



Objects, the Charity Commission and Members

Objects

The objects of the CIO are:

- (1) for the public benefit, to further or benefit the residents of Brentwood without distinction of gender, sexual orientation, race or of political, religious or other opinions, by providing allotment facilities in the interests of social welfare for recreational leisure time occupation with the objective of improving the conditions of life for the said residents;

and

- (2) to advance education, in particular, but not limited to, horticulture, management of allotments and the improvement and nurturing of the natural environment for the public benefit.

Charity Commission

Our Constitution follows a model set by the Charity Commission with specific additional details agreed with them and sets out the governance processes we must follow. This is policed by the submission of accounts and a detailed trustee report to the Commission each year. If this is not done, or if there are any other irregularities reported to the Commission then they have power to open an inquiry into the CIO which could lead to varying degrees of enforcement action (if irregularities are found) from strongly worded “advice” to effective confiscation of assets and dissolution. It is therefore important to follow the governance processes properly.

For the model to work there are three groups of people with different powers and interests who need to work together in the interests of the CIO, the members, the trustees and the executive committee. Membership CIOs always involve a degree of healthy tension between different groups in order to create balance and good open governance.

Members

The members of a CIO differ from members of a commercial company or a private unincorporated association in that their membership is not beneficial. There is no entitlement to the assets of the CIO and when voting on issues such as the selection of trustees the members are supposed to consider how the objects outlined above are best taken forward rather than any personal interests. Under the constitution the members are sovereign because they appoint the trustees. However, once appointed it is the trustees who have ultimate responsibility for the management of the charity in accordance with charity law.



Trustees

The constitution permits up to 9 trustees who may be either members or non-members of the CIO. At present there are 7 Trustees, who meet on a regular basis to agree collective decisions on the management of the charity but undertake other specialist technical roles on behalf of the CIO. As explained, it is the trustees who are ultimately responsible for the management of the charity.

The current trustees and their roles are:

- Jane Bennett. Jane is a local businesswoman. She is not a member of the CIO as she doesn't have a plot. As such she is an independent trustee who chairs our Grievance panel and offers insight from a public benefit perspective. She and Antony, the other independent trustee have also conducted a review of all our sites from an "outsider" perspective.
- Steve Griffiths. Steve is our Treasurer managing our bank account, collection of our rents, paying our bills and producing our accounts. Steve is also a member of the executive committee helping with day-to-day management of our sites.
- Angela Hyams. Angela is a property lawyer who has been leading on property issues and has been putting in a lot of work on the new lease and on the property aspects of our byelaws and other internal procedures.
- Arthur Leathley. Arthur is the Vice Chair and a site rep at Hartswood and member of the executive committee helping with day-to-day management of the sites.
- Ian Palmer. Ian is the Chair and leads our relationship with BBC as well as also chairing the Executive Committee dealing with day-to-day management and also leads a lot of our improvement projects.
- Mike Rose. Mike has a background in finance and has held, and continues to hold, a number of governance roles across various local organisations. He is not a member of the Executive Committee, but his role includes acting as a liaison for issues arising at the smaller sites.
- Antony Timmins. Antony is a former charity tax consultant who helped set up the CIO and is now the secretary to the Trustee Board meaning that he looks after all the paperwork for the Charity Commission etc. He also doesn't have a plot so is not a member of the CIO and is also "independent" like Jane and sits on our Grievance panel.
- Kay Bellwood is a former BBC journalist and current podcaster with The Brentwood Buzz. She has been an allotmentee at Hartswood for nine years. She makes jam and chutney and fruit liqueurs with her produce.



Executive Committee

The Executive Committee is primarily composed of site representatives from all of our sites and has responsibility, within guidelines agreed with the trustees, for the active day-to-day management of the society's sites including maintenance, allocation of plots, collection of rents and relations with members including issues relating to cultivation. The relationship between the Executive Committee and the Trustees is set out in the Constitution and has been subject to formal advice from the Commission. Further details are set out in byelaws issued by the trustees. The majority of the committee members are site reps but the committee is chaired by Ian Palmer, who also chairs the trustees, and Steve Griffiths and Arthur Leathley are also trustee members. The purpose of this arrangement is to maximise the input of our site reps and other members and to let the day to day work needed to keep the society running without burdening the site reps and other committee members with the responsibility of being trustees, and without burdening the trustees with day to day decisions at the sites which don't need their input. The principle of the trustees delegating in this manner has been specifically approved by the Charity Commission subject to it being clear that the Trustees oversee the working of the committee and retain ultimate responsibility for the work of the CIO.

Finance, Membership, the Data Base & other admin matters

The financial management, database records management, and Allotment Waiting list are handled by the Treasurer (Steve Griffiths), the Membership Secretary (Pat Griffiths) and Database Manager (Chris Smith). The trustee secretary, Antony Timmins manages compliance with charity commission requirements. The Chairman and another trustee, Angela Hyams, manage matters relating to the leases over our allotment sites.

The Allotment Year runs from November 1st to October 31st and the peak period for plot turnover is in the October to November period when the annual rent and membership bills are issued. These bills are generated by the database.

New plot-holders come from the waiting list and are asked to attend a meeting on site with the relevant site representative. Once the decision to accept a plot is confirmed the Treasurer adds the details to the database, generates a new invoice and prepares other necessary paperwork (the Rent Agreement and GDPR form) for distribution and signature.

If there is a dispute of any kind between a member or plot holder and the society which cannot be resolved with the relevant site rep, officer or other members of the Executive committee then there is a grievance panel chaired by Jane Bennett with the Trustee Secretary as the other member.

The Financial Year runs from January 1st to December 31st and is followed by the production of the Trustees Report and an Annual General meeting where all plot-holding members can attend and vote.