

**THE AGNES LOIS BULLEY TRUST**

**FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 JULY 2022**

**CHARITY COMMISSION REGISTRATION NUMBER: 505721**

# THE AGNES LOIS BULLEY TRUST

## FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 JULY 2022

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# THE AGNES LOIS BULLEY TRUST

## LEGAL AND ADMINISTRATIVE INFORMATION

### TRUSTEE

The Trustee is the University of Liverpool, appointed under the Declaration of Trust dated 26 November 1948. The duties of the Trustee are delegated to the Officers of the University whose members during the year under review and up to the date of approval of the accounts were as follows:

|                           |                           |
|---------------------------|---------------------------|
| Mrs C. Booth              | President of Council      |
| Dr P. Johnson             | Vice-President of Council |
| Professor Dame Janet Beer | Vice-Chancellor           |
| Professor G. Brown        | Pro-Vice-Chancellor       |
| Professor A. Hollander    | Pro-Vice-Chancellor       |
| *Ms N. Davies             | Director of Finance       |

Trustees are members of the University of Liverpool Council and their appointment term is coterminous with their appointment to Council.

\*Senior staff of the University who are not Officers but who have been co-opted onto the Board of Trustees by the Officers.

### REGISTERED ADDRESS

The registered address of the Trust is:

The Foundation Building  
765 Brownlow Hill  
Liverpool  
L69 7ZX

### AUDITORS

Ernst & Young LLP  
Atria One  
144 Morrison St  
Edinburgh  
EH3 8EB

# THE AGNES LOIS BULLEY TRUST

## Trustees' annual report for the year ended 31 July 2022

### Constitution

The Agnes Lois Bulley Trust was constituted under a Declaration of Trust dated 26 November 1948, updated on 23 September 1976 and was registered as a charity on 1 January 1961 (Registration Number 505721).

### Objectives

The objective of the Trust is to maintain and keep forever as a public park and flower garden, to be open for the enjoyment of the public at all reasonable times, the land known as Ness Gardens.

### Public Benefit Statement

The trustees confirm that they have referred to the guidance contained in the Charity Commission's general guidance on public benefit when reviewing the Trust's aims and objectives and in planning future activities and setting the grant making policy for the year.

### Administration

As Trustee, the University of Liverpool is charged with applying the annual income of the Trust to the maintenance of Ness Gardens as a public park and flower garden including greenhouses and other ancillary buildings. The management of the Charity's assets is undertaken by the University of Liverpool finance office.

Much work is undertaken at Ness Gardens by unpaid volunteers, many of whom are members of The Friends of Ness Gardens. This is a separate charity (registration number 511294) whose objective is to support and further the work of Ness Gardens.

The University of Liverpool, itself an Exempt Charity, is connected to the Trust as sole Trustee and by virtue of the fact that the Trust's affairs are administered by the University on its behalf.

### Financial Summary

The net incoming resources for the year amounted to £153,704 (2021 £166,562). The Trust incurred expenses of £33,645 (2021 £31,971) for its management and administration. The Trust transferred to the University £153,704 (2021 £166,562) as a contribution to the cost of maintaining Ness Gardens.

### Endowment Fund & Investment Policy

The Endowment Fund is a restricted fund under the terms of the trust deed and must be held permanently. Its purpose is to ensure a suitable income stream to finance the ongoing work of the charity. It is represented by a portfolio of investments, which are managed by investment managers who have been given discretionary power to acquire and dispose of investments within the policy set by the University of Liverpool.

It is the role of the Council of the University to set out the ethical platform on which the endowment asset investments are managed. The Council instructs its investment managers, through the Investments Committee, to invest University funds only with those companies who meet the criteria set for ethical investment. It is the role of the Investments Committee to maximise the potential returns on investments within such restrictions as established by Council. The net yield of the investments after management charges was 1.9% (2021: 2.3%).

The fund also holds the tangible fixed assets which consist of land and which must be held in perpetuity by a charity.

### Risk Management & Governance

In the light of Corporate Governance guidance contained within the Charities Statement of Recommended Practice issued on 4 March 2005, the Trustees have considered the major strategic, business and operational risks to which the Charity is exposed. They believe that adequate measures are in place to minimise any potential impact on the Charity should any of the risks materialise.

# **THE AGNES LOIS BULLEY TRUST**

## **Trustee report (continued) for the year ended 31 July 2022**

### **Future Plans**

The Trust plans to retain the current amount of endowed assets and to continue with its policy of transferring the income derived from these assets to the University of Liverpool as a contribution to the costs of maintaining Ness Gardens.

### **Going Concern**

The trustees have prepared forecasts, which include the potential impact of Covid-19, for the period from the date of signing of these financial statements to 31 July 2024. These forecasts indicate that taking account of severe but plausible downsides, the Trust will have sufficient funds, through funding from the University, to meet its liabilities as they fall due for that period.

Additional disclosure with respect to the basis of the Going Concern assumption have been included under Note 1.

# THE AGNES LOIS BULLEY TRUST

## Trustee report (continued) for the year ended 31 July 2022

### Statement of Trustees' responsibilities in respect of the Trustees' annual report and the financial statements

Under the trust deed and rules of the charity and charity law, the trustees are responsible for preparing the Trustees' Annual Report and the financial statements in accordance with applicable law and regulations. The trustees have elected to prepare the financial statements in accordance with UK Accounting Standards, including FRS 102 The Financial Reporting Standard applicable in the UK and Republic of Ireland.

The financial statements are required by law to give a true and fair view of the state of affairs of the charity and of the excess of expenditure over income for that period.

In preparing these financial statements, generally accepted accounting practice entails that the trustees:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards and the Statement of Recommended Practice have been followed, subject to any material departures disclosed and explained in the financial statements;
- state whether the financial statements comply with the trust deed and rules, subject to any material departures disclosed and explained in the financial statements; and
- assess the charity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern; and
- use the going concern basis of accounting unless they either intend to liquidate the charity or to cease operations, or have no realistic alternative but to do so.

The trustees are required to act in accordance with the trust deed [and the rules] of the charity, within the framework of trust law. They are responsible for keeping proper accounting records, sufficient to disclose at any time, with reasonable accuracy, the financial position of the charity at that time, and to enable the trustees to ensure that, where any statements of accounts are prepared by them under section 132(1) of the Charities Act 2011, those statements of accounts comply with the requirements of regulations under that provision. They are responsible for such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error, and have general responsibility for taking such steps as are reasonably open to them to safeguard the assets of the charity and to prevent and detect fraud and other irregularities.



**N. Davies**  
By Order of the Trustee

25 November 2022

# THE AGNES LOIS BULLEY TRUST

## Independent auditor's report to the Trustees of the Agnes Lois Bulley Trust

### Opinion

We have audited the financial statements of The Agnes Lois Bulley Trust the year ended for the year ended 31 July 2022 which comprise Statement of Financial Activities, the Balance Sheet, and the related notes 1 to 8, including as summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice) including FRS 102 "The Financial Reporting standard applicable in the UK and Republic of Ireland".

In our opinion the financial statements:

- give a true and fair view of the state of the charity's affairs as at 31 July 2022 and of its incoming resources and application of resources, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Charities Act 2011.

### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report below. We are independent of the charity in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Conclusions relating to going concern

In auditing the financial statements, we have concluded that the trustees' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the charity's ability to continue as a going concern for the period to 31 July 2024.

Our responsibilities and the responsibilities of the trustees with respect to going concern are described in the relevant sections of this report. However, because not all future events or conditions can be predicted, this statement is not a guarantee as to the trustee's ability to continue as a going concern.

### Other information

The other information comprises the information included in the annual report, other than the financial statements and our auditor's report thereon. The trustees are responsible for the other information contained in the annual report.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

# THE AGNES LOIS BULLEY TRUST

## Independent auditor's report to the Trustees of the Agnes Lois Bulley Trust (continued)

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of the other information, we are required to report that fact.

We have nothing to report in this regard.

### Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Charities (Accounts and Reports) Regulations 2008 require us to report to you if, in our opinion:

- the information given in the Trustees' Annual Report is inconsistent in any material respect with the financial statements; or
- sufficient accounting records have not been kept; or
- the financial statements are not in agreement with the accounting records and returns; or
- we have not received all the information and explanations we require for our audit.

### Responsibilities of trustees

As explained more fully in the trustees' responsibilities statement set out on page 3, the trustees are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the charity's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the charity or to cease operations, or has no realistic alternative but to do so.

### Auditor's responsibilities for the audit of the financial statements

We have been appointed as auditor under section 144 of the Charities Act 2011 and report in accordance with the Act and relevant regulations made or having effect thereunder.

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

# THE AGNES LOIS BULLEY TRUST

## Independent auditor's report to the Trustees of the Agnes Lois Bulley Trust (continued)

### Explanation as to what extent the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect irregularities, including fraud. The risk of not detecting a material misstatement due to fraud is higher than the risk of not detecting one resulting from error, as fraud may involve deliberate concealment by, for example, forgery or intentional misrepresentations, or through collusion. The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below. However, the primary responsibility for the prevention and detection of fraud rests with both those charged with governance of the entity and management.

- We obtained an understanding of the legal and regulatory frameworks that are applicable to the charity and determined that the most significant are the Charities Act 2011.
- We understood how The Agnes Lois Bulley Trust is complying with those frameworks by making enquiries of management and those responsible for legal and compliance procedures. We corroborated our enquiries through our review of board minutes and papers, as well as consideration of the results of our audit procedures to either corroborate or provide contrary evidence which was then followed up.
- We assessed the susceptibility of the charity's financial statements to material misstatement, including how fraud might occur by meeting with management to understand where they considered there was susceptibility to fraud. Where the risk of fraud was considered higher, we performed audit procedures to address the risk of fraud and management override. These procedures included review of journals posted designed to provide reasonable assurance that the financial statements were free from fraud or error.
- Based on this understanding we designed our audit procedures to identify non-compliance with such laws and regulations. Our procedures involved enquiries of management, those charged with governance and those responsible for legal and compliance procedures and a review of board minutes to identify any non-compliance with laws and regulations.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at <https://www.frc.org.uk/auditorsresponsibilities>. This description forms part of our auditor's report.

### Use of our report

This report is made solely to the Trustees, as a body, in accordance with Part 4 of the Charities (Accounts and Reports) Regulations 2008. Our audit work has been undertaken so that we might state to the charity's trustees those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charity and the charity's trustees as a body, for our audit work, for this report, or for the opinions we have formed.



**Ernst & Young LLP, Statutory Auditor**  
**Edinburgh**

**Date:** 25 November 2022

Ernst & Young LLP is eligible to act as an auditor in terms of section 1212 of the Companies Act 2006.

# AGNES LOIS BULLEY TRUST

## Statement of Financial Activities for the year to 31 July 2022

|                                      | Notes | Restricted<br>Total Funds<br>2022<br>£ | Restricted<br>Total Funds<br>2021<br>£ |
|--------------------------------------|-------|--|--|
| <b>Incoming and endowments from:</b> |       |  |  |
| Investments                          | 2     | 153,704                                | 166,562                                |
| <b>Total income</b>                  |       | <u>153,704</u>                         | <u>166,562</u>                         |
| <b>Expenditure on:</b>               |       |  |  |
| Other – Management & Administration  | 3     | (33,645)                               | (31,971)                               |
| Charitable activities                | 4     | <u>(153,704)</u>                       | <u>(166,562)</u>                       |
| <b>Total expenditure</b>             |       | <u>(187,349)</u>                       | <u>(198,533)</u>                       |
| (Loss) / gain on investments         | 5     | <u>(87,059)</u>                        | <u>1,020,208</u>                       |
| <b>(Net expenditure) / income</b>    |       | <u>(120,704)</u>                       | <u>988,237</u>                         |
| Other recognised gains               |       | -                                      | -                                      |
| <b>Net movement in funds</b>         |       | <u>(120,704)</u>                       | <u>988,237</u>                         |
| <b>Reconciliation of funds:</b>      |       |  |  |
| Total funds brought forward          |       | 8,288,041                              | 7,299,804                              |
| Net movement in funds                |       | <u>(120,704)</u>                       | <u>988,237</u>                         |
| Total funds carried forward          |       | <u>8,167,337</u>                       | <u>8,288,041</u>                       |

# THE AGNES LOIS BULLEY TRUST

## Balance Sheet at 31 July 2022

|                                  | Notes | 2022             | 2021             |
|----------------------------------|-------|------------------|------------------|
|                                  |       | £                | £                |
| <b>Fixed Assets</b>              |       |                  |                  |
| Tangible assets                  |       | 1                | 1                |
| Investments                      | 5     | <u>8,167,336</u> | <u>8,288,040</u> |
| <b>Net Assets</b>                |       | <u>8,167,337</u> | <u>8,288,041</u> |
| <b>The funds of the charity:</b> |       |                  |                  |
| Restricted Funds                 |       | <u>8,167,337</u> | <u>8,288,041</u> |
| <b>Total Funds</b>               |       | <u>8,167,337</u> | <u>8,288,041</u> |

Approved by the Trustee and signed on its behalf by:



Nicola Davies  
Director of Finance of the University of Liverpool

25 November 2022

The notes on pages 10 to 12 form part of these accounts.

# THE AGNES LOIS BULLEY TRUST

## Notes to the financial statements for the year ended 31 July 2022

### 1. Accounting Policies

The financial statements have been prepared in accordance with applicable accounting standards in the United Kingdom and have been drawn up in accordance with the Statement of Recommended Practice (SORP) "Accounting and Reporting by Charities" issued by the Charity Commissioners for England and Wales in January 2015 and the Charities Act 2015. The format of the financial statements has been revised in accordance with the SORP. A summary of the principal accounting policies, which have been applied consistently, is set out below.

#### **Basis of accounting**

The financial statements have been prepared on the historical cost basis of accounting, with the exception of investments, which are shown at market value.

#### **Incoming resources**

All incoming resources are included in the Statement of Financial Activities on the earlier of receipt or entitlement.

#### **Resources expended**

Resources expended are accounted for on an accruals basis.

#### **Realised and Unrealised Gains and Losses**

All gains and losses are taken to the Statement of Financial Activities as they arise. Realised gains and losses on investments are calculated as the difference between the sales proceeds and the original cost. Unrealised gains and losses are calculated as the difference between market value at the year end and opening market value or cost if purchased during the year.

#### **Tangible fixed assets**

Land and buildings are carried at a nominal value of £1 to reflect the value at which the asset was transferred into the Trust. It is the intention of the trustee in the long term to retain the asset for the benefit of the Trust. In accordance with FRS102, the Trust has chosen not to revalue its assets.

#### **Investments**

Investments are managed on behalf of the Trust by the University of Liverpool. This enables the Fund to benefit by being part of a larger portfolio. The original cash endowment was used to purchase units in the University's Common Investment Fund Number 1. Investments are stated at their market value on 31 July 2022.

#### **Going Concern**

The financial statements have been prepared on a going concern basis for the period to 31 July 2024, being the going concern period assessed in the financial statements, which the trustees consider to be appropriate for the following reasons.

The business model of the charity is such that its charitable activities are limited to those which it has sufficient funds to support from the excess of funding received over the costs of administering the charity. The charity therefore has no specific commitments and no committed costs beyond its fixed costs of operation which are detailed in note 3.

The trustees have prepared forecasts for a period from the date of approval of these financial statements until 31 July 2024 which demonstrate that, taking account of severe but plausible downsides, the trust will have sufficient funds, through support as required from its ultimate parent, to meet its liabilities as they fall due for that period.

The Trust made a loss of £120,704 in 2022 (2021: surplus £988,237). At year end the charity had net assets of £8,167,337 which included investments managed on its behalf by the University of Liverpool of £8,167,336. The reserves of the Trust are restricted for use in accordance with the trust deed being to maintain the land at Ness Gardens. There are no unrestricted funds. The Trust is assured of continuing to meet any liabilities as they fall due despite through the support of the University, as stated below. There are no external loans and associated covenants

# THE AGNES LOIS BULLEY TRUST

## Notes to the financial statements (continued) for the year ended 31 July 2022

The trustee, the University of Liverpool, has confirmed through a letter of support that it is willing and able to support the trust in meeting its liabilities as they fall due throughout the going concern period.

Consequently, the trustees are confident that the trust will have sufficient funds to continue to meet its liabilities as they fall due for the going concern period stated above from the date of approval of the financial statements and therefore have prepared the financial statements on a going concern basis.

### 2. Investment Income

The investment income £153,704 (2021: £166,562) represents the income derived from the endowed assets which are held within the University's Common Investment Fund Number 1.

### 3. Resources Expended

Management and administration of the charity £33,645 (2021: £31,971) represents the trusts share of the administration costs incurred in managing the Common Investment Fund Number 1.

The audit fee for the year is £4,337 (2021: £4,337) and is payable by the trust.

### 4. Transfer to the University of Liverpool

The Trust transferred to the University £153,704 (2021: £166,562). The transfer is used by the University as a contribution to the costs of maintaining Ness Gardens.

### 5. Fixed Asset Investments

|  | 2022                    | 2021                    |
|--|-------------------------|-------------------------|
| <b>Investments managed by the University of Liverpool<br/>Common Investment Fund Number 1:</b> |                         |                         |
|  | £                       | £                       |
| Market value 1 August 2021   | <b>8,288,040</b>        | 7,299,803               |
| (Loss) / gain on investments   | <b>(87,059)</b>         | 1,020,208               |
| Management and administration fees   | <b>(33,645)</b>         | (31,971)                |
| Net retained expenditure   | -                       | -                       |
| <b>Market Value 31 July 2022</b>   | <b><u>8,167,336</u></b> | <b><u>8,288,040</u></b> |
| Historical cost as at 31 July 2022   | <b><u>75,000</u></b>    | <b><u>75,000</u></b>    |

The invested funds represent the permanent endowment made in 1948 by Agnes Lois Bulley. The University manages these funds on behalf of the Trust as part of its general endowed fund investments. All investments are managed within the UK and invested primarily in UK listed equities.

### 6. Trustee Expenses

No trustee received any remuneration from the charity during the year or travel expenses.

# THE AGNES LOIS BULLEY TRUST

## Notes to the financial statements (continued) for the year ended 31 July 2022

### 7. Taxation

The Trust is considered to pass the tests set out in Paragraph 1 Schedule 6 Finance Act 2010 and therefore it meets the definition of a charitable trust for UK income tax purposes. Accordingly, the charity is potentially exempt from taxation in respect of income or capital gains received within categories covered by Part 10 Income Tax Act 2007 or Section 256 of the Taxation of Chargeable Gains Act 1992, to the extent that such income or gains are applied exclusively to charitable purposes.

The Charity is not registered for VAT and accordingly, all their expenditure is recorded inclusive of any VAT incurred.

### 8. Related Party Transactions

The costs of administering the trust are borne by the University of Liverpool which is registered at the Foundation Building, 765 Brownlow Hill, Liverpool, L69 7ZX and is the ultimate parent. The net income of the trust is transferred to the University of Liverpool to assist with the costs of maintaining and operating Ness Gardens.