

**MELBOURNE GARDENS CHARITY CAPITAL TRUST
(THE GARDEN TRUST)**

UNAUDITED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 5 APRIL 2024

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

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MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

REPORT OF THE TRUSTEES

AS AT 5 APRIL 2024

The Trust was created by The Most Honourable Antonella Marchioness of Lothian ('Lady Lothian') by a Trust Deed dated 6 June 1985. The recitals to the Deed record the grant of a 25-year lease of the gardens and grounds adjacent to Melbourne Hall together with certain service cottages to the Charity, and the payment by Lady Lothian of a sum of £10 to the Trustees to provide the initial endowment.

The Lease of the Gardens from the Trustees of the Melbourne Trust came to an end on 6 June 2010. The Trustees of the Garden Charity have been permitted to remain in occupation of the Gardens on the same terms by the Trustees of the Melbourne Trust. The terms of a new Lease are being negotiated so that the Trustees of the Garden Charity have the right to continue to occupy the Gardens.

The Trust is registered as a charity under Charity Commission reference number 516718. The principal registered address is:

Melbourne Hall
Melbourne
Derbyshire

The Trustees at the date of this report, all of whom held office throughout the period, are:

Michal Giedroyc
Lord Ralph Kerr
Lady Ralph Kerr

A Committee, consisting of not less than three and not more than seven persons, is responsible for the day-to-day management of the Charity and for giving directions to the Trustees as to the disposal of its capital and income. The Committee has power to appoint new Trustees, provided there shall never be more than four or less than two Trustees.

The Trustees' agents are:

Bankers: National Westminster Bank plc
836 Osmaston Road
Allenton
Derby
Derbyshire
DE24 9ZT

Solicitors: Withers LLP
20 Old Bailey
London
EC43 7AN

Accountants: PKF Smith Cooper Limited
7 Compton Street
Ashbourne
Derbyshire
DE6 1BX

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

REPORT OF THE TRUSTEES

AS AT 5 APRIL 2024

Stockbrokers: Ruffer LLP
80 Victoria Street
London
SW1E 5JL

Independent Examiner Catherine Desmond LLB CTA
PKF Smith Cooper Limited
7 Compton Street
Ashbourne
Derbyshire
DE6 1BX

Objectives and Organisation:

The object of the Charity in relation to the leased land is as follows:

- i. The maintenance of a garden for the enjoyment of the public
- ii. The promotion of public knowledge and appreciation of the art and science of landscape gardening
- iii. The advancement of education by the growth and propagation of trees and plants with a view to the furtherance of the study and science of botany and the conservation of nature and the increase of knowledge in respect thereof
- iv. The improvement of the methods and practice of horticulture

Subject to the expenses of administering and establishing the Charity, the Trustees are directed to hold the Trust Fund and its income in accordance with the directions of the Committee for the primary purpose of 'the laying out, planting, improvement, maintenance, preservation and upkeep' of the lands at Melbourne leased to the Charity as a garden.

To the extent that the Trust Fund and its income are not required for such primary purpose, the Trustees are directed to hold the same for such other charitable purposes as the Protector shall direct, or failing any such direction as the Committee shall direct.

The income of the Trust is derived mainly from its investments and contributions from Melbourne Gardens Charity Income Trust.

The Committee is obliged to meet at least twice in every calendar year.

There have been no changes during the period to the objectives of the Trust or to the way in which it is administered.

In setting the objectives of the charity, the Trustees have given careful consideration to the Charity Commission's general guidance on public benefit.

Investment powers:

Under clause 6(2) of the Trust Deed the Trustees have unrestricted powers of investment, provided they are acting in accordance with the directions of the committee.

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

REPORT OF THE TRUSTEES

AS AT 5 APRIL 2024

Review of the year:

Accounts for the year ended 5 April 2024 are attached to this report. The Trustees confirm that the accounts comply with the current statutory requirements and with the Trust's governing document.

During the year the Trustees received gross income of £100,319. Direct charitable expenditure and management and administration expenses totalled £55,081, resulting in a surplus for the year of £45,238.

Included in other creditors is £246,398 owed to The Melbourne Trust.

Investments held at 5 April 2024 were all acquired in accordance with the power available to the Trustees.

The Trustees have examined the statement of financial activities and reviewed relevant costs with a view to ensuring Trust income exceeds expenditure in future years. Where expenditure made from the Trust bank account has been considered in excess of amounts related the Trust income, the expenditure has been disallowed and held in the balance sheet as a creditor, to be reimbursed by The Melbourne Trust.

Trustees' policies:

Reserves: The trustees do not consider that there is a need for a reserves policy as they make donations to charitable purposes as and when the funds are available.

Investments: The objective is to achieve an overall return of twice that obtainable on cash deposits, with the income element not less than the return obtainable on cash deposits.

Risk Management: The trustees monitor the performance of the investment managers. They also meet annually to approve the budget for future income and expenditure.

The committee meets regularly and is responsible for monitoring actual income and expenditure against agreed budgets.

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

REPORT OF THE TRUSTEES

AS AT 5 APRIL 2024

Statement of Trustees' Responsibilities

The Trustees are responsible for preparing the Trustees' report and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice). Law applicable to charities in England and Wales, the Charities Act 2011, Charity (Accounts and Reports) Regulations 2008 and the provisions of the Charities Constitution require the Trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charity and of the incoming resources and application of resources of the Charity for that period. In preparing these financial statements, the Trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charities SORP;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable accounting standards and statements of recommended practice have been followed, subject to any departures disclosed and explained in the financial statements; and
- prepare the financial statements on a going concern basis unless it is inappropriate to presume that the Charity will continue in operation.

The Trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Charity and enable them to ensure that the financial statements comply with the Charities Act 2011, the Charity (Accounts and Reports) Regulations 2008 and the provisions of the Charity's Constitution. They 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.

On behalf of the Trustees

Lord Ralph Kerr - Trustee

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

INDEPENDENT EXAMINER'S REPORT

TO THE OF MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

I report to the Trustees on my examination of the financial statements of Melbourne Gardens Charity Capital Trust (The Garden Trust) (the Charity) for the year ended 5 April 2024.

Responsibilities and basis of report

As the Trustees of the Charity you are responsible for the preparation of the financial statements in accordance with the requirements of the Charities Act 2011 (the 2011 Act).

I report in respect of my examination of the Charity's financial statements carried out under section 145 of the 2011 Act. In carrying out my examination I have followed all the applicable Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act.

Independent examiner's statement

Your attention is drawn to the fact that the charity has prepared financial statements in accordance with Accounting and Reporting by Charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) in preference to the Accounting and Reporting by Charities: Statement of Recommended Practice issued on 1 April 2005 which is referred to in the extant regulations but has now been withdrawn.

I understand that this has been done in order for financial statements to provide a true and fair view in accordance with Generally Accepted Accounting Practice effective for reporting periods beginning on or after 1 January 2015.

I have completed my examination. I confirm that no material matters have come to my attention in connection with the examination giving me cause to believe that in any material respect

- 1 accounting records were not kept in respect of the Charity as required by section 130 of the 2011 Act;
- 2 the financial statements do not accord with those records; or
- 3 the financial statements do not comply with the applicable requirements concerning the form and content of accounts set out in the Charities (Accounts and Reports) Regulations 2008 other than any requirement that the accounts give a true and fair view which is not a matter considered a part of an independent examination.

I have no concerns and have come across no others matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the financial statements to be reached.

PKF Smith Cooper Limited

7 Compton Street
Ashbourne
Derbyshire
DE6 1BX
United Kingdom

Dated:

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

STATEMENT OF FINANCIAL ACTIVITIES

FOR THE YEAR ENDED 5 APRIL 2024

	£	2024 £	£	2023 £
Income				
Garden entrance fees and catalogue sales		44,430		38,173
Donations		54,989		10,891
Other income		900		-
		<u>100,319</u>		<u>49,064</u>
Direct charitable expenditure				
Purchases	9,561		3,142	
Wages and salaries	10,534		3,495	
Electric, rates and water	958		2,997	
Repairs to plant and machinery	23,930		25,136	
Motor expenses	2,553		2,125	
		<u>(47,536)</u>		<u>(36,895)</u>
Gross surplus	52.62%	52,783	24.80%	12,169
Management and administration expenses				
Accountancy	756		749	
Bank charges	167		132	
Postage, stationery and advertising	4,666		1,879	
Sundry expenses	272		166	
Depreciation	4,584		-	
Profit or loss on sale of tangible assets	(2,900)		-	
		<u>(7,545)</u>		<u>(2,926)</u>
Operating surplus		45,238		9,243
Other income				
Listed investment interest and dividends	7,311		6,174	
Realised gains/(losses) on investment assets	-		8,864	
Unrealised gains/(losses) on investment assets	(37,179)		(2,706)	
		<u>(29,868)</u>		<u>12,332</u>
Net movement in funds	15.32%	15,370	43.97%	21,575
Total funds brought forward		119,551		97,975
Total funds carried forward		<u><u>134,921</u></u>		<u><u>119,550</u></u>

The notes form part of these financial statements.

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

BALANCE SHEET

AS AT 5 APRIL 2024

	Note	2024		2023	
		£	£	£	£
Fixed assets					
Tangible assets	2		17,933		-
Investments	3		318,224		355,402
			<u>336,157</u>		<u>355,402</u>
Current assets					
Other debtors		59,757		61,386	
Cash at bank and in hand		10,255		6,518	
		<u>70,012</u>		<u>67,904</u>	
Creditors: amounts falling due within one year					
Other creditors		246,398		278,906	
Trade creditors		24,850		24,850	
		<u>271,248</u>		<u>303,756</u>	
Net current liabilities			(201,236)		(235,852)
Total assets less current liabilities			<u>134,921</u>		<u>119,550</u>
Unrestricted funds			<u>134,921</u>		<u>119,550</u>

In accordance with the engagement letter dated 6 June 2022, I approve the financial statements set out on pages 6 to 9. I acknowledge my responsibility for the financial statements, including the appropriateness of the accounting basis as set out in note 1 to the financial statements, and for providing PKF Smith Cooper Limited with all information and explanations necessary for their compilation.

The financial statements were signed on

.....
Lord R Kerr

.....
Lady R Kerr

.....
Mr M Giedroyc

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 5 APRIL 2024

1 Accounting policies

The principal accounting policies applied are as follows.

1.1 Accounting convention

The financial information is compiled on an agreed accounting basis that enables profits to be calculated such as to meet the requirements of Section 25 of the Income Tax (Trading and Other Income) Act 2005, and provides sufficient and relevant information to enable the completion of a tax return.

1.2 Tangible fixed assets

Tangible fixed assets are initially measured at cost and subsequently measured at cost net of depreciation and any impairment losses.

Depreciation is recognised so as to write off the cost or valuation of assets less their residual values over their useful lives on the following bases:

Plant and machinery	20% reducing balance
Motor vehicles	20% reducing balance
Computer equipment	33% on cost

The gain or loss arising on the disposal of an asset is determined as the difference between the sale proceeds and the carrying value of the asset, and is credited or charged to profit or loss.

1.3 Compliance with accounting standards

The financial information is not intended to achieve full compliance with the provisions of UK Generally Accepted Accounting Principles.

2 Tangible fixed assets

	Plant and Motor vehicles machinery		Computer equipment	Total
	£	£	£	£
Cost				
At 6 April 2023	-	-	-	-
Additions	16,040	5,867	610	22,517
At 5 April 2024	16,040	5,867	610	22,517
Depreciation and impairment				
At 6 April 2023	-	-	-	-
Depreciation charged in the year	3,208	1,173	203	4,584
At 5 April 2024	3,208	1,173	203	4,584
Carrying amount				
At 5 April 2024	12,832	4,694	407	17,933
At 5 April 2023	-	-	-	-

MELBOURNE GARDENS CHARITY CAPITAL TRUST (THE GARDEN TRUST)

SCHEDULE OF INVESTMENTS

FOR THE YEAR ENDED 5 APRIL 2024

3	Fixed asset investments	Investments Held At 6 April 2023			Date	Movement In Period				Investments Held At 5 April 2024		
		Holding	Book Value	Market Valuation		Holding	Cost/(Proceeds)	Gain/(Loss) on Disposal	MV Adjustment	Holding	Book Value	Market Valuation
	Charity Asset Trust C Inc	236,348	350,055	349,228						236,826	350,055	318,224
			<u>350,055</u>	<u>349,228</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		<u>350,055</u>	<u>318,224</u>