



Annual General Meeting
7pm on 14 December 2022
Herne Hill Baptist Church

Main agenda

Note: minutes of previous AGM available [here](#).¹

- 1. Welcome**
- 2. Resolutions -**
 - **Election of Officers & Committee**
- Committee members for re-election by rotation:

Hazel Watson, Beth Taylor and James Davidson

- Ratification of appointment of officers:

George Hornby (Vice Chair) and James Leabeater (Treasurer)
 - **Accounts**
To approve the accounts attached at Appendix A
 - **Charitable Objects**
See Appendix B
- 3. Review & Project Teams**
 - Town Centre
 - Halloween
 - Community Tent
 - Walking & Cycling
 - Retrofit Herne Hill
 - Reimagine Herne Hill
- 4. General Q&A/Discussion**
- 5. AOB**

¹ <https://www.hernehillforum.org.uk/wp-content/uploads/2021/05/AGM-minutes.pdf>



Appendix A to AGM Agenda

Treasurer's Report to AGM 14 December 2022

Many voluntary organisations have found adjusting to life through and after COVID tricky, and the Herne Hill Forum is no exception. We were without a treasurer from 14 December 2021 until 20 September 2022 when I agreed to take on the role. The accounts are in a reasonable state thanks to hard work by Alice French. I attach accounts she has drawn up to April 2021 and April 2022 and ask the AGM to approve them.

We currently have £56,500 odd in the bank account. Our income has fallen as the market operator has not been paying the sums previously agreed, in relation to which we are in negotiations. Our expenditure has, over the last few years, been greater than our income, which means that our previously healthy bank balance has declined. This has been exacerbated by greater reliance on paid contractors due in part to a lack of volunteers.

Going forward our intention is (a) to reinvigorate applications for grants and funding; (b) to reinvigorate our volunteer base and (c) to cut back on activities which take up contractor time unless they can be funded from income streams.

We have also decided to switch bank accounts from the Co-Op to RBS, as the Co-Op banking system has become very difficult to use and is not really amenable to automation. I am hoping this will enable most elements of financial reporting and book keeping to become more automated.

James Leabeater
1 December 2022

Herne Hill Forum

Balance Sheet As of March 31, 2021

	TOTAL
Fixed Asset	
Total Fixed Asset	
Cash at bank and in hand	
Cash at bank	99,877.63
Cash held by Local Authorities	0.00
Cash in hand plus float	0.00
Total Cash at bank and in hand	£99,877.63
Debtors	
Commercial Debtors	0.00
Other debtors	0.00
Trading Debtors	0.00
Total Debtors	£0.00
Current Assets	
Debtors	0.00
Total Current Assets	£0.00
NET CURRENT ASSETS	£99,877.63
Creditors: amounts falling due within one year	
Current Liabilities	
Accruals	0.00
Creditors	0.00
Total Current Liabilities	£0.00
Total Creditors: amounts falling due within one year	£0.00
NET CURRENT ASSETS (LIABILITIES)	£99,877.63
TOTAL ASSETS LESS CURRENT LIABILITIES	£99,877.63
TOTAL NET ASSETS (LIABILITIES)	£99,877.63
Capital and Reserves	
Brought forward reserves	109,068.00
Deficit/Surplus	0.00
Retained Earnings	13,567.54
Profit for the year	-22,757.91
Total Capital and Reserves	£99,877.63

Herne Hill Forum

Profit and Loss

April 2020 - March 2021

	TOTAL
Income	
Grant Income	9,954.00
Total Income	£9,954.00
GROSS PROFIT	£9,954.00
Expenses	
Contractor	20,403.82
Insurance	369.76
Legal and professional fees	6,166.42
Printing, postage and stationery	71.86
Purchases	630.83
Small Grant	2,585.01
Subscriptions	1,364.23
Website development	1,119.98
Total Expenses	£32,711.91
NET OPERATING INCOME	£ -22,757.91
NET INCOME	£ -22,757.91

Herne Hill Forum

Balance Sheet As of March 31, 2022

	TOTAL
Fixed Asset	
Total Fixed Asset	
Cash at bank and in hand	
Cash at bank	68,208.86
Cash held by Local Authorities	0.00
Cash in hand plus float	0.00
Total Cash at bank and in hand	£68,208.86
Debtors	
Commercial Debtors	0.00
Other debtors	0.00
Trading Debtors	8,500.00
Total Debtors	£8,500.00
Current Assets	
Debtors	0.00
Total Current Assets	£0.00
NET CURRENT ASSETS	£76,708.86
Creditors: amounts falling due within one year	
Current Liabilities	
Accruals	0.00
Creditors	0.00
Total Current Liabilities	£0.00
Total Creditors: amounts falling due within one year	£0.00
NET CURRENT ASSETS (LIABILITIES)	£76,708.86
TOTAL ASSETS LESS CURRENT LIABILITIES	£76,708.86
TOTAL NET ASSETS (LIABILITIES)	£76,708.86
Capital and Reserves	
Brought forward reserves	109,068.00
Deficit/Surplus	0.00
Retained Earnings	-9,190.37
Profit for the year	-23,168.77
Total Capital and Reserves	£76,708.86

Herne Hill Forum

Profit and Loss

April 2021 - March 2022

	TOTAL
Income	
Grant Income	15,650.00
Services - CCFM	10,000.00
Total Income	£25,650.00
GROSS PROFIT	£25,650.00
Expenses	
Contractor	41,310.04
Insurance	436.34
Legal and professional fees	1,950.00
Printing, postage and stationery	468.81
Purchases	499.70
Small Grant	2,803.44
Subscriptions	1,150.44
Venue Hire	200.00
Total Expenses	£48,818.77
NET OPERATING INCOME	£ -23,168.77
NET INCOME	£ -23,168.77



Herne Hill Forum as a CIO

Appendix B to AGM Agenda

Resolution

- That cl.2 of the Herne Hill Forum be amended to read as follows:

2. *PURPOSE*

2.1 *The Herne Hill Forum (“the Forum”) exists for the public benefit of the community of Herne Hill, including immediately surrounding areas.*

2.2 *The Forum’s purposes are as follows:*

- (a) To develop, maintain and foster the public amenities in Herne Hill.*
- (b) To take steps for the improvement and regeneration of Herne Hill.*
- (c) To increase knowledge and appreciation of the amenities and social activities of Herne Hill and to foster a sense of community among all residents and other people who work in or visit Herne Hill.*
- (d) To take steps to improve the environment, to reduce pollution and to reduce greenhouse gases in Herne Hill.*
- (e) To take steps for the alleviation of poverty and for the assistance of those in need in Herne Hill.*
- (f) To assist in the reduction of crime in Herne Hill.*

Background

2021 AGM

At the AGM on 30 March 2021 the Membership passed the following resolution:

- (1) the Committee shall be authorised to apply to register a charitable incorporated organisation (the “CIO”) with the Charity Commission for England and Wales;*
- (2) following registration of the CIO, all assets, liabilities, operations, activities and records of the unincorporated association known as Herne Hill Forum (the “Unincorporated Association”) shall be transferred to the CIO (the “Transfer”);*
- (3) following completion of the Transfer, the Unincorporated Association shall be dissolved;*
- (4) the Committee shall be authorised to take all necessary steps to effect the Transfer and the subsequent dissolution of the Unincorporated Association; an*

- (5) *to the extent necessary, the constitution of the Unincorporated Association shall be modified to permit the Transfer.*

The application

An application to the Charity Commission was made on 15 February 2022 relying on the Forum's existing objectives and rejected on 24 February 2022. The nub of the Charity Commission's decision to reject was as follows:

Organising or facilitating community engagement, establishing a weekly market or sponsoring musicians may be of benefit to that community, but it has not been demonstrated how they would further exclusively charitable purposes for the public benefit. Moreover, where the criteria for considering the organisation's assistance to the community does not appear focused on identified charitable purposes ('projects that reach out to those in our community who are disadvantaged in any way; one-off projects, as opposed to situations/projects that need repeated or continuous funding; projects where we are funding on a matched funding basis), it is difficult to see how the organisation could demonstrate that it was focused on the furtherance of exclusively charitable purposes for the public benefit.

Bringing the residents of a community together, providing opportunities to socialise, to celebrate and build community spirit, while doubtless of benefit to the community, does not further a recognised charitable purpose. What is presented appears in some respects similar or akin to a residents' association. Residents' associations are not wholly charitable as they seek to serve the personal interests of said residents and therefore do not meet the public benefit requirement.

In view of this, we are not satisfied that Herne Hill Forum meets the requirements for registration as a charity.

The Committee decided on 20 September 2022² that in order to address the Commission's reasons for rejection, the Forum's objectives need to be amended.

Current objectives

The Forum's current objectives are as follows:

2. PURPOSE

- 2.1. *The Herne Hill Forum ("The Forum") has been created for the express purpose of furthering the social economic and environmental well-being of Herne Hill, to include individuals living or wanting to live in the area, together with registered businesses and other organisations in the area variously defined as, but not limited to, Herne Hill.*
- 2.2. *The Forum aims to give a voice to the residents and businesses of Herne Hill and to reflect their aspirations and concerns, to promote Herne Hill and, in collaboration with the Boroughs of*

² <https://www.hernehillforum.org.uk/documents/meetings-accounts/>

Lambeth and Southwark and other relevant organisations and individuals, to work to sustain and improve the area's economy and environment and the quality of life and amenity of its residents, businesses and visitors.

2.3. *The Forum will seek to achieve this, inter alia, by -*

2.3.a. Actively encouraging the community to participate in the activities of The Forum.

2.3.b. Providing a forum for discussion of issues that may affect the area and for generating ideas and proposals to enhance the area.

2.3.c. Improving and supporting Borough and cross boundary planning and licensing processes in the area.

2.3.d. Supporting and developing projects and other activities that are of benefit to the area, including the creation of a Neighbourhood Plan.

2.3.e. Proposing priorities for infrastructure and public realm improvements to the competent authorities and, where necessary, helping to secure funding and assisting with their implementation.

Paragraph 2.1 of the Forum Objects

Paragraph 2.1 above is intended to mirror the provision in s.61F of the Town and Country Planning Act 1990.

That states a body may only become a neighbourhood forum if

"it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area)."

Paragraph 2.1 was therefore presumably included in order for the Forum to apply to become a neighbourhood forum. The application was rejected in December 2017 by Lambeth Council on technical grounds and we are not aware of any enthusiasm to make another application.

Accordingly, it is no longer necessary to retain that objective in precisely that form

What it takes to be a charity

In order for A to become a charity under English law, the following grounds, among others, must be satisfied:

- A's objects must fall exclusively within one or more of the 13 descriptions of purposes set out in the Charities Act 2011.
- A's activities must be exclusively for the public benefit.
- A's activities cannot be for a political purpose. This does not mean A is prevented from carrying out campaigning and political activities that further or support the delivery of its charitable aims. However, A cannot engage in party

political activity; that is, any activity intended to support political parties or political candidates.

What does the Forum do?

The main current activities of the Forum are as follows:

- Maintaining and improving the Herne Hill public realm, including Station Square, the market, Station Hall and environs
- Assisting local businesses and shops
- Liaising with local councils and other bodies in relation to Herne Hill issues
- Seeking to improve the Herne Hill environment
- Putting on events for the benefit of the local community

The Forum is not a political body, in that it has no political affiliations.

New Objectives

It is proposed that the Forum's Proposals be amended so as (a) to reflect what it does and (b) to emphasise that its activities are exclusively charitable, in order that a further application may be made, in due course, for the Forum to become a CIO.

2. PURPOSE

2.1 *The Herne Hill Forum ("the Forum") exists for the public benefit of the community of Herne Hill, including immediately surrounding areas.*

2.2 *The Forum's purposes are as follows:*

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