

<b>Report to:</b>	<b>PUBLIC PROTECTION SUB-COMMITTEE</b>
<b>Relevant Officer:</b>	Sharon Davies, Head of Licensing Service
<b>Date of Meeting</b>	20 June 2017

## HOUSE TO HOUSE COLLECTION LICENCE

### 1.0 Purpose of the report:

- 1.1 To consider an application for a house to house collection licence

### 2.0 Recommendation(s):

- 2.1 The Sub-Committee will be requested to determine the application.

### 3.0 Reasons for recommendation(s):

- 3.1 This application cannot be granted under delegated powers as it falls outside of the Council's policy on house to house collections.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

None, as the Sub-Committee is required to determine the application

### 4.0 Council Priority:

- 4.1 The relevant Council Priority is "The Economy: Maximising growth and opportunity across Blackpool"

### 5.0 Background Information

- 5.1 The House to House Collections Act 1939 governs the issue of these licences. It details a number of grounds for refusal:
- That the total amount likely to be applied for charitable purposes as a 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 and proceeds already received)

- 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.
- 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 had been committed.
- That the applicant is not a fit and proper person to hold such a licence by reason of the fact that he has been convicted of an offence specified in the Schedule to the Act, or has been convicted of an offence 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 facilitated by the grant of a licence
- The applicant has failed to exercise due diligence to secure that persons authorised by him to act as collectors for the purpose of the collection were fit and proper persons
- The applicant has negligently failed to furnish to the authority such information as they may reasonably have required for the purpose of informing themselves as to any of the matters specified above.

5.2 In 2011, the Public Protection Sub Committee approved a policy on House to House collections. The policy states that licences will in general be granted for two, two week periods per year.

5.3 The Licensing Service received an application to make a house to house collection on behalf of Claire House Hospice in Manchester. This could not be granted administratively as it requested a licence for 12 months. When the Council's policy was pointed out to the applicant the following response was received:

As indicated in the legislation which I have sourced from legislation.gov.uk and attached, charities are informed that the only restriction on such permits are that they shall be granted for a period of no more than 12 months (as specified in the application) unless the local authority has reason to refuse the license on the grounds described through points 3a – f.

*None of these points refer to the allocation of dates or the number of organisations allowed to collect in one area simultaneously. Neither do they state that local councils are authorised to differ on their policies regarding house to house collections. Claire House does not meet any of the criteria for refusal and as I have applied to approximately 40 other authorities and received permits for the 12 month period I requested.*

*As a children's hospice we deliver a vital service and as a result of the current*

*economic climate, we are finding it more and more difficult to find the £3.6 million needed every year to keep our doors open. We rely heavily on the generosity of our donors and supporters. Any assistance you could provide would be immensely appreciated.*

5.4 Does the information submitted include any exempt information? Yes

5.5 **List of Appendices:**

Appendix 4a: Application from Claire House Hospice

6.0 **Legal considerations:**

6.1 The Sub-Committee must be satisfied that the applicant and licence holders are fit and proper persons to be licensed.

6.2 There is the right of appeal to the Magistrates' Court.

7.0 **Human Resources considerations:**

7.1 None.

8.0 **Equalities considerations:**

8.1 None.

9.0 **Financial considerations:**

9.1 None.

10.0 **Risk management considerations:**

10.1 None.

11.0 **Ethical considerations:**

11.1 None.

12.0 **Internal/ External Consultation undertaken:**

12.1 None.

**13.0 Background papers:**

13.1 None.