

Castle Bromwich Hall and Gardens Trust

(A Company Limited by Guarantee and not having a Share Capital)

Annual Report

For the Year Ended 31 December 2009

Castle Bromwich Hall and Gardens Trust

ANNUAL REPORT

FOR THE YEAR ENDED 31 DECEMBER 2009

Contents	Page
Report of the Trustees	2
Independent Examiner's Report	6
Statement of Financial Activities and Income & Expenditure Account	7
Balance Sheet	8
Notes to the Financial Statements	10
Donations	Appendix

Castle Bromwich Hall and Gardens Trust

ANNUAL REPORT OF THE TRUSTEES FOR THE YEAR ENDED 31 DECEMBER 2009

REFERENCE AND ADMINISTRATIVE INFORMATION

Company number: 1944650

Registered Charity number: 516855

Registered Office:
Castle Bromwich Hall Gardens
Chester Road
Castle Bromwich
Birmingham
B36 9BT

Bankers: Lloyds TSB Bank Ltd
248 Stratford Road
Shirley, Solihull B90 3AE

Independent Examiner: Feltons
8 Sovereign Court
8 Graham Street
Birmingham B1 3JR

Trustees

The current Trustees, who are also directors for the purposes of the Companies Act, are as follows:

Roger S. Burman CBE DL

Chairman

David L. Adams

Representing St. Mary & St. Margaret's Church

Pauline S. Allen

Representing Castle Bromwich Parish Council

Sheila A. Aucott

David M. Bennett

The Earl of Bradford

Simon J. Cleaver

Nigel D. Dawkins

Representing Birmingham City Council

Richard J. Easton FCA

Hon. Treasurer & Company Secretary

William A Esslemont (appointed 17 Sept. 2009)

Jean A Draycott (appointed 17 Sept. 2009)

M Elizabeth Hatchman (appointed 31 July 2010) *Representing The National Trust*

David Hopkins

David J Howell (appointed 17 Sept. 2009)

Gerard F. Lawlor

George E. Richards

Representing Solihull MBC

Michael Robinson

Representing Solihull MBC

Jennifer A Teale (appointed 17 Sept. 2009)

Anita Ward (appointed 29 June 2009)

Representing Birmingham City Council

Linda Clinton resigned on 29 June 2009

Anna Russell resigned on 21 January 2010.

STRUCTURE, GOVERNANCE AND MANAGEMENT

Castle Bromwich Hall and Gardens Trust, a charitable trust set up in 1985, is a Company limited by guarantee and not having a share capital.

The Trust is governed by its Memorandum and Articles of Association, which were revised in 2008.

The following organisations, being Foundation Members, are entitled to nominate and appoint Trustees;

Birmingham City Council (2), Castle Bromwich Parish Council(1), The National Trust (1), St Mary and St Margaret's Castle Bromwich Parochial Church Council (1), Solihull Metropolitan Borough Council (2).

The Earl of Bradford, or a person appointed by him, is entitled to be a Trustee.

At the Annual General Meeting up to three Ordinary Members, or such other number as may be set out in the Bye Laws, shall be entitled to be elected to be Trustees.

The Trustees have power to co-opt for such period they think fit any member, who in their opinion is able to contribute to the objects of the Trust, as an addition to the existing Trustees provided the total number of Trustees does not exceed twenty-five. There are at present no policies or procedures adopted for the induction and training of Trustees.

The administration of the Trust is effected by a Management Committee, which is appointed by the Trustees and meets monthly. This committee implements and monitors the matters of policy determined by the Trustees. The Gardens Committee advises on horticultural and heritage matters affecting the Trust. There are no related party transactions with the Trustees.

The Management Committee have examined the major business and operational risks which the Trust faces; these have been reported to the Trustees and procedures have been established to minimise and review these risks.

OBJECTIVES AND ACTIVITIES

The objects of the Trust are to promote the permanent preservation and restoration of the Gardens (including any structures and buildings contained therein), which adjoin Castle Bromwich Hall, for the benefit and education of the public generally.

The Trust continues to restore and maintain the Gardens and keep them open to the public during the week. Fund raising events take place on a number of weekends during the year.

The Trust depends upon the contribution of a large number of volunteers who work across the whole range of its activities.

ACHIEVEMENTS AND PERFORMANCE

The Trust has continued during the period to devote all its resources to the maintenance and restoration of the Gardens, which are now nationally acknowledged to be of the highest standard.

The chairman Roger Burman reports:

CBHGT was established to regenerate and maintain an important 18th century garden. The Trust has a Gardens Committee consisting of experts in historic gardens, plants and trees which oversees the authenticity of the garden. It also employs a team of professional gardeners who, together with the help of volunteers, implement the Committee's strategy.

The volunteers also include those who manage the operations, supervise visitors, man the gift, plant and coffee shops and support the Trust generally.

During the year there have been a number of initiatives in the Garden, notably to refocus the gardening effort now that many areas have achieved maturity. This particularly applies to the Upper and Lower Wilderness areas where overgrown shrubs have been cut back and thinned and in some cases removed. Replanting is also taking place.

The quality of the Gardens continues to improve and many compliments have been received. Visitor numbers have again increased and our grateful thanks go to David Fullard, the gardeners and volunteers.

Our schools programme has continued to expand during the year with significant support from Groundworks and with the use of the Keder; this will continue to be a major part of our future work in the Community. At the end of the year we appointed Ann Brookman to take over the supervision of the programme at the end of the Groundworks contract. Most of the visits have been from Birmingham schools but we are working hard with Solihull to encourage their schools to participate.

The Trust incurred a deficit this year which was in line with budget but plans are in place to correct this. Our thanks are again given to Solihull and Birmingham for their continued support, however it was disappointing that Birmingham felt it necessary to halve their contribution from that of previous years, particularly as the considerable costs of the schools programme mainly aids Birmingham schools.

The Hall was sold during the year but although a large amount of restoration work is being carried out, it is not certain what the future use of the Hall will be. We continue with the contract with the new owners to maintain their gardens.

The new membership scheme came into effect from 1 January 2009 and is proving successful. The Friends disbanded and made a generous final contribution, for which we are most grateful. Many of their former activities, such as the lecture programme, car boot sale, etc. continue to take place under the direct control of the Trust.

Finally, may I take this opportunity to thank everyone involved in the Gardens for their huge support in the year. The Gardens have rarely looked better and this is a credit to you all.

FINANCIAL REVIEW

The Financial Statements for the year show a deficit on General Funds of £12,465 after taking into account the unrealised gains on investments of £3,104. This is a similar net result as last year.

This further reduces the Trust's Unrestricted Reserves to £55,463 (2008 - £67,928); this is just adequate for the present, but action is needed to prevent further reduction.

Following the revision of the Trust's constitution in 2008, you will see income from membership (£3,085) appearing in the Statement of Financial Activities for the first time. At the end of the year there were 149 members of the Trust.

In addition to the generous donations received from the Friends, charitable trusts and individuals, the principal funding sources are Solihull MBC and Birmingham City Council; we are most grateful for all these contributions.

Reserves Policy

There is much work still to be done in the Gardens of both a restoration and maintenance nature, and due to the lack of stability of much of the Trust's income, the Trustees' policy is to increase reserves to a much more substantial figure in order to give better long term financial stability to the Trust.

Investment Policy

The Trustees' policy for the investment of the small amount of surplus funds is to obtain a balance between capital growth and income with medium risk. A proportion of the funds are held on interest bearing deposits which enable the funds to be readily available, but at present unfortunately give a very poor return.

PLANS FOR FUTURE PERIODS

The Trust plans to continue with the restoration and maintenance of the Gardens. The replacement of the visitor centre is becoming more urgent, and work on this project is now progressing well.

RESPONSIBILITIES OF THE TRUSTEES

We are required under charity and company law to prepare financial statements for each financial year, which give a true and fair view of the charity's financial activities during the year and of its financial position at the end of the year. In preparing financial statements giving a true and fair view we are required to:

- Select suitable accounting policies and apply them consistently;
- Make reasonable and prudent judgements and estimates;
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

We are also responsible for keeping accounting records which disclose with reasonable accuracy the financial position of the charity and which enable us to ascertain the financial position of the charity and to ensure that the financial statements comply with the Companies Act 2006. We are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Trustees have complied with the duty in Section 4 of the Charities Act 2006 to have due regard to public benefit guidance published by the Charity Commission.

This report has been prepared in accordance with the Statement of Recommended Practice: Accounting and Reporting by Charities (issued in March 2005) and in accordance with the special provisions of part 15 of the Companies Act 2006 relating to small entities.

Signed on behalf of the Trustees

R J Easton
Company Secretary
5 August 2010

Castle Bromwich Hall and Gardens Trust

INDEPENDENT EXAMINER'S REPORT TO THE MEMBERS OF CASTLE BROMWICH HALL AND GARDENS TRUST

We report on the accounts for the year ended 31 December 2009 set out on pages 7 to 13.

Respective responsibilities of trustees and examiner

As described on page 5 the trustees, who are also the directors of Castle Bromwich Hall and Gardens Trust (A Company Limited by Guarantee) for the purposes of company law, are responsible for the preparation of the accounts. The trustees consider that an audit is not required for this year under section 43(2) of the Charities Act 1993 (the 1993 Act) and that an independent examination is needed.

Having satisfied ourselves that the charity is not subject to audit under company law and is eligible for independent examination, it is our responsibility:

- to examine the accounts under section 43 of the 1993 Act;
- to follow the procedures laid down in the general directions given by the Charity Commission under section 43(7)(b) of the 1993 Act; and
- to state whether particular matters have come to our attention.

Basis of independent examiner's report

Our examination was carried out in accordance with the general directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit and consequently no opinion is given as to whether the accounts present a 'true and fair view' and the report is limited to those matters set out in the statement below.

Independent examiner's statement

In connection with our examination, no matter has come to our attention which gives us reasonable cause to believe that:-

1) in any material respect the requirements:

- to keep accounting records in accordance with section 386 of the Companies Act 2006; and
- to prepare accounts which accord with the accounting records, comply with the accounting requirements of section 396 of the Companies Act 2006 and with the methods and principles of the Statement of Recommended Practice: Accounting and Reporting by Charities have not been met; and

2) there are no material matters to which, in our opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

Feltons
Chartered Accountants
Birmingham B1 3JR

Castle Bromwich Hall and Gardens Trust

STATEMENT OF FINANCIAL ACTIVITIES FOR THE YEAR ENDED 31 DECEMBER 2009

Incorporating the Income & Expenditure Account and Statement of Total Recognised Gains and Losses

	Note	General Funds £	Restricted Funds £	Total 2009 £	Total 2008 £
Incoming Resources					
Incoming Resources from generated funds					
- Voluntary income					
Donations		12404	7455	19859	31653
Local authority grants	2	56446	-	56446	62752
Legacy		-	-	-	10741
- Activities for generating funds					
Income from fund raising events		6908	-	6908	5934
- Investment Income					
Dividends		2023	-	2023	2571
Interest on deposits		402	-	402	2531
Incoming resources from charitable activities					
Garden entry fees		21844	-	21844	17445
Income from sale of goods		25665	-	25665	22753
Membership		3085	-	3085	-
Total incoming resources		128777	7455	136232	156380
Resources expended					
Costs of generating funds					
- Fund raising events					
		3462	-	3462	3058
Charitable activities	3	139144	15029	154173	143186
Governance costs					
- Independent examiner's fee (2008 Audit fee)					
		1740	-	1740	1850
Total resources expended		144346	15029	159375	148094
Net (expenditure)/income being net (outgoing)/ incoming resources before other recognised gains		-15569	-7574	-23143	8286
Unrealised gains/(losses) on investments		3104	-	3104	-15874
Net movement in funds		-12465	-7574	-20039	-7588
Funds brought forward at 1 January 2009		67928	236860	304788	312376
Funds carried forward at 31 December 2009		55463	229286	284749	304788

The statement of financial activities includes all gains and losses recognised during the year. All incoming resources and resources expended derive from continuing activities.

Castle Bromwich Hall and Gardens Trust

BALANCE SHEET

AS AT 31 DECEMBER 2009

	Note	General Funds £	Restricted Funds £	Total 2009 £	Total 2008 £
Fixed Assets					
Tangible Fixed Assets	6	-	228190	228190	235764
Investments at market value	7	38042	-	38042	34938
		38042	228190	266232	270702
Current Assets					
Debtors	8	14481	-	14481	23981
Cash on deposit and at bank		37149	8474	45623	45627
Cash in hand		313	-	313	256
		51943	8474	60417	69864
Creditors					
Amounts falling due within one year	9	-34522	-7378	-41900	-35778
Net Current Assets		17421	1096	18517	34086
Total Assets less Current Liabilities		55463	229286	284749	304788
The Funds of the Trust					
Unrestricted Funds					
General Fund		55463	-	55463	67928
Restricted Funds	10	-	229286	229286	236860
Total Funds		55463	229286	284749	304788

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Castle Bromwich Hall and Gardens Trust

BALANCE SHEET AS AT 31 DECEMBER 2009 CONTINUED

The company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 31 December 2009.

The members have not required the company to obtain an audit of its financial statements for the year ended 31 December 2009 in accordance with Section 476 of the Companies Act 2006.

The directors acknowledge their responsibilities for:

- (a) ensuring that the company keeps accounting records which comply with Sections 386 and 387 of the Companies Act 2006 and
- (b) preparing financial statements which give a true and fair view of the state of affairs of the company as at the end of each financial year and of its net income or expenditure for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the company.

The financial statements are prepared in accordance with the special provisions of part 15 of the Companies Act 2006 relating to small entities.

Approved by the Trustees on 5 August 2010 and signed on their behalf by:

R S Burman
Chairman

R J Easton
Hon. Treasurer

Castle Bromwich Hall and Gardens Trust

NOTES TO THE FINANCIAL STATEMENTS

YEAR ENDED 31 DECEMBER 2009

1 Accounting Policies

a. Basis of Accounting

The Financial statements have been prepared under the historical cost convention, as modified by the inclusion of fixed asset investments at market value, and in accordance with the Accounting and Reporting by Charities: Statement of Recommended Practice (revised 2005) and the Companies Act 2006.

b. Charitable Status

Castle Bromwich Hall and Gardens Trust is a registered charity and is exempt from corporation tax and capital gains tax provided its income and gains are applied for charitable purposes.

c. Donations, Grants and Legacies

Donations, grants and legacies are accounted for when receivable, and include recoverable income tax under the Gift Aid scheme where appropriate.

d. Resources Expended

All expenditure, which includes irrecoverable VAT is accounted for on an accruals basis and has been classified under the headings that aggregate all costs related to the category.

e. Fixed Assets

Depreciation of fixed assets is calculated to write off the cost less any residual value over the estimated useful life. The rate applied is 2% straight line basis for buildings and 10%, 20% and 15% reducing balance for portacabins, greenhouse and garden equipment respectively.

f. Investments

Investments held as fixed assets are valued at mid-market value at the balance sheet date and the gain or loss taken to the Statement of Financial Activities.

2. Local Authority Grants

A grant of £48946 towards general revenue expenses was received from Solihull Metropolitan Council during the year, and sponsorship of £7500 is receivable from Birmingham City Council.

3. Resources Expended – Charitable Activities

	Note	General Funds £	Restricted Funds £	Total 2009 £	Total 2008 £
Staff costs – Garden	4	54374	-	54374	50444
- Administration	4	43307	-	43307	42081
Garden Maintenance		6221	-	6221	6410
Insurance		7131	-	7131	7159
Light, heat and water		7032	-	7032	5423
Building maintenance and cleaning		3239	-	3239	7560
Security		5301	-	5301	2622
Special projects	5	-	7455	7455	2085
Publicity		2874	-	2874	2591
Office supplies and sundries		4772	-	4772	4077
Depreciation		-	7574	7574	8127
Total Garden Maintenance Expenditure		134251	15029	149280	138579
Cost of goods sold		4893	-	4893	4607
		139144	15029	154173	143186

4. Staff Costs	2009	2008
	£	£
Salaries	90600	89729
Social Security costs	6912	7016
Other employee costs	889	760
Work placement subsidy	-720	-4980
	97681	92525
	97681	92525

During the year the Trust employed on average 4 gardeners (2008 – 4) and 2 employees in the office (2008 – 2).

No employee earned more than £60000 in either year.

No remuneration or out of pocket expenses were paid to the Trustees in either year.

5. Special Projects

This expenditure generally relates to that for which the Trust has received a specific donation. The major item for which the Trust received donations was towards the cost of employing an education officer in 2010 primarily to work with the local schools.

6. Fixed Assets

	Permanent Buildings £	Portacabins & Greenhouse £	Total £
Cost			
At 1 January 2009	249374	28064	277438
At 31 December 2009	249374	28064	277438
Depreciation			
At 1 January 2009	29922	11752	41674
Charge for the year	4987	2587	7574
At 31 December 2009	34909	14339	49248
Net book value at 31 December 2009	214465	13725	228190
Net book value at 31 December 2008	219452	16312	235764

Freehold Land

The land relating to the gardens passed into the ownership of the Trust by Deed of Gift from the Earl of Bradford dated 31 December 1986. As the land is to be retained indefinitely for the use of the Trust and cannot be sold, it is considered to be an inalienable asset and is excluded from the balance sheet. There is no reliable information about cost available and the costs involved in obtaining a valuation would not produce additional benefits to the user of the accounts.

Buildings

Portacabins and the Keder greenhouse, which have been purchased, have been capitalised. Alterations and the costs of erecting the donated visitor centre have been charged as expenditure in the year incurred, as have subsequent improvements.

7 Fixed Asset Investments

	2009	2008
	£	£
Market Value at 1 January 2008	34938	40812
Addition during the year at cost	-	10000
Unrealised investment gain/(loss)	3104	-15874
Market value at 31 December 2009	<u>38042</u>	<u>34938</u>
Historical cost at 31 December 2009	<u>50000</u>	<u>50000</u>

The investment represents 3548.055 units of the M & G Securities Ltd Charifund.

8. Debtors

	2009	2008
	£	£
Sundry Debtors	9451	18046
Prepayments and accrued income	4220	5370
Income tax recoverable	810	565
	<u>14481</u>	<u>23981</u>

9. Creditors; amounts falling due within one year

	2009	2008
	£	£
Trade creditors	26909	29268
Other creditors and accruals	14991	6510
	<u>41900</u>	<u>35778</u>

10. Movement in funds

	Opening balance	Incoming resources (including gains)	Outgoing resources	Closing balance
	£	£	£	£
Unrestricted Funds	67928	131881	-144346	55463
Restricted Funds				
Building Fund	227300	-	-5662	221638
Special projects fund	9560	7455	-9367	7648
	<u>304788</u>	<u>139336</u>	<u>-159375</u>	<u>284749</u>

The Building Fund represents funds raised for the permanent buildings (gardeners' facilities).

11. Analysis of Net Assets between funds

	General Fund £	Building Fund (restricted) £	Special Projects (restricted) £
Tangible Fixed Assets	-	220542	7648
Investments	38042	-	-
Current Assets	51943	1096	7378
Creditors	-34522	-	-7378
	<u>55463</u>	<u>221638</u>	<u>7648</u>

12. Commitments

There are no capital commitments at 31 December 2009 (2008 nil)

Castle Bromwich Hall and Gardens Trust

DONATIONS

Donations of over £100 were received from the following for the year ended 31 December 2009

General Funds

The Friends of Castle Bromwich Hall Gardens
The 29th May 1961 Charitable Trust
The 7th Earl of Bradford's Castle Bromwich Parochial Charity
The Hugh Kenrick Charitable Trust
Mrs M Motteram
Mrs P Doncaster
Mr G Lawlor
Mrs Anne Kenrick
Mr Martin Kenrick
Birmingham Morris Minor Owners Club
The Lillie C Johnson Charitable Trust
Castle Bromwich Parish Council, Chairman's Charity Fund

Special Projects

Dame Mary Bridgeman Charity
The estate of Mrs M Esslemont Dec'd
Martin Wills Wildlife Maintenance Trust
Birmingham Common Good Trust
Henry James Sayer Charity
Baron Davenport's Charity
Bernard Piggott Trust
The W E D Charitable Trust

This page does not form part of the audited financial statements.