

Report for: ACTION
Item Number:



<b>Contains Confidential or Exempt Information</b>	<b>NO - PART 1</b>
<b>Title</b>	House-to-House Charity Collection Policy
<b>Responsible Officer</b>	Craig Miller – Community Protection and Enforcement Service Lead
<b>Contact officer, job title and phone number</b>	Steve Johnson, Enforcement Principal 01628 683555
<b>Member reporting</b>	Cllr Asghar Majeed
<b>For Consideration By</b>	Licensing Panel
<b>Date to be Considered</b>	31 <sup>st</sup> July 2014
<b>Implementation Date if Not Called In</b>	October 2014
<b>Affected Wards</b>	All
<b>Keywords/Index</b>	Charity, House-to-House, Collections

<p><b>Report Summary</b></p> <p>The purpose of this report is to ask Members to approve a guideline that a minimum of 75% of the proceeds from house-to-house charitable collections will be applied for charitable purposes – and that relevant organisations be consulted on that proposal.</p>
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<b>If recommendations are adopted, how will residents benefit?</b>	
Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
There is an expectation from those contributing to charitable collections that the majority of their contribution will go directly to the charity concerned and that an excessive amount will not be used to cover the costs of the collection.	October 2014

## 1. Details of Recommendations

### **RECOMMENDATION:**

**That Members approve the start of consultation into setting a policy that a minimum of 75% of the proceeds of all house-to-house charitable collections in the borough must be donated directly to the charity concerned.**

## 2. Reason for Recommendation and Options Considered

- 2.1 House-to-house collections for a charitable purpose are required to be licensed by the local authority, unless an exemption order has been granted to the charity in question. These are granted by the Cabinet Office to certain larger charities, such as the British Heart Foundation and Cancer Research UK.
- 2.2 The Council receives between 20 and 30 applications for house-to-house collection licenses each year. There is no fee payable for this type of licence and the licence allows charitable organisations to go from house to house collecting money and other items.
- 2.3 Under section 2(3) of the House to House Collections Act 1939, a licensing authority may refuse to grant a licence for a house-to-house collection where it believes that:  
“the total amount likely to be applied for charitable purposes as the result of the collection (including any amount already so applied) is inadequate in proportion to the value of the proceeds likely to be received (including any proceeds already received)” and/or if “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”. ‘Proceeds’ is defined in the Act as “all money and all other property given, whether for consideration or not, in response to the appeal made”.
- 2.4 Organisations can appeal 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.
- 2.5 It is recognised that house-to-house collections are a valuable a method of fundraising for charitable purposes. However, there are concerns in respect of some collections where it can be unclear to the public whether the collection is mainly charitable or commercial. This has a knock-on effect on public confidence in giving items to charity.
- 2.6 Some house-to-house collections are carried out by commercial companies, where the items are collected and then sold commercially with an amount per tonne given to a charity. However, a BBC News report found that while charities received £50 to £100 per tonne of goods collected, the items could sell overseas for anything up to £1,800.

- 2.7 Further, the Cabinet Office in 2013 felt that “In general we would not normally expect the amount of the proceeds of collections applied to expenses to exceed 25%”.
- 2.8 Where a house-to-house collection licence is issued by the borough, those carrying out the collection must complete a return to confirm the amount raised and detailing any costs incurred. However, the borough currently has no fixed guideline on the minimum percentage of proceeds that should go directly to the charity concerned.
- 2.9 Current RBWM guidance on completion of the return and the accompanying documentation required will be updated if the above recommendation is approved.
- 2.10 Organisations working in this area – primarily charities, of course – have a reasonable expectation of being consulted about the introduction of the proposed minimum percentage. It is therefore recommended that relevant businesses and charities be consulted on the recommendation and that the matter be reported back to the October 2014 Licensing Panel for a final decision.

Options	Comments
To specify that a minimum of 75% of the proceeds of house-to-house collections must go to the charity concerned.	Residents will be reassured that the major part of their contribution of clothing/items or monies will be used for a charitable purpose.
Do nothing.	At present residents have no clear idea as to what amount of their contribution actually goes to benefit the charity.

### 3. Key Implications

What does success look like, how is it measured, what are the stretch targets

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
The undertaking of a consultation process on the proposed minimum percentage of 75%	Consultation not completed until after September 2014	Consultation completed by 30 <sup>th</sup> September 2014	Consultation completed by 31 <sup>st</sup> August 2014	N/A	October 2014

#### 4. Financial Details

There are no significant financial implications arising from the recommendation in this report.

#### 5. Legal Implications

The legal implications are identified within the report.

#### 6. Value for Money

N/A

#### 7. Sustainability Impact Appraisal

None

#### 8. Risk Management

Identify any potential risks associated with the options and the proposed course of action. If none, say so.

Risks	Uncontrolled Risk	Controls	Controlled Risk
None			

#### 9. Links to Strategic Objectives

This links to work for residents first.

#### Our Strategic Objectives are:

##### Residents First

- Support Children and Young People
- Encourage Healthy People and Lifestyles
- Improve the Environment, Economy and Transport
- Work for safer and stronger communities

##### Value for Money

- Deliver Economic Services
- Improve the use of technology
- Increase non-Council Tax Revenue
- Invest in the future

##### Delivering Together

- Enhanced Customer Services
- Deliver Effective Services
- Strengthen Partnerships

##### Equipping Ourselves for the Future

- Equipping Our Workforce
- Developing Our systems and Structures
- Changing Our Culture

#### 10. Equalities, Human Rights and Community Cohesion

A full EQIA is not anticipated at this stage.

#### 11. Staffing/Workforce and Accommodation implications:

None

## 12. Property and Assets

None

## 13. Any other implications:

Clarity for staff using delegated powers when issuing house to house permits.

## 14. Consultation

The recommendation is that relevant businesses and charities are consulted and that the matter will return to the Licensing Panel in October 2014 for a final decision.

## 15. Timetable for Implementation

N/A

## 16. Appendices

None

## 17. Background Information

Current RBWM House-to-House Collections Regulations (on the RBWM website).

## 18. Consultation (Mandatory)

Name of Consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Burbage	Leader of the Council	21/08/2014	23/07/2014	
Cllr Cox	Lead Member	18/07/2014	18/07/2014	
Cllr Majeed	Licensing Panel Chairman	18/07/2014	19/07/2014	
Cathryn James	Strategic Director of Operations	18/07/2014		
Roxana Khakinia	Shared Legal Services	18/07/2014	23/07/2014	

## Report History

Decision type:	Urgency item?
Non-key decision	No

Full name of report author	Job title	Full contact no:
Steve Johnson	Enforcement Principal	01628 683555