

DECISION OF THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES

APPLICATION FOR REGISTRATION OF CYLCH

1. The Issue before the Commissioners

The Commissioners considered an application by the company called Cylch (Wales Community Recycling Network) for registration as a charity. If the company was established for exclusively charitable purposes it should be entered on the Central Register of Charities under s.3(2) of the Charities Act 1993.

2. Determination

- 2.1 The Commissioners concluded that Cylch was established for exclusively charitable purposes and entitled to registration under s.3(2) of the [Charities Act 1993](#).
- 2.2 The Commissioners further concluded that it would continue to be so established if it adopted an additional object as proposed.

3. Cylch's objects

3.1 Cylch had been established with objects in the following form:

1. *To advance the education of the public in Wales concerning recycling and waste management through a programme of teaching, training, publishing, exhibitions, seminars and any other means for providing public knowledge and information.*
2. *To promote and fund scientific research for the public benefit.*
3. *To promote the effectiveness and efficiency of other charities in the community recycling sector with advice, information, support and funding for projects, as would further their charitable objects.*

4. Cylch's activities.

4.1 Cylch is an umbrella body for community re-use and recycling bodies. It aims to promote sustainable waste management practices. Cylch does not undertake any re-use or recycling activities itself. It provides an information resource for community groups (not necessarily charities) which wish to undertake reuse or recycling activities of one form or another. It seeks to act as an enabler to such groups by providing consultancy and training.

4.2 Cylch also acts in a representative and advisory capacity ancillary to its objects. This involves representing and promoting the views of community organisations at local and national level but also in advising on waste management policy and strategy in national and local government. It involves negotiation with

local authority and trade unions in respect of the implementation of waste strategies.

4.3 The activities extend beyond the stated educational objects and are directed towards the promotion of sustainable waste management practices.

4.4 Though the objects as drafted in the Memorandum were charitable they did not accurately reflect the full range of activities carried out by Cylch.

5. Proposed additional object

5.1. The Commissioners therefore considered whether an addition object, to reflect its activities in relation to the promotion of sustainable waste management, could be added but so that the company would be established for exclusively charitable purposes.

5.2. Cylch explained to the Commissioners that it aims to promote a waste management strategy in accordance with Best Practicable Environmental Option (BPEO) as identified in the White Paper “Waste Strategy 2000 for England and Wales.” That involves consideration of the ‘waste hierarchy’ and the ‘proximity principle’. The waste hierarchy is reduction, reuse then recycle. It aims to bring about sustainable waste management by promoting and representing community re-use and recycling bodies.

5.3. The Commissioners have accepted that the conservation and preservation of the environment is a good charitable purpose as outlined in [RR9: Preservation and Conservation](#).

5.4. Given that Cylch’s activities were directed towards BPEO the Commissioners were satisfied that it could be established its activities were for the conservation of the environment.

5.5. The Commissioners accepted that an additional object in the following terms satisfied the requirements of public benefit and was charitable.

“the conservation and protection of the (physical and natural) environment by the promotion of sustainable waste management practices in accordance with the Best Practicable Environmental Option.”

[In this clause sustainable waste management practices includes waste minimisation, minimisation of pollution and harm from waste, reuse of waste, recycling of waste, waste recovery activities and clearing of pollutants from contaminated land and Best Practicable Environmental Option shall have the meaning given to it in the White Paper “Waste Strategy 2000 for England and Wales.]”