



**CHARITY COMMISSION
FOR ENGLAND AND WALES**

Ms Miles
Sent via email.

Charity Commission
PO Box 211
Bootle
L20 7YX

Our ref: 5275430

Date: 20 March 2026

Dear Ms Miles,

APPLICATION FOR REGISTRATION AS A CHARITY – The Potton Flower and Vegetable Show

We have now completed a detailed assessment of your application, and we have determined that your application has not been successful. The Commission's decision is to refuse the registration of The Potton Flower and Vegetable Show as a charity. This decision is made under section 208 of the Charities Act 2011.

To be a charity, an organisation:

- a) Must be set up only for purposes which are recognised as charitable. The term 'purposes' is a legal term which refers to the specific aims or objectives for which an organisation has been set up. Our guidance on what are charitable purposes can be found [here](#); and
- b) It must be shown that the charitable purposes are for the public benefit. This is what is referred to as the 'public benefit requirement', which is explained in our guidance [here](#).

This decision was made because it hasn't been clearly demonstrated that the organisation would meet one or both of the above requirements.

The assessment of charitable status is a complex legal test and a full explanation of how we assess charitable status is explained [here](#).

Below we have explained the specific reasons why your application to register as a charity was not successful.

Our Assessment

Your purpose is written in the object wording of the CIO Association Constitution provided with your application. This states:

It is a criminal offence under Section 60 of the Charities Act 2011 to knowingly or recklessly provide false or misleading information to the Commission.

The advancement of education in the subject of horticulture including lifestyle and environmental activities. The promotion, maintenance and improvement of horticulture for the public benefit.

The objects do not clearly state purposes which are recognised as being wholly charitable. Whilst they make reference to the advancement of education, which is a charitable purpose falling within the 13 descriptions of purpose, they also make reference to providing “*lifestyle and environmental activities*”. These activities are not clearly defined to show how they are capable of furthering a purpose in the advancement of education, specifically in the subject of horticulture. The promotion, maintenance and improvement of horticulture is not a charitable purpose which falls within the 13 descriptions of charitable purpose.

Where the Commission has received an application for registration from an organisation with non-charitable purposes, we also look at the surrounding circumstances as presented in the application to see if the material presented indicates a clear underlying charitable purpose. Having done so for your application, the material does not indicate that the organisation is established for exclusively charitable purposes or that The Potton Flower and Vegetable Show would operate in a manner that furthered exclusively charitable purposes for the public benefit.

Moreover, on the basis of the information provided, it has not been demonstrated how the organisation would further an exclusively charitable purpose for the public benefit.

The objects of the organisation refer to advancing education in the subject of horticulture. Our guidance ‘The Advancement of Education for the Public Benefit’, [here](#), sets out the requirements for an educational purpose and explains that there are two main factors:

- the subject must be capable of being of educational merit or value; and
- the process is such that it delivers educational merit or value.

In this instance the trustees have not provided any details of the education to be provided within the application form. As the content of the education being delivered has not been adequately explained we are unable to determine its merit or value. We must also be satisfied that the process by which education is delivered is sufficiently rigorous and well-structured to be capable of delivering educational merit or value. This involves demonstrating a clear structure for the content and delivery of education by appropriately qualified people and the intended outcomes. At present it does not seem as though any structured education is delivered by the organisation, instead it seems as though education is implied by virtue of attending the flower show. Education, in the charity law context, requires education to be deliberate and we are not satisfied that the trustees have evidenced that in this instance.

Where we are not satisfied that the work of the organisation is capable of furthering a purpose in the advancement of education, we have considered whether the activities being provided may be directed towards a different charitable purpose. Before going into detail, it might be helpful to explain that in order to be a charity everything an organisation does must further exclusively charitable purposes and be capable of addressing a defined charitable need. Therefore, not everything that benefits a community or group of people or is generally understood to be 'good' is necessarily charitable in law. Many organisations are set up to do things which benefit or build the community, however not all of these organisations will be capable of being charities.

Within the objects clause the trustees have referred to "*lifestyle and environment activities*", a review of the wider application shows that this includes activities such as craft shows, barn dances and a Christmas fair. Based on the limited information available, it would seem as though these activities are delivered to bring entertainment and enjoyment to those in the local area and provide opportunities to 'gain new skills and friends'. Bringing the residents of an area together and providing opportunities to socialise and to eat and drink – while doubtless a positive activity for the benefit to the community and the individuals within it – does not further any recognised charitable purpose (we would direct the applicants' to paragraphs A20 – A23 of our guidance on [The Recreational Charities Act](#) which explains this in further detail).

Whilst the trustees may consider that in totality the proposed services may be of benefit to the community, as previously stated, the courts have held that not everything that is beneficial to a community is necessarily charitable in law. A registered charity must be established to further charitable purposes only. For this reason, it may be the case that operating under a charity structure will not offer the organisation the flexibility it requires to offer its services to all who may wish to benefit from them. While it may be charitable to provide services to people with identifiable charitable needs, it is unclear that the full scope of the proposal in this case would be limited, in its entirety, to charitable purposes only.

As a result of the factors above, the Charity Commission is unable to register your organisation as a charity.

Next steps

The trustees may feel that they are able to address the issues raised and restructure the organisation to meet the requirements of charitable status. If this is the case, the most appropriate way forward is to submit a fresh application once the trustees have fully considered and addressed all the issues. Prior to submitting any fresh application, please also consider the information set out in Annex A.

If the trustees feel that we have made any factual or legal errors in our refusal of the application, the trustees can consider appealing the decision. The process to appeal the decision is contained in Annex B.

Yours sincerely,

**The Registration Division
Charity Commission for England and Wales**

ANNEX A

Completing a new application

If the trustees decide to submit a fresh application, we suggest that they read our guidance on [how to set up a charity](#) and [how to register a charity](#).

When the trustees are satisfied that they meet the [legal test for charitable status](#), they should follow the [step by step guide](#) on the Charity Commission website.

A new application must explain how the trustees have addressed all the issues raised in this letter.

ANNEX B

Appealing against the decision of the Commission

The Commission's decision was made under section 208 of the Charities Act 2011.

If you disagree with the decision, you can ask the Commission to carry out an internal review of the decision by using our online form (<https://forms.charitycommission.gov.uk/decision-review/>) or via email at litigationandreview@charitycommission.gov.uk.

Any application for a decision review must be made as soon as possible and in any event within three months of the date on which the notice of our decision was sent to you (which will normally be the date of this document).

A request for a decision review is the quickest and simplest way to appeal the Commission's decision. However, the Commission's decision can also be challenged in the First-tier Tribunal (Charity).

Please be aware that the decision review process is for reviewing the Commission's decision which was made based on the information provided to date. If significant changes are being made to the objects/purpose, structure or activities, then the decision review process is not suitable, and a fresh application should be submitted for consideration.

If you wish to challenge our decision in the Tribunal, you may find it helpful to visit the Tribunal's website for more information about time limits, the form of the Notice of Appeal and how to start a case, found at the following link: <https://www.gov.uk/guidance/appeal-against-a-charity-commission-decision-about-your-charity>.

Please note that you will not lose the chance to bring an appeal to the Tribunal by first using the Commission's decision review service.

Further details about our decision review procedure and the Tribunal are provided in our guidance "How to register a charity (CC21b)": <https://www.gov.uk/guidance/how-to-register-your-charity-cc21b>.