

Agenda Item No: 4

Report No: 165/15

Report Title: Trustees' Annual Report: Mountfield Pleasure Ground Trust

Report To: Trustees

Date: 9 December 2015

Report By: Alan Osborne, Director of Corporate Services

Contact Officer(s)-

Name(s): Steve Jump
Post Title(s): Head of Finance
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Tel No(s): 01273 484043

Purpose of Report:

To present the Annual Report and Accounts of the Mountfield Pleasure Ground Trust to Trustees for approval.

Officers Recommendation(s):

- 1** To approve the Annual Report for the period 1 April 2014 to 31 March 2015, including the Receipts and Payments Account.
 - 2** To authorise the Chair of the meeting to sign the Annual Report and the Receipts and Payments Account on the Trustees' behalf.
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Reasons for Recommendations

- 1** Trustees are required to approve an Annual Report and Receipts and Payments Account in accordance with Charity accounting and reporting regulations.

Information

- 2** Lewes District Council is sole trustee for the Mountfield Pleasure Ground Trust by virtue of the Local Government Act 1972 section 210 (2)(b) which provided for charitable property previously vested in Urban Rural District Councils to be vested in the District Council in the absence of a successor Parish or Town Council. Lewes District Council became sole trustee because Lewes Town Council did not exist at the time of reorganisation in 1974.
- 3** Corporate trustees must follow the reporting and accounting requirements in the Charities Act 2011. The requirements are set out in more detail in:

- the Charities (Accounts and Reports) Regulations 2008, which deal with the content and format of the Trustees' annual report, the accounts and the arrangements for audit or independent examination and
 - the Statement of Recommended Practice, SORP 2005, Accounting and Reporting by Charities.
- 4 The Trustees Annual Report for 2014/15 is attached at Appendix 1. This incorporates the Receipts and Payments Account for the year. These documents meet the reporting requirements and are subject to Independent Examination by BDO LLP, Lewes District Council's external auditors. At the time of writing this report BDO have substantially completed their work and no points of concern have been identified. Any significant changes resulting from the Independent Examination will be reported back to Trustees. The documents will be made available to the public via the Lewes District Council website or on request.

Financial Appraisal

- 5 As in previous years, the assets held by the Trust did not generate sufficient income to cover costs. The Receipts and Payment Account at the end of the Annual Report indicates that a grant of £81,993 was received from Lewes District Council in 2014/15 in order to achieve a break-even position for the year.

Risk Management Implications

- 6 There are no material risk management implications arising from this report. The Annual Report and Accounts are expected to meet the requirements of the Charity Commission. The governance arrangements of the Trust are explained in the Annual Report.

Equality Screening

- 7 This is a routine report for which detailed Equality Analysis is not required to be undertaken. The equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant reports.

Background Papers

Charity Commission - Charity Reporting and Accounting CC15b <http://www.charity-commission.gov.uk/Publications/cc15b.aspx>

Appendices

Appendix 1: Trustees' Annual Report 2014/15

Mountfield Pleasure Ground Trust

Trustees' Annual Report for the period 1 April 2014 to 31 March 2015

Reference and Administration Details

<i>Registered Charity Number</i>	305274
<i>Charity's principal address</i>	Southover House Southover Road Lewes East Sussex BN7 1AB
<i>Principal Contact</i>	Assistant Director of Corporate Services

Names of the Charity Trustees who manage the Charity

Lewes District Council is sole Trustee of the Charity. The 41 Members of Lewes District Council at the date of this report are:

Sam Adeniji	Graham Amy
Simon Barnes #	Rob Blackman
Wayne Botting #	Bill Bovington #
Julie Carr	Joanna Carter #
Stephen Catlin #	Michael Chartier
Daisy Cooper #	Sharon Davy
Nigel Enver #	Paul Franklin
Paul Gander	Peter Gardiner
Stephen Gauntlett	Bill Giles #
Jacqueline Harrison-Hicks	Olivia Honeyman #
Vic Ient #	Tom Jones
Alex Lambert #	Isabelle Linington #
Andy Loraine #	Ron Maskell
Elayne Merry	Susan Murray #
Dave Neave #	Tony Nicholson
Ruth O'Keeffe	Sarah Osborne
Julian Peterson #	Robbie Robertson
Tony Rowell #	Steve Saunders
Jim Sheppard	Andy Smith
Cyril Sugarman	Richard Turner #
Linda Wallraven #	

newly elected in May 2015. In addition to the above, the following were Members of Lewes District Council during the period covered by this Annual Report.

Bob Allen	Chris Bowers
Carla Butler	Melanie Cutress
Amanda Dean	Donna Edmunds
Ian Eiloart	David Gray
Barry Groves	Job Harris
Philip Howson	Carolyn Lambert
James MacCleary	Rod Main
James Page	Eileen Russell
John Stockdale	Benjamin Warren
Ian White	

Structure, governance and management

Description of the Charity's trusts

<i>(a) Type of governing document</i>	Deed dated 31 March 1896.
<i>(b) How the Charity is constituted</i>	Trust
<i>(c) Trustee selection methods</i>	All elected Councillors of Lewes District Council are trustees.

Additional governance issues

The election of councillors to the District Council takes place every four years, when residents who are on the Register of Electors are entitled to vote within their ward. The next elections in Lewes District will be held in May 2019. Candidates for election must satisfy the following criteria on the day they are nominated and on polling day they:

- must be at least 18 years old
- be a British citizen, an eligible Commonwealth citizen, or a citizen of any other member state of the European Union

They must also meet at least one of the four following qualifications:

- they are registered as a local government elector for the local authority area in which they wish to stand; or
- they have occupied as an owner or tenant any land or other premises in the local authority area during the whole of the 12 months before the day they are nominated; or
- their main or only place of work during the last 12 months has been in the local authority area; or
- they have lived in the local authority area during the whole of the last 12 months.

A person may not be eligible to stand as a councillor if he/she:

- is the subject of a bankruptcy restrictions order or interim order; or
- has been sentenced to a term of imprisonment of three months or more (including a suspended sentence) without the option of a fine, during the five years before election day; or
- has been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations) or under the Audit Commission Act 1998; or
- works for the Council or holds a politically restricted post with another council

The operational management and operation of the area of land which constitutes the 'Mountfield Pleasure Ground' is carried out in accordance with Lewes District Council's corporate governance arrangements. The Council has a number of systems and documents in place to ensure that it has effective corporate governance. These include the Council's Constitution, Council Plan, Medium Term Financial Strategy, Whistleblowing Policy, Performance Management Framework and Data Quality Policy and Strategy. The Council reviews its corporate governance arrangements against national best practice. The Audit and Standards Committee periodically reviews the Lewes District Council Local Code of Corporate Governance, most recently in December 2014. The Local Code brings together all of the Council's corporate governance arrangements in one place and identifies a number of issues to be addressed that will improve the Council's approach. It has six core principles, as follows:

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- i. Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area
- ii. Members and officers working together to achieve a common purpose with clearly defined functions and roles
- iii. Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour
- iv. Taking informed and transparent decisions which are subject to effective scrutiny and risk management
- v. Developing the capacity and capability of officers to be effective
- vi. Engaging with local people and other stakeholders to ensure robust public accountability

The Local Code shows under each core principle

- The individual requirement of the Local Code
- Systems/ processes/documentation demonstrating compliance
- Responsibility for monitoring/review
- Issues to be addressed, target date and officer responsible

The Local Code is published on the Council's website at

<http://www.lewes.gov.uk/council/3748.asp>

There is a clear distinction between the Council's own decision making process (for example in respect of assessing and providing financial contributions to the Trust and managing the Council's corporate assets) and the Council's role as Sole Trustee. This is achieved by having a formal break at the end of Council meetings before moving on to consider business as Sole Trustee. Such business includes the annual approval of the Trustees' Annual Report and accounts.

Objectives and activities

<i>Summary of objects</i>	The object of the Charity shall be the provision and maintenance of land at Mountfield, Dripping Pan and Convent Field, for the benefit of the public generally and especially the inhabitants of the District of Lewes in the County of East Sussex.
<i>Summary of the main activities undertaken for the public benefit in relation to these objects</i>	The Trustees have complied with their duty to have due regard to the guidance on public benefit published by the Charity Commission in exercising their powers or duties. This area of land was made accessible and available to the public through the Council's 'Parks and Open Spaces' service. The home ground of Lewes Football Club is at the Dripping Pan.

Achievements and performance

The land was available for use during the course of 2014/2015 and was maintained by Lewes District Council's Grounds Maintenance Contractor.

Financial Review

Brief statement on the Charity's policy on reserves Lewes District Council provides an annual grant to the value of the shortfall between receipts in the year and payments made. As a result, adverse fluctuations in spending needs or income do not have an impact on the overall financial position of the Trust. For this reason, reserves or balances are not retained.

Financial review Excluding the grant received from Lewes District Council, payments in the year, £150,877, exceeded receipts by £81,993. In terms of regular items, the largest areas of spending and income were grounds maintenance (£93,129) and car parking fees (£54,338) respectively.

The Receipts and Payment Account for 2014/2015 is appended to this report. The most significant variation in cost between years was in respect of Ground Maintenance – in 2014/15 12 monthly payments were made (compared with 11 in 2013/14) and the price paid was subject to a new contract at an increased price.

Declaration

The trustees declare that they have approved the Trustees' report above.

Signed on behalf of the Charity's Trustees

Signature

Full name

Date

Mountfield Pleasure Ground Trust

Receipts and Payment Account for the period 1 April 2014 to 31 March 2015

Introduction

The Charity Commission document 'Charity Reporting and Accounting CC15b' gives guidance on the accounting and reporting framework applying to Charities in England and Wales for accounting periods beginning on or after 1 April 2009. This Receipts and Payment Account has been drawn up in accordance with that framework.

There are three major influences on charity accounting and financial reporting:

- the minimum requirements for keeping accounting records applying to all charities (other than charitable companies) are set out in the Charities Act 2011
- the legal requirements for the preparation of accounts and reports, set out in Part 8 of the Charities Act 2011 and, where appropriate, the related Charities (Accounts and Reports) Regulations 2008
- the Statement of Recommended Practice: Accounting and Reporting by Charities (SORP 2005)

In line with the requirements, the annual financial statement has been prepared on a 'receipts and payments' basis. Receipts and payments accounts are statements that summarise the movement of cash into and out of the charity during the financial year. In this context "cash" includes cash equivalents, for example, bank balances where cash can be readily withdrawn to pay for debts as they become due. Receipts and payments accounts do not include the value of financial transactions for which there is a contractual commitment which has not yet been fulfilled by the transfer of cash ie payments owing at the end of the year are not included within the accounts.

The accounts will be subject to external scrutiny. The independent examiner of the accounts is:

BDO LLP
55 Baker Street
London
W1U 7EU

Receipts and Payments

	Unrestricted Funds 2014/2015 £	Unrestricted Funds 2013/2014 £
Receipts		
Voluntary Sources		
Grants (note 1)	81,993	59,855
Trading Activities		
Rents	11,980	15,052
Parking Income	54,338	51,126
Fees and Charges	0	4,841
Insurance Recharges	2,566	2,090
Sub-total Receipts	150,877	132,964
Asset and investment sales, etc	0	0
<u>TOTAL RECEIPTS</u>	150,877	132,964
Payments		
Direct Charitable Expenditure		
Ground Maintenance (note 2)	93,129	74,086
Parking Enforcement	19,255	19,982
Business Rates and Utilities	8,529	8,142
Other Expenditure		
Insurances	4,972	2,972
Independent Examiner's Fee	0	1,000
LDC Management and Support Costs	21,915	24,696
Other Miscellaneous Costs	3,077	2,086
<u>TOTAL PAYMENTS</u>	150,877	132,964
<u>NET RECEIPTS FOR THE YEAR</u>	0	0
Cash and bank balances at 31 March 2014 (note 3)	0	0
Cash and bank balances at 31 March 2015	0	0

Notes:

1. The Mountfield Pleasure Ground Trust is maintained within the accounts of Lewes District Council. The deficit on operations on the year is funded by the Council by means of a grant.
2. 12 monthly contract payments were made in the 2014/15 financial year, compared with 11 payments in 2013/2014.
3. No separate bank accounts are kept for Charity monies.
4. No separate valuation has been made of the land and buildings used by the Charity (under a permanent endowment). However, as a guideline, the site of which this forms a substantial part has been valued at £938,000 including the housing units. The valuation was carried out by an independent, professionally qualified valuer in accordance with local authority asset valuation requirements, for the purpose of Lewes District Council's Balance Sheet at 31 March 2015.
5. All of the receipts and payments have been classified as 'Unrestricted Funds'. These are funds that the Trustees are able to spend for any of the Charity's purposes.

Signed on behalf of the Trustees

Signature _____

Full name _____

Date _____