in accordance with 3.1.7.
- 3.2.2 There is a Right of Appeal to the Secretary of State against the refusal or the revocation of a permit, within fourteen days of the date on which notice is given of the refusal or the revocation.
- 3.2.3 The Secretary of State may by Order direct that a collector shall be exempt from the requirement to obtain a permit from the Licensing Authority.

### **3.3 Choices (Options)**

- 3.3.1 Grant the application.
- 3.3.2 Refuse the application on one of the following grounds;

#### **3.3.3 Grounds for Refusal**

- 3.3.4 That the total amount likely to be applied for charitable purposes as a result of the collection (including any amount already so applied) is adequate in proportion to the value of the proceeds likely to be received (including any proceeds already received).
- 3.3.5 That the 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.
- 3.3.6 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.
- 3.3.7 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 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.
- 3.3.8 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 person so authorised.

- 3.3.9 That the applicant or holder of the licence has refused or neglected to furnish to the authority such information as they may have reasonable required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

- 4.1.1 N/A

### **4.2 Resources and Risk**

- 4.2.1 None identified.

### **4.3 Legal**

- 4.3.1 The Committee must have regard to the House to House Collections Act 1939, together with the House to House Collection Regulations 1947 (SI 1947 No 2662, as amended) when making their decision.
- 4.3.2 The only grounds on which a licence may be refused are set out in the 1939 Act (referred to at paragraphs 3.3.4 to 3.3.9 above). A separate regime exists under the Act for short term, local collections under which the Chief Officer of Police may grant certificates authorising collections and, if a certificate is issued, the requirement to hold a licence does not apply. It is not open to the Council to refuse to grant a licence on the basis that there is not a local connection.

### **4.4 Equality**

- 4.4.1 None identified.

### **4.5 Consultees (Internal and External)**

- 4.5.1 Customers & Communities, Legal.

### **4.6 Other Implications**

- 4.6.1 None identified

## **5. Background Papers**

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5.1 House to House Collections Act 1939  
House to House Collections Regulations 1947 & 1963

**Louise Faulkner**  
**Licensing Team Leader**

**Appendix 1**

At its meeting on 23<sup>rd</sup> April the Council's Taxi & General Licensing Committee considered your application for a house to house collections licence. As part of that process the Committee considered the information provided by your organisation, including the company accounts, and also wished to identify the steps which your company would collect to ensure compliance with the House to House Collections Act 1939 and regulations made under it. Since the Committee have a number of questions and seek reassurance as to these matters your application has been adjourned to its next scheduled meeting on 11<sup>th</sup> June 2019.

If you wish to continue with the application you should arrange for a representative to attend the adjourned meeting to provide further information in relation to:


1. The accounts submitted with your application;
2. The proportion of receipts which are retained by your company and the net receipts which are received by the charity;
3. The steps taken to ensure compliance with the House to House Collections Act 1939 and the House to House Collections Regulations 1947.
4. The number of licences actually granted by other authorities.

If, alternatively, you do not wish to pursue the application, please notify me.

Kind Regards

Louise Faulkner  
Licensing Team Leader  
Northampton Borough Council  
[www.northampton.gov.uk/licensing](http://www.northampton.gov.uk/licensing)

## Appendix 2

 NORTHAMPTON BOROUGH COUNCIL	<b>Northampton</b> <b>Application for a house-to-house collection licence</b> <b>House to House Collection Act 1939 and the House</b> <b>to House Regulations 1947</b>	For help contact <a href="mailto:licensing@northampton.gov.uk">licensing@northampton.gov.uk</a> Telephone:
* required information		
<b>Section 1 of 10</b>		
You can save the form at any time and resume it later. You do not need to be logged in when you resume.		
System reference	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="NORTHAMPTON"/>	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?	<input type="radio"/> Yes <input checked="" type="radio"/> No	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
Are you:	<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader <input type="radio"/> Applying as an individual	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
<b>Applicant Business</b>		
* Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	
* Registration number	<input type="text" value="06587526"/>	
* Business name	<input type="text" value="RECYCLE PROLINE LTD"/>	If your business is registered, use its registered name.
* VAT number	<input type="text" value="GB"/> <input type="text" value="939841575"/>	Put "none" if you are not registered for VAT.
* Legal status	<input type="text" value="Private Limited Company"/>	

**Section 3 of 10**

**ORGANISATION WHICH IS RESPONSIBLE FOR THE COLLECTION**

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*Continued from previous page...*

\* Provide a brief description of the organisation and its objectives

Clothing collection company to raise fund for Cancer Research & Genetics UK

\* Are the proceeds of the collection to benefit this organisation?

Yes

No

**Section 4 of 10**

**CHARITY, FUND OR ORGANISATION TO BENEFIT FROM THE COLLECTION**

\* Is another organisation going to benefit from your collection?

Yes

No

Provide details of the charity, fund or organisation which is to benefit from the collection

\* Name of charity or organisation

Cancer Research & Genetics UK

\* Provide a brief description of the organisation and its objectives

(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,

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*Continued from previous page...*

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 IT'S GENETIC LINKS, CAUSES, TREATMENTS AND CURE AND PUBLISH THE USEFUL RESULTS OF SUCH RESEARCH

\* Is this organisation a registered charity?

Yes

No

\* Registration number

1121512

\* What are the proceeds of the collection to be used for?

Cancer Research & Genetics UK received at least £3200.00 per month

Add another organisation

**Section 5 of 10**

**TYPES OF COLLECTION**

\* What type(s) of collection will you be performing?

- A street collection
- A house-to-house collection
- Both street and house-to-house collections

**House to House Collection**

Check for local guidance notes and conditions before completing this section. Some of the questions may not be relevant if local circumstances or your responses may have to provide very specific information.

**Where**

\* In what parts of this authority's area do you intend to carry out the collection?

All over NORTHAMPTON area

**When**

\* Preferred dates for the collection

17.12.2018 - 17.05.2019

Alternative dates

14.01.2019 - 14.06.2019  
11.02.2019 - 11.03.2019  
08.04.2019 - 08.09.2019

\* During what hours of the day will the collection be held?

From 8am To 5pm

**Collectors**

*Continued from previous page...*

\* How many people do you plan to authorise as collectors?

2

\* How will the collectors be identifiable? (provide details of badge, certificate of authority etc)

Authorised collector's badges from Certificate of Authority

**What**

Check for local guidance notes which may clarify what is allowable in your area and whether additional permissions or licences are required.

\* Do you intend to collect money?

- Yes
- No

\* Do you intend to collect property?

- Yes
- No

\* What sort of property?

Second hand clothing and shoes

\* What do you intend to do with the property you collect?

- Sell it
- Give it away
- Use it
- Other

\* Provide details

Second hand clothing and shoes will be sold £850-£1000 per tonne depending on quality of clothing.

**Section 6 of 10**

**EXPENSES AND PAYMENT**

\* Will 100% of the proceeds of the collection be donated to a charity or used for charitable purposes?

- Yes  No

\* What % of the proceeds will be donated to a charity or used for charitable purposes?  %

**Expenses**

*Continued from previous page...*

\* Do you intend to pay expenses or admin costs out of the proceeds of the collection?

- Yes  No

\* Provide full details, including all the expenses you intend to pay and at what rate

- 1) Up to 15% - expenses (wages, fuel, printing etc)  
2) Up to 10% - admin costs.

**Payments**

N.B. Payment cannot be made to collectors, or others, unless details are provided in this form and approved

\* Do you intend to pay collectors or any other person out of the proceeds of the collection?

- Yes  No

\* Provide full details, including the category of people (collectors, organisers, etc) you intend to pay and at what rate

Wages to driver and collector at the minimum rate of £7.83 per hour.

**Statement Of Return**

\* Which of the following types of return will you submit, giving details of proceeds and deductions?

- House-to-house collection only

**Section 7 of 10**

**Section 7 of 10****PREVIOUS APPLICATIONS**

\* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (check all that apply)

- No  Yes - application granted and revoked  
 Yes - application granted  Yes - application refused

**Application Granted**

Only provide details about the most recent application – unless stated otherwise in local guidance notes.

\* Local authority applied to   
\* Date of licence/registration   
\* Reference number   
\* Expiry date

\* Local authority applied to   
\* Date of licence/registration

**Section 8 of 10****CONVICTIONS**

\* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

- Yes  No

**Section 9 of 10****ADDITIONAL DETAILS**

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

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Company Registration No: 06587526

RECYCLE PROLINE LIMITED

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FOR THE YEAR ENDED 31 MAY 2017

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**Company Registration No: 06587526**

**RECYCLE PROLINE LIMITED**

**Company Information**  
**FOR THE YEAR ENDED 31 MAY 2017**

***Director:*** Mrs Kristina Doneliene  
Ms Laura Kulikauskaite

***Secretary:*** Ms Laura Kulikauskaite

***Company No:*** 06587526 ( England and Wales)

***Registered Office:*** 55 King Street  
Wrexham  
Clwyd  
LL14 1HR

***Accountants:*** Whitfield Accounting  
& Integrated Services Ltd  
Wavertree Business Village  
Wavertree  
Liverpool  
L131DA

***Business Address:*** 542 Prescott Road  
Liverpool  
Merseyside  
L13 3DB



**RECYCLE PROLINE LIMITED**

**REPORT OF THE DIRECTORS**

**FOR THE YEAR ENDED 31 MAY 2017**

The Directors present their report with the financial statements of the company for the year ended 31 May 2017.

**Principal Activities**

The principal activity of the business is to collect second hand clothing and shoes by door to door collection.

The Directors consider that the state of the company's affairs is satisfactory.

The company were able to gain Licences from various Councils during the year and these are shown below:

**COUNCIL LIST 01.06.2016 - 31.05.2017**

<b><u>No</u></b>	<b><u>Council Name</u></b>	<b><u>No</u></b>	<b><u>Council Name</u></b>
Nr 1	Ashford	Nr 23	Bro Morgannwg
Nr 2	Amber Valley	Nr 24	Broxbourne
Nr 3	Anglesey	Nr 25	Borxtowe
Nr 4	Ashfield	Nr 26	Burnley
Nr 5	Basildon	Nr 27	Bury
Nr 6	Barnsley	Nr 28	Caerphilly
Nr 7	Blaby	Nr 29	Calderdale
Nr 8	Blackburn with Darwen	Nr 30	Cardiff
Nr 9	Blackpool	Nr 31	Carmarthenshire
Nr 10	Blaenau Gwent	Nr 32	Canterbury
Nr 11	Bedford	Nr 33	Central Bedfordshire
Nr 12	Bolsover	Nr 34	Charnwood
Nr 13	Bolton	Nr 35	Chelmsford
Nr 14	Bournemouth	Nr 36	Chesterfield
Nr 15	Boston	Nr 37	Chiltern
Nr 16	Bracknell Forest	Nr 38	Chorley
Nr 17	Bradford	Nr 39	Crawley
Nr 18	Breckland	Nr 40	Crewe
Nr 19	Brentwood	Nr 41	Congleton
Nr 20	Braintree	Nr 42	Copeland
Nr 21	Bridgend	Nr 43	Corby
Nr 22	Bristol	Nr 44	Daventry

**This report was approved by the board of directors on 02 February 2018**

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Date: .....

**By Order of the Board**

**Kristina Doneliene**

**Director**

Continued overleaf

**RECYCLE PROLINE LIMITED**

**REPORT OF THE DIRECTORS (CONTINUED)**  
**FOR THE YEAR ENDED 31 MAY 2017**

**COUNCIL LIST 01.06.2016 - 31.05.2017**

<u>Council Name</u>	<u>No</u>	<u>Council Name</u>	
Nr 45	Darlington	Nr 64	Flintshire
Nr 46	Derby	Nr 65	Handforth
Nr 47	Durham	Nr 66	Halton
Nr 48	Doncaster	Nr 67	Harborough
Nr 49	Dover	Nr 68	Harlow
Nr 50	Eastbourne	Nr 69	Hartlepool
Nr 51	Easleigh	Nr 70	Hastings
Nr 52	East Hampshire	Nr 71	Hertford
Nr 53	East Cambridgeshire	Nr 72	Hertsmere
Nr 54	East Dorset	Nr 73	Huntingdonshire
Nr 55	East Lindsey	Nr 74	Hynburn
Nr 56	East Northamptonshire	Nr 75	Gedling
Nr 57	East Riding	Nr 76	Gravesham
Nr 58	Eden	Nr 77	Greater London
Nr 59	Elmbridge	Nr 78	Gosport
Nr 60	Epping Forest	Nr 79	Guildford
Nr 61	Epsom Ewell	Nr 80	Kettering
Nr 62	Erewash	Nr 81	Kirklees
Nr 63	Fenland	Nr 82	King's Lynn

The income and other expenses are reflected in the Profit and Loss Accounts attached to these financial statements.

**Donations totalling £58,260 were paid to the Charity - Cancer Research & Genetics UK.**

The above report has been prepared in accordance with the special provisions in part 15 of the Companies Act 2006.

**This report was approved by the board of directors on 02 February 2018.**

.....  
**By Order of the Board**  
**Kristina Doneliene**  
**Director**

Date: .....

**RECYCLE PROLINE LIMITED**

**REPORT OF THE DIRECTORS (CONTINUED)**  
**FOR THE YEAR ENDED 31 MAY 2017**

**COUNCIL LIST 01.06.2016 - 31.05.2017**

<u>Council Name</u>	<u>No</u>	<u>Council Name</u>	
Nr 83	Knowsley	Nr 102	Mole Valley
Nr 84	Leeds	Nr 103	Neath Port Talbot
Nr 85	Lewes	Nr 104	Newark & Sherwood
Nr 86	Lichfield	Nr 105	Newcastle
Nr 87	Lincoln	Nr 106	Newport
Nr 88	Liverpool	Nr 107	Northampton
Nr 89	London	Nr 108	North East Derbyshire
Nr 90	Luton	Nr 109	North East Lincolnshire
Nr 91	Macclesfield	Nr 110	North Hertfordshire
Nr 92	Manchester	Nr 111	North Kesteven
Nr 93	Mansfield	Nr 112	North Tyneside
Nr 94	Maldon	Nr 113	North West Leicestershire
Nr 95	Maidstone	Nr 114	Nottingham
Nr 96	Medway	Nr 115	Oadby and Wigston
Nr 97	Melton	Nr 116	Oldham
Nr 98	Merthyr Tydfil	Nr 117	Pendle
Nr 99	Middlesbrough	Nr 118	Peterborough
Nr 100	Milton Keynes	Nr 119	Preston
Nr 101	Monmouthshire	Nr 120	Rhondda

The income and other expenses are reflected in the Profit and Loss Accounts attached to these financial statements.

**Donations totalling £58,260 were paid to the Charity - Cancer Research & Genetics UK.**

The above report has been prepared in accordance with the special provisions in part 15 of the Companies Act 2006.

**This report was approved by the board of directors on 03 February 2018.**

.....

**By Order of the Board**  
**Kristina Doneliene**  
**Director**

Date: .....

**RECYCLE PROLINE LIMITED**

**REPORT OF THE DIRECTORS (CONTINUED)**  
**FOR THE YEAR ENDED 31 MAY 2017**

**COUNCIL LIST 01.06.2016 - 31.05.2017**

**Council Name**

Nr 121	Purbeck	Nr 142	Sefton
Nr 122	Redditch	Nr 143	Selby
Nr 123	Rochdale	Nr 144	Sevenoaks
Nr 124	Rossendale	Nr 145	Sheffield
Nr 125	Rother	Nr 146	Shropshire
Nr 126	Rotherham	Nr 147	Southend on Sea
Nr 127	Rushmoor	Nr 148	South Bucks
Nr 128	Rutland	Nr 149	South Cambridgeshire
Nr 129	Sandbach	Nr 150	South Derbyshire
Nr 130	Sandwell	Nr 151	South Holland
Nr 131	Salford	Nr 152	South Kesteven
Nr 132	Sawbridge Worth	Nr 153	South Northampton
Nr 133	Scarborough	Nr 154	South Ribble
Nr 134	Sefton	Nr 155	South Staffordshire
Nr 135	Selby	Nr 156	South Lakeland
Nr 136	Rutland	Nr 157	Sunderland
Nr 137	Sanbach	Nr 158	Surrey Heath
Nr 138	Sandwell	Nr 159	St Helens
Nr 139	Salford	Nr 160	Steveange
Nr 140	Sawbridge Worth	Nr 161	Stockton on Tees
Nr 141	Scarborough	Nr 162	Swansea

The income and other expenses are reflected in the Profit and Loss Accounts attached to these financial statements.

**Donations totalling £58,260 were paid to the Charity - Cancer Research & Genetics UK.**

The above report has been prepared in accordance with the special provisions in part 15 of the Companies Act 2006.

**This report was approved by the board of directors on 03 February 2018.**

.....  
**By Order of the Board**  
**Kristina Doneliene**  
**Director**

Date: .....

**RECYCLE PROLINE LIMITED**

**REPORT OF THE DIRECTORS (CONTINUED)**  
**FOR THE YEAR ENDED 31 MAY 2017**

**COUNCIL LIST 01.06.2016 - 31.05.2017**

**Council Name**

Nr 163	Swale	Nr 184	Wellingborough
Nr 164	Tameside	Nr 185	Wigan
Nr 165	Tendring	Nr 186	Winchester
Nr 166	Telford & Wrekin	Nr 187	Woking
Nr 167	Thanet	Nr 188	Wolverhampton
Nr 168	Three Rivers	Nr 189	Wrexham
Nr 169	Thurrock	Nr 190	York
Nr 170	Trafford	Nr 191	Wirral
Nr 171	Tonbridge & Malling		
Nr 172	Torfaen		
Nr 173	Tyneside		
Nr 174	Uttlesford		
Nr 175	Vale		
Nr 176	Wakefield		
Nr 177	Ware		
Nr 178	Warrington		
Nr 179	Watford		
Nr 180	Waverley		
Nr 181	Wealden		
Nr 182	West Lancashire		
Nr 183	West Lindsey		

The income and other expenses are reflected in the Profit and Loss Accounts attached to these financial statements.

**Donations totalling £58,260 were paid to the Charity - Cancer Research & Genetics UK.**

The above report has been prepared in accordance with the special provisions in part 15 of the Companies Act 2006.

**This report was approved by the board of directors on 03 February 2018.**

.....

Date: .....

**By Order of the Board**  
**Kristina Doneliene**  
**Director**

RECYCLE PROLINE LIMITED

REPORT OF THE DIRECTORS  
FOR THE YEAR ENDED 31 MAY 2017    CONTINUED

**Directors**

The Directors shown below have held office during the whole of the year ended 31 May 2017.

The Directors of the company during the year and their interest in the shares of the company were as follows:-

		<b>31/05/2017</b>
		<b>Ordinary Shares</b>
<b>Laura Kulikauskaite</b>	<b>(Secretary)</b>	<b>1</b>
<b>Kristina Doneliene</b>	<b>(Director)</b>	<b>1</b>

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime.

This report was approved by the Directors on .....

.....

Date: .....

**By Order of the Board**  
**Kristina Doneliene**  
**Laura Kulikauskaite**

Company Registration No: 06587526

RECYCLE PROLINE LIMITED

ACCOUNTANTS' REPORT ON THE UNAUDITED FINANCIAL STATEMENTS TO  
THE DIRECTORS OF RECYCLE PROLINE LIMITED

As described on the Balance Sheet you are responsible for the preparation of the financial statements for the year ended 31 May 2017 set on pages 4 to 5 and you consider that the company is exempt from an audit.

In accordance with your instructions we have compiled these unaudited financial statements, in order to assist you to fulfill your statutory responsibilities, from the accounting records and information supplied to us.

**Whitfield Accounting & Integrated Services Ltd**  
**Wavertree Business Village**  
**11 Tapton Way**  
**Wavertree**  
**Liverpool**  
**L13 1DA**



Date:.....03/02/2018.....

**RECYCLE PROLINE LIMITED**

**FINANCIAL STATEMENTS**

**FOR THE YEAR ENDED 31 MAY 2017**

	Notes	2017 £	2016 £
Turnover	1	1,644,212	970,576
Less: Cost of sales		<b>(1,333,721)</b>	-
		<b>310,491</b>	-
Depreciation: Vans		<b>(5,000)</b>	
Dividends		<b>(10,000)</b>	-9,980
Donations:			-92,575
Cancer Research & Genetics UK	37,760		
Children's Hope Foundation	19,000		
National Kidney Federation	<u>1,500</u>		
		<b>(58,260)</b>	
Wages		<b>(148,889)</b>	
Administration expenses		<b>(38,322)</b>	-847,816
Retained Profit for the Year		<b>50,020</b>	<b>20,205</b>



**RECYCLE PROLINE LIMITED**

**BALANCE SHEET**

**AS AT 31 MAY 2017**

	<b>notes</b>	<b>2017 €</b>	<b>2016 €</b>
Fixed assets (12 vans)		20,000	-
<b><u>Current Assets</u></b>			
Debtors	<b>2</b>	4,690	8,221
Cash at bank and in hand		93,685	59,909
<b>Creditors: amounts falling due within one year</b>		-225	
Net current assets (liabilities)			-
		<hr/>	<hr/>
		118,150	68,130
Creditors: amounts falling due after more than one year			-
		<hr/>	<hr/>
		<b>118,150</b>	<b>68,130</b>
 <b><u>CAPITAL RESERVES</u></b>			
Called up share capital		2	2
Capital introduced			-
Profit and loss Account		118,148	68,128
		<hr/>	<hr/>
<b>TOTAL SHAREHOLDERS FUND</b>		<b>118,150</b>	<b>68,130</b>

For the year ended 31 May 2017 the company was entitled to exemption under section 477(2) of the Companies Act 2006.

The members have not required the company to obtain an audit in accordance with section 476 of the Companies Act 2006.

The Directors acknowledges the responsibility for complying with the requirements of the Act with respect to accounting records and the preparation of accounts

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies regime.

The financial statements were approved by the Board of Directors on .....

**SIGNED ON BEHALF OF THE BOARD BY:**

.....  
**Kristina Doneliene**  
**Laura Kulikauskaite**  
**Directors**

**Date: 03 February 2018**

**THIS AGREEMENT** is made the 1 day of November 2018.

**BETWEEN (1) Cancer Research and Genetics UK** (registered charity 1121512 number) whose head office is located at Sherwood, Llandraw Woods, Maesycod, 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 542 Prescott Road, Liverpool, Merseyside, L13 3DB (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 whatever 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.
- (i) Approaching households respectfully
  - (ii) The time of the day that Company may knock

- (ii) Company responsibilities regarding no-cold-calling zones and door stickers.
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 £3,200.00.
- (i) As an exception to this clause. The company will make a payment of £ 1.600.00 in the month of December 2018. This clause will apply in any December while the agreement is in force.

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 six months unless either party gives to the other three months written notice of the termination of the agreement.
  
13. The following provisions shall apply in the event of default by either party.
  - (i) Any "event or default" shall mean any of the parties committing a material breach of its obligations under this agreement and, in the case of a breach capable of remedy, failing to remedy the same within twenty one days of being specifically required in writing to do so by the other party.
  - (ii) If any party, "the defaulting party" commits any event or default the other party shall be entitled by notice in writing to the defaulting party within one month following the date of occurrence of the event or default terminate this agreement.
  
14. None of the parties shall divulge or communicate to any person (other than as required by law) or use or exploit for any purpose whatsoever any information of a confidential nature relating to this agreement. This restriction shall continue to apply after expiration or sooner determination of this agreement without limit in point of time but shall cease to apply to information or knowledge which may properly come into the public domain otherwise than breach of this clause.
  
15. Subject to the provisions of this agreement none of the parties shall assign or transfer or purport to assign any of their rights or obligations hereunder.

16. The rights of any party shall not be prejudiced or restricted by any indulgence or forbearance of the other party and no waiver by any party in respect of any breach shall operate as a waiver in respect of any subsequent breach.
17. This agreement shall not be varied unless such variation shall be expressly agreed in writing by each of the parties.
18. Nothing in this agreement shall be construed or deemed to constitute a partnership between the parties
19. If any of the provisions of this agreement is found by a court of competent jurisdiction to be void, unenforceable or illegal, such provisions shall be deemed to be deleted from this agreement and the remaining provisions of this agreement shall continue in full force and effect.
20. Any notices to be given pursuant or in connection with this agreement shall be in writing and
  - (i) sent by first class prepaid or registered mail; or
  - (ii) delivered personally; or
  - (iii) transmitted by fax.The parties are to be served at the address given in this agreement or such other address or addresses within the United Kingdom from time to time notified in writing on behalf of any such party or parties to the other party. Any such notice given pursuant to this clause shall be deemed to have been received and effectively served:-
  - (i) upon the day of delivery or transmission if delivered personally or transmitted by fax before the end of the business day; or
  - (ii) on the next following business day if sent by first class prepaid or registered mail or if transmitted by fax or delivered personally after the end of a business day or any other day or any other day not being a business day;

(iii) for the purposes this clause reference to business day shall be referenced to the days of Monday to Friday inclusive but excluding bank holidays; the business day being deemed to have commenced at 9.00am and terminating at 5.00pm Greenwich Mean Time.

21. The construction validity and performance of this agreement shall be governed by the laws of England and Wales.
22. It is not the intention of the parties hereto to confer rights on third parties who are not parties to this agreement.
23. Recycle Proline LTD shall be the ONLY Company authorized to distribute/collect plastic bags on behalf of Cancer Research and Genetics UK.

AS WITNESS the hands of the parties

Signed by..... *N J Phillips*.....

Name..... *MR N.J. PHILLIPS (DIRECTOR)*.....

For and on behalf of Cancer Research and Genetics UK

Date of Agreement..... *1-11-2018*.....

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

Name..... *L. KULIKAUSKAITE / K. DONELIENE*.....

Recycle Proline Limited

Date of Agreement..... *01/11/2018*.....

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Schedule One

LOGO

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Schedule Two  
England Scotland and Wales

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Schedule Three

**Cancer Research & Genetics UK**  
Charity Reg No. 1121512  
Registered in England & Wales

**Help us by donating**

- Clothing - adults and children
- Paired shoes tied together
- Handbags, belts, hats, accessories
- Bed linen, towels, soft toys
- Jewellery, toiletries, perfumes
- Bric-A-Brac, souvenirs

**Please No: Curtains and Books**

**Recycle Proline Ltd**  
in commercial participation with Cancer Research & Genetics UK is operating this collection service. At least £2000 per calendar month will be donated to Cancer Research & Genetics UK. Last year Recycle Proline Ltd raised over £36,500 for Cancer Research & Genetics UK. Recycle Proline Ltd, Co. Reg. No. 939841575 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.

 Registered with FUNDRAISING REGULATOR 

**Turn your unwanted clothing in support of Cancer Research & Genetics UK**  
**Recycle Proline is operating this collection service**

**Collection will be between 8 am and 2 pm and we will collect it on:**

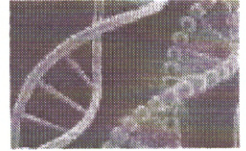
				
-----------------------------------------------------------------------------------	------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

**If this bag has not been collected between 8am to 2pm or if you have any queries please contact the helpline on:**  
**0844 335 6540**  
Office opening hours: Mon-Fri 9am-3pm

**WARNING - BEWARE OF BOGUS COLLECTORS ALL OUR COLLECTORS CARRY IDENTITY CARDS**  
**SAFETY FIRST - THIS BAG SHOULD BE KEPT AWAY FROM BABIES, CHILDREN & PETS**



# Cancer Research & Genetics UK



Telephone/Fax:  
(01443) 408813

Mobile:  
07811 512573

SHERWOOD,  
LLANDRAW WOODS  
MAESYCOED, PONTYPRIDD  
SOUTH WALES. . CF37 1EX

01.11.2018

Dear Sirs

**Re: Cancer Research & Genetics UK**

I write in support of any applications for House to House collection/Permit in the name of the promotor/Company business, Miss Laura Kulikauskalte, Miss Kerry Sweeney/Recycle Proline Ltd on behalf of the above named Charity.

I therefore give my full authorisation and permission to the above and hereby give my signature as authority.

Your truly

*NJ Phillips*

---

Director: Mr. NICHOLAS JOHN PHILLIPS . Treasurer: Mr. DARRYL JOHN PHILLIPS

Secretary: Miss GEMMA BOSHER

Email: [cancergeneticsuk@aol.com](mailto:cancergeneticsuk@aol.com) Charity No 1121512 Web: [www.cancerresearchgenetics.co.uk](http://www.cancerresearchgenetics.co.uk)



**NORTHAMPTON**  
**BOROUGH COUNCIL**

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## **House to House Collection Policy**

**Version Date: 13.02.2014**

## **Contents**

**Section 1** Introduction

**Section 2** Applications for House to House Permits

**Section 3** Enforcement

**Section 4** Departure from this Policy

**Section 5** Amendments to this Policy

**Section 6** Fees and Charges

**Section 7** Rights of Appeal

**Appendix A** Regulations made by Northampton Borough Council

**Appendix B** Definitions

|

## Section 1 Introduction

### 1.1 The Policy

This document states Northampton Borough Council's policy on House to House Collections as defined by House to House Collections Act 1939, as amended by the House to House Regulations 1947.

The Local Government Act 1972 transferred responsibility for licensing both Street and House to House collections from the police to local authorities.

In London, however, the Metropolitan Police and the Common Council of the City of London are still responsible for licensing of collections.

### 1.2 The Objectives of this Policy

This policy has been adopted with view to securing the following objectives;

- To ensure that promoters and collectors are properly authorised,
- To ensure that contributions collected is done so in a secure way and the total proceeds collected are properly accounted for,
- To minimise nuisance to residents and visitors to the Northampton Borough

### 1.3 The Law

It is unlawful in the United Kingdom to hold, for the benefit of charitable or other philanthropic purposes, a house to house collection on any street or public place without first obtaining a House to House Permit from a local authority. A 'Public Place' is defined as a 'place where the public has access and this need not be in public ownership.

To be legal, charitable house-to-house collections must be authorised. This means the collectors must have either a collection licence issued by the local authority or a National Exemption Order issued by the Cabinet Office.

National Exemption Orders issued by the Cabinet Office are available to charities who have undertaken a high number of collections across local authority areas. Further details of Exemption Orders and a full list of those charities that have been granted this status can be viewed online at;

<https://www.gov.uk/government/publications/national-exemption-order-scheme>

The licence does not authorise the promotion of a door to door envelope collection: such collections may now be only by the permission of the Secretary of State.

There are six grounds upon which the local authority can consider the refusal of a House to House collection as follows;

- a. That the total amount likely to be applied for charitable purposes as a result of the collection (including any amount already so applied) is adequate in proportion to the value of the proceeds likely to be received (including any proceeds already received).
- b. That the 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 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 person so authorised.
- f. That the applicant or holder of the licence has refused or neglected to furnish to the authority such information as they may have reasonable required for the purpose of informing themselves as to any of the matters specified in the foregoing paragraphs.

Summary details of the legislation is contained within Appendix A and a full copy of the legislation can be viewed online at <http://www.legislation.gov.uk>

#### 1.4 The Charities Act 2006

The Charities Act 2006 provides for a new regulatory regime to control charitable collections in public – **this new framework is still pending enactment**. It applies to all such collections including face-to-face fundraising and where requests are made for members of the public to sign direct debit mandates. There is a new role for the Charity Commission in checking whether charities and other organisations are fit and proper to carry out public collections. The Charity Commission will be responsible for issuing Public collections Certificates, which will be valid for up to five years. This new procedure, if enacted, will mean that local authorities will no longer need to assess the suitability of individual applicant and will ensure a more uniform approach to such assessment nationally. Once a charity has a Public Collections Certificate it will be able to apply to a local authority for a permit to hold collections at certain times in

certain places within that local authority area. Local authorities will assess applications to ensure that collections do not clash and that the public are not annoyed by excessive collection activity.

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## Section 2 Applications for a House to House Collection Permit

### 2.1 Applications

All applications must be made on the Councils prescribed postal application form, or may be made online at [www.northampton.gov.uk](http://www.northampton.gov.uk) using the prescribed online application.

Applications must be received at least 20 working days before the required collection date, unless good reason exists and late submission is agreed with the local authority.

Particular attention on the application needs to ensure that all questions are answered in full; failure to complete all sections will invalidate the application.

The local authority will require a written agreement between the applicant and the charity.

It must be clear as part of the application process how much the charity will receive as part of the collection, the proportion of this as a percentage of the cost of running the collection and must have previously submitted a clear set of returns if the organisation has operated collections before.

The local authority may request any additional supporting information that it considers relevant in determining the application in accordance with paragraph 1.3(a-f) and the relevant local policies detailed in 2.2

### 2.2 Key Considerations of Local Policies

A summary of the regulations is contained within **Appendix A**, the Licensing Committee for this council has also approved the following three requirements for the grant of House to House Collection Permits;

- Permits will only be issued to nationally recognised charities with a local connection
- Permits will not be issued to purely political campaigning organisations
- Applications from organisations/Individuals that have not previously been licensed for a House to House collection by this authority will be determined by the Licensing Committee.

Where applications are received from individuals or organisations collecting on behalf of Nationally Recognised Charities, supporting documentation will be required from the National Charity to demonstrate the collection is supporting their cause.

Permits can be issued for a maximum of twelve months; however this authority aims to work with organisations to avoid numerous charitable collections taking place within the same area, which can reduce the potential fundraising aims and may inadvertently cause a nuisance to households. Applications are therefore encouraged for a maximum of three months, in order to minimise the number of organisations who



might wish to work within the same area at any given time. This is a voluntary option that is encouraged and has proven to work well in the past.

Organisations collecting under a Home Office Exemption Order are not within the control of Northampton Borough Council; however these organisations usually let the local authority know that they are carrying out a collection within our area.

When considering applications the financial information given is sometimes difficult to interpret. Unless the proportion that will be donated to charity is clear and we are confident in the calculations the application will be returned requesting more detailed information.

If the proportion allocated to the charity is clear, members must be satisfied that the amount to be given to the charity is adequate in relation to the proceeds received. The cost of collection needs to be taken into account and balanced against the perception of the public that all of the items or money they donate will be given to charity. As a general guide we welcome applications that will give approximately 80% of the value of the collection to the charity; however each application will be determined on its individual merits.

It is common practice for collectors to be paid by organisations to collect money and products. When determining the remuneration and whether this is excessive the nature of the business and the overheads can be taken into account and balanced against the amount being given to the charity. The remuneration received by individuals involved in the collection process, at all levels, may also be considered as part of this assessment. As a general guide we welcome applications where approximately 20% of the value of the collection is used for remuneration purposes, however each application will be determined on its individual merits.

If no previous returns have been supplied to the Council after the previous licensed collections by the same organisation or individual within the borough then the application will be refused. In addition, any action taken as a result of not complying with regulations on operating House to House collections would also be grounds for refusal unless there are extenuating circumstances.

## **Section 3      Enforcement**

It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible members of the permit holders.

In pursuing its objectives detailed in this Policy, the Council will operate a proportionate enforcement regime in accordance with the Councils Enforcement Policy.

If you don't have the appropriate licence before starting house-to-house collections you could face imprisonment for a term up to six months and/or a fine of up to £1,000.

If you or anyone collecting on your behalf doesn't give a police officer their name, address and signature when asked to, they could be fined up to £200.

## **Section 4      Departure from Policy**

In exercising its discretion in carrying out its regulatory functions, Northampton Borough Council will have regard to this Policy document and the principles set out therein.

Notwithstanding the existence of this Policy, each application will be considered on its own merits based on the licensing principles detailed in this Policy.

Where Licensing Officers consider that there is clear and compelling reasons to depart from this Policy, a report detailing the application will be placed before the Licensing Committee for a decision to be made.

## **Section 5      Amendments to this Policy**

Any significant amendment to this Policy will only be implemented after further consultation with the Permit Holders and the public. All such amendments to this Policy will be undertaken in accordance with the Council's Constitution. For the purpose of this section, any significant amendment is defined as one that:

- Is likely to have a significant financial effect on permit holders, or
- Is likely to have a significant procedural effect on permit holders, or
- Is likely to have a significant effect on the community.

Any minor amendments to this Policy may be authorised by the Portfolio Holder for Customers and Communities and Public Protection and undertaken in accordance with the Council's Constitution.

## **Section 6 Fees and Charges**

Northampton Borough Council does not make a charge for the processing of a House to House Permit.

## **Section 7     Appeals**

Organisations can appeal within 14 days of the local authority's decision to the Minister for the Cabinet Office if a local authority refuses them a licence to hold a house-to-house collection, or if they revoke such a licence. The Cabinet Office processes these appeals.

For further information, reference should be made to the Act and Regulations which are obtainable from The Stationery Office, PO Box 29, Norwich, NR3 1GN, or through any bookseller. Telephone (General Enquiries) 0870 600 5522.

## Appendix A

### HOUSE TO HOUSE COLLECTIONS ACT 1939 House to House Collections Regulations 1947 (as amended)

The above Act and regulations contain important provisions for the regulation of House to House Collections for charitable purposes, and prescribe fines and/or imprisonment for offences against the Act or the Regulations.

1. Except in cases specified in paragraphs 3 and 4:-  
No collection in any locality for a charitable purpose may be made unless the promoter is licensed by the Licensing Authority for the area comprising that locality, and the collectors are authorised by the promoter.
2. Application for a licence must be made in the prescribed manner. The Licensing Authority cannot grant a licence for a period longer than twelve months and may refuse a licence or, where granted, may revoke it, in circumstances specified in the Act.  
There is a Right of Appeal to the Secretary of State against the refusal or the revocation of a licence, within fourteen days of the date on which notice is given of the refusal or the revocation.
3. Where the Secretary of State is satisfied that a person pursues a charitable purpose throughout the whole, or a substantial part, of England and Wales, and is desirous of promoting collections for that purpose, the Secretary of State may by Order direct, in effect, that such person shall be exempt from the requirement to obtain licences from the Licensing Authority, as respects all collections for that purpose in such localities as may be described in the Order.
4. Where the Chief Constable of the police areas comprising a locality in which a collection for a charitable purpose is being, or proposed to be, made is satisfied that the purpose is local in character, and that the collection is likely to be completed within a short period, he may grant to the person who appears to him to be principally concerned in the promotion of a collection a Certificate in the prescribed form; and where a Certificate is so granted, a Licence from the Licensing Authority is not required, and the provisions of the Regulations (as to which see paragraph 5 below) shall not apply to a collection made in conformity with such Certificate.
5. Regulations have been made by the Secretary of State under the Act. The Regulations include the following, amongst other provisions-
  - (a) every promoter of a collection must exercise all due diligence to secure that collectors are fit and proper persons and that they are authorised to act as collectors; and to secure compliance by collectors with the Regulations;
  - (b) no promoter of a collection shall permit any person to act as a collector unless he has issued to that person-
    - (i) a prescribed Certificate of Authority;
    - (ii) a prescribed Badge; and
    - (iii) if money is to be collected, a Collecting Box marked, or a Receipt Book (with receipts and counterfoils or duplicates consecutively

numbered) marked on every receipt, with a general indication of the purpose of the collection, and a distinguishing number.

- (c) In the case of a collection in respect of which a Licence has been granted, every Certificate of Authority shall be given a form obtained from The Stationery Office, and every prescribed Badge shall be so obtained.
- (d) No person under the age of 16 years shall act or be authorised to act as a collector of money.
- (e) No collector shall importune any person to the annoyance of such person, or remain in, or at the door of, any house if required to leave by the occupant thereof.
- (f) The promoter of a collection must, within one month of the expiry of the licence, furnish an account of the collection in the form prescribed to the licensing authority or the Secretary of State, as the case may be.



## Appendix B

<b>TERM</b>	<b>DEFINITION</b>
Authorised Officer	An officer of the Council authorised by it to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
The Local Authority	Northampton Borough Council
Charitable Purpose	means any charitable, benevolent, or philanthropic purpose.
Collection	An appeal to the public, made by means of visits from house to house to give whether for consideration or not, money or other property.
Collector	A person who makes the appeal in the course of such visits.
Promoter	A person who causes others to act as collectors for the purposes of the collection
Permit	A permit issued by the local authority for a collection.
Contributor	A person who contributes to a collection and includes a purchaser of articles for sale for the benefit of charitable or other purposes.
Collecting Box	A box or other receptacle for the reception of money from contributors.
House	Includes a place of business
Proceeds	means in relation to a collection, all money and all other property given, whether for consideration or not, in response to the appeal.

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

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# Agenda Item 9

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

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

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