

REPORT TO:		CABINET	
DATE:		15 January 2019	
PORTFOLIO:		Cllr Joyce Plummer - Resources	
REPORT AUTHOR:		Wendy Redfern, Licensing Manager	
TITLE OF REPORT:		House to House Collections Policy	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

1.1 The reports seeks members approval of a House to House Collections Policy for the Council

2. Recommendations

2.1 The recommendation is that the attached Draft House to House Collections Policy be adopted.

3. Reasons for Recommendations and Background

3.1 The licensing service is responsible for regulating a wide range of functions including house to house collections. However to date there has been no formal House to House Collections Policy adopted by this Council.

3.2 House to house collections are governed by the House to House Collections Act 1939 and the House to House Collections Regulations 1947, as amended. As a general rule, house to house collections for charitable, benevolent or philanthropic purposes, whether or not the purpose is charitable within the meaning of the rule of law, are required to be licensed by the authority in whose area they intend to collect. The definition 'collection' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, visits to persuade persons to buy goods etc., where any part of the proceeds may go to charity.

3.3 The only exception to the general rule is for organisations that have been granted an Exemption Certificate by the Home Office under the provisions of the House to House Collections Act 1939. This certificate allows an organisation to collect in the district

without applying for a licence. The organisation must inform the authority of the dates and areas of any planned collections.

3.4 The authority can refuse or revoke a licence for a number of reasons:

- If too high a proportion of the proceeds are to be spent on expenses;
- If not enough of the proceeds are to be given to the charity or cause;
- If incorrect information was provided on the application form;
- If the promotor or any other person involved in the collection has been convicted of certain criminal offences, i.e. burglary, blackmail or fraud.

There is a right of appeal to the Secretary of State against the refusal or revocation of a licence within 14 days from the date on which the notice is given of the refusal or revocation.

3.5 Without a policy those that apply for a house to house collection licence in this district cannot be expected to know what is required of them and the proposed policy has been drafted to provide transparency and clarity on the requirements.

3.6 The proposed policy sets out the proportion of the proceeds of any house to house collection that should be applied to the charitable purposes that the collection is being made for. For this purpose it is recommended that 75% of the profits of house to house collections should be applied to the charity.

3.7 The licensing manager is of the opinion that a Policy of this type is necessary due to the number of bogus companies that are setting up and carrying out house to house collections mainly for private gain. The Association of Charity Shops estimates that charities lose between £2.5 million and £3 million a year through theft and people giving clothing to organisations which they think are charities but may be commercial companies collecting for profit.

3.8 The policy will limit the number of days that any particular collection can take place over. This will allow more charities to have the opportunity to collect and it will ensure that householders are not inundated with several charities all collecting at the same time.

3.10 In order to achieve its aims the licensing manager has identified the major issues and sought to tackle them through the policy with the intention of:

- Ensuring impartiality and fairness in determining applications;
- Accommodating all eligible requests, subject to capacity, and bearing in mind that certain days and locations are especially sought after;
- Providing equality of opportunity for would be collectors;
- Avoiding causing undue nuisance to the public;
- Setting fair maximum limits for one applicant;
- Achieving a fair balance between local and national causes.

3.11 In conclusion members are requested to approve the proposed House to House Collections Policy in order to help to deliver fairness and transparency to all involved.

4. Alternative Options considered and Reasons for Rejection

4.1 None

5. Consultations

5.1 None

6. Implications

Financial implications (including any future financial commitments for the Council)	No financial implications
Legal and human rights implications	None
Assessment of risk	No risk has been identified
Equality and diversity implications	<p>The Council is subject to the public sector equality duty introduced by the Equality Act 2010. When making a decision in respect of the recommendations in this report Cabinet must have regard to the need to:</p> <ul style="list-style-type: none"> • eliminate unlawful discrimination, harassment and victimisation; and • advance equality of opportunity between those who share a relevant protected characteristic and those who don't; and • foster good relations between those who share a relevant protected characteristic and those who don't. <p>For these purposes the relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity,</p>

7. Local Government (Access to Information) Act 1985: List of Background Papers

Proposed house to House Collections Policy

8. Freedom of Information

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.