# Sir Malcolm Stewart Bart. General Charitable Trust

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(Charity Commission No 227785)

Accounts for the year ended 30 September 2021



# Reference and administrative information for the year ended 30 September 2021

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Settlor:	Sir Percy Malcolm Stewart, Baronet, OBE			
Name of the Charity:	Sir Malcolm Stewart Bart. General Charitable Trust			
	The principal governing document is a deed poll dated 10 July 1945. The settlement is a private charitable trust controlled by its Trustees.			
Trustees:	David John Szymanski (Chairman) Malcolm Doggett Savory Miss Debra Jayne Hassall Peter John Faulkner Duncan Edwards Mrs Hannah Lawes Keith Stewart			
	When new or additional trustees are appointed by the existing trustees they will be encouraged to receive appropriate training depending on their qualifications and experience			
Principal Office Address:	Mercer & Hole Trustees Limited, Gloucester House, 72 London Road, St Albans, Herts AL1 1NS			
Solicitors:	Birketts LLP, Kingfisher House, 1 Gilders Way, Norwich, Norfolk, NR3 1UB			
Reporting Accountants:	Mercer & Hole Trustees Limited, 72 London Road, St Albans, Herts AL1 1NS			
Independent Examiners:	Steve Robinson Mercer & Hole LLP 72 London Road, St Albans, Herts AL1 1NS			
Bankers:	Barclays Bank plc, Chancery Lane & Goslings 147 Holborn, London EC1N 2NU			
Bursar:	Miss Debra J Hassall			
Investment Managers:	Rathbones, 8 Finsbury Circus, London EC2M 7AZ			
	The Trustees have wide powers of investment.			
	On 31 October 2000 the Trustees obtained an order under section 26 of the Charities Act 1993 to appoint an Investment Manager and to delegate their investment powers to such manager (including power to appoint a corporate body as nominee to hold the investments of the Charity).			
	In accordance with this power Rathbones have been acting throughout the period covered by these accounts.			

#### Trustees' Annual Report for the year ended 30 September 2021

The trustees present their annual report and financial statements of the charity for the year ended 30 September 2021. The financial statements have been prepared in accordance with the accounting policies set out on pages 9 and 10 to the accounts and comply with the charity's trust deed, the Charities Act 2011 and Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland published in October 2019.

#### Objectives of the Charity:

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- 1. The Charity was established by deed dated 10 July 1945 as amended by supplemental deeds dated 26 January 1949 and 31 January 1951.
- 2. The 1945 deed provides the objects of the Charity shall in general be to advance religion and education, to relieve poverty and promote other charitable purposes beneficial to the community and in particular the following purposes.
  - 2.1 To establish a chapel for the village of Stewartby (including a mausoleum as a memorial to Sir Malcolm Stewart). The chapel having been constructed was transferred to a separate Charity with consent of the Charity Commissioners known as the Stewartby United Church in 1981. The charitable objects set out in the next clause by the 1951 deed were given precedence to the Chapel Trust. The 1951 deed provides that funds should only be made available for the Chapel Trust after full provision has been made for the objects relating to the under-mentioned homes and their occupiers.
  - 2.2 The establishment maintenance and upkeep of homes at Stewartby for the occupation and use for persons in need as follows:
    - (a) Existing or former servants of or connected with London Brick Company Limited (or relatives or dependants of such persons) and in considering candidates for benefit regard shall be had to length of service of such person (or the person to whom the candidate is related or dependant) with the Company.
    - (b) The maintenance and support of poor persons occupying such homes.
    - (c) If such persons shall be insufficient in number then for any persons whatever in need.
    - (d) Should the above trusts fail totally or in part to apply the capital and income of the Charity for any other charitable purposes for the benefit of the inhabitants of Stewartby.
    - (e) Subject to the above trusts the Trustees shall hold the capital or income should the prior purposes fail to apply the same towards such purpose or purposes falling within the legal definition of charity as they determine.

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Trustees' Annual Report for the year ended 30 September 2021 (continued)

	3.	The principal aims and activities for the trustees is the upkeep of the homes and gardens at Stewartby and to provide a safe and friendly environment for the people who occupy the homes. In order to achieve their objectives, the trustees use the trust funds to maintain the homes and gardens and the general running costs of the estate. The homes are gradually being modernised as appropriate planning permissions are obtained and as funds permit.
Objectives of the Charity:	4.	The objects of the trust (see above) are clearly of public benefit both directly and indirectly. The Trustees have complied with the duty in part 1, chapter 1, section 4 of the Charities Act 2011 to have due regard to public benefit guidance published by the Charity.
	5.	The Trustees have the power to spend income and capital.
Achievements and performance:		The Charity's main activities and who it tries to help are described above. All of its charitable activities are focussed on achieving its objectives and are undertaking a modernisation programme, subject to planning permissions and funds available, of the homes and pathways to further its work towards the benefit of its beneficiaries.
		The Trustees met three times this year to review the running of the Sir Malcolm Stewart homes, the investment of the trust funds, the financial situation and any other matters arising. They received reports from the bursar who liaises on a regular basis with the other trustees.
		The day to day running of the homes is in the hands of the wardens who live on site and report to the bursar. The bursar is responsible for supervising the maintenance of the estate.
		The investment objectives/performance are stated below.
Investment Policy:		The investment policy agreed with Rathbones, the Investment Manager, is to generate optimum income for the maintenance of the homes whilst at the same time seeking long term capital growth. For the year ended 30 September 2021, the overall return is a growth of 23.499% (2020 0.951%). Given the volatile stockmarket conditions, the trustees are satisfied with the performance over the year.
Risk Management:		Apart from the risks associated with property and the running of the homes which are covered by comprehensive insurance, the Trustees do not consider that the Charity is exposed to any major risk, other than market risks in relation to its share portfolio. The Trustees have delegated management of the portfolio to professional managers, though they review their performance regularly.
Reserves:		The total reserves of the Charity have increased by £215,070 during the year ended 30 September 2021. Total unrestricted reserves now held amount to £12,833,746 and are held for the maintenance and upkeep of the homes at Stewartby. The value of the investments has increased resulting in a appreciation of £415,451 during the year. As indicated under the Review of Financial Transactions (see below) the trustees are taking steps to bring income and expenditure into balance.

# Trustees' Annual Report for the year ended 30 September 2021 (continued)

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Unrestricted Funds:	Included in the unrestricted funds is a painting received as part of the distribution from the Estate of Sir Ronald Stewart, who died on 26 January 1999, valued for probate at:				
		£			
	Oswald Birley "Portrait of Sir Malcolm Stewart"	500			
	The Birley is hung in the Community Hall.				
	In addition, in 2001/02 a portrait bust of Sir Ronald Stewart was commission a cost of £9,988 and this brings the total value of the works of art, as sho page 8 of the accounts to £10,488.				
	Sir Ronald had been chairman of the trustees for many years and w benefactor of the trust.	as a major			
Review of Financial Transactions:	Against the background of substantial annual deficits, a reduction in t of ex London Brick employees applying for bungalows and the modernise the Trust's housing stock, the trustees have decided to size of the estate. They have decided that any bungalows on the wes of the estate (Nos 25-44 and 61-86) should be sold on very long retirement homes when vacated by the present beneficiaries unless ne new well qualified beneficiary applicant. Purchasers are required to p charges for the maintenance of the estate and for the provision services, as are any beneficiaries moving into bungalows on the re estate.	e need to reduce the t hand end leases as eeded by a bay service of warden			
Trustees' Responsibilities:	The trustees are responsible for preparing the Trustees' Report and the statements in accordance with applicable law and United Kingdom Standards (United Kingdom Generally Accepted Accounting Practice).				
	The law applicable to charities in England & Wales requires the the prepare financial statements for each financial year which give a truview of the state of affairs of the charity and of the incoming resc application of resources of the charity for that period.	ue and fair			
	In preparing these financial statements, the trustees are required to:				
	<ul> <li>select suitable accounting policies and then apply them consi</li> </ul>	stently;			
	<ul> <li>observe the methods and principles in the Charities SORP;</li> </ul>				
	<ul> <li>make judgements and estimates that are reasonable and pru-</li> </ul>	dent;			
	<ul> <li>state whether applicable accounting standards have beer subject to any material departures disclosed and explain financial statements;</li> </ul>				
	<ul> <li>prepare the financial statements on the going concern basis inappropriate to presume that the charity will continue in oper</li> </ul>				

#### Trustees' Annual Report

for the year ended 30 September 2021 (continued)

#### Trustees'

- **Responsibilities (cont):** The trustees are responsible for keeping accounting records that 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 trust deed. 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.
- **Confirmation:** The Trustees confirm that the accounts comply with the requirement of the Charity's governing document and the requirements of SORP 2019 applicable to charities preparing their accounts in accordance with FRS 102.

Signed: DJ Szymanski on behalf of the trustees

Date:

## Independent Examiner's Report to the Trustees of Sir Malcolm Stewart Bart General Charitable Trust

I report to the trustees on my examination of the accounts of Sir Malcolm Stewart Bart General Charitable Trust (the Trust) for the year ended 30 September 2021, which are set out on pages 7 to 14.

#### Responsibilities and basis of report

As the charity trustees of the Trust you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ('the Act').

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

#### Independent examiner's statement

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 Trust as required by section 130 of the Act; or
- 2. the accounts do not accord with those records; or
- the accounts 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 as part of an independent examination.

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

Signed:

Steve Robinson FCA Mercer & Hole LLP 72 London Road St Albans Herts AL1 1NS

# Sir Malcolm Stewart Bart. General Charitable Trust

**Registered Charity No 227785** 

# **Statement of Financial Activities**

for the year ended 30 September 2021

	Notes	Unrestricted funds 2021	2020
		£	£
Income and endowments from Income from charitable activities Service charges receivable from tenants	1	61,736	58,859
Investment Income Dividends Interest from investment managers (gross) Other income		43,337 -	50,798 1,073
(Loss)/Gain on sale of programme related investment		<u>(5,232)</u> 99,841	<u>-</u> 110,730
Expenditure on			
Costs of charitable activities Cost of generating funds -	2	290,143	264,995
Investment manager's fees		10,079	8,962
Total expenditure		300,222	273,957
Net incoming(outgoing) resources before revaluations and investment asset disposals		(200,381)	(163,227)
Net gains/(losses) on Investments	5	415,451	(79,126)
		415,451	(79,126)
Net income/(expenditure)		215,070	(242,353)
Reconciliation of funds Total funds brought forward		12,618,676	12,861,029
Total funds carried forward		12,833,746	12,618,676

The charity has no recognised gains or losses other than the results for the period as set out above. The accounting policies and the notes on pages 9 to 14 form part of these accounts.

**Registered Charity No 227785** 

# Balance sheet

at 50 September 2021		2021	2020
	Notes	£	£
Fixed Assets			
Freehold Property at market value: Sir Malcolm Stewart Homes and Community			
Hall and land at Stewartby, at market value	4	9,894,780	10,027,676
Works of Art	4	10,488	10,488
Tangible assets	4	10,194	13,428
Investments	5	2,396,955	1,952,351
Total Fixed Assets		12,312,417	12,003,943
Current Assets			
Debtors and prepayments	6	26,773	22,828
Balance with investment managers		138,225	605,951
Cash at bank		421,794	33,378
Cash in hand		873	873
		587,665	663,030
Liabilities: amounts falling due within one year	7	(66,336)	(48,297)
Net Current Assets		521,329	614,733
Total Net Assets of Trust		12,833,746	<u>12,618,676</u>
Represented by			
Unrestricted funds (page 7)		12,833,746	12,618,676

The accounting policies and the notes on pages 9 to 14 form part of these accounts.

Approved by the Trustees on ..... and signed on their behalf by

..... DJ Szymanski - Trustee

Accounting policies at 30 September 2021

#### a) Basis of preparation

The financial statements have been prepared under the historical cost convention with items recognised at cost or transaction value unless otherwise stated in the relevant note(s) to these accounts. The financial statements have been prepared in accordance with the Statement of Recommended Practice: 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) issued in October 2019 and the Financial Reporting Standard applicable in the United Kingdom and Republic of Ireland (FRS 102) and the Charities Act 2011.

The trust constitutes a public benefit entity as defined by FRS 102

The trustees consider that there are no material uncertainties about the charity's ability to continue as a going concern.

The trustees do not consider that there are any sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next accounting period.

#### b) Funds Structure

The unrestricted funds represent the original capital gift to the charity, plus subsequent additions.

The trustees are entitled to use the unrestricted funds in furtherance of the general objectives of the charity at their discretion.

#### c) Income

All incoming resources are recognised once the charity has entitlement to the resources, it is certain that the resources will be received and the monetary value of incoming resources can be measured with sufficient reliability.

Dividend income is included net of non-recoverable UK tax credits. Interest from investment managers is received gross and shown gross.

#### d) Expenditure

Expenditure is recognised once there is a legal or constructive obligation to make payment to a third party, it is probable that settlement will be required and that the amount of the obligation can be measured reliably.

Expenditure consists of;

- Costs of raising funds relating to investments Costs

- Expenditure on charitable activities includes activities undertaken to further the purposes of the charity and their associated support costs.

#### e) Freehold Property

The freehold property is included in the accounts at a valuation by the trustees at 30 September 2021 based on recent sales made by the Trust. The buildings are maintained at a high standard for continuous occupation and no depreciation is charged as it would be immaterial in view of the length of the estimated residual life of the properties.

#### Accounting policies at 30 September 2021

#### f) Fixed asset investments

Investments are a form of basic financial instrument and are initially recognised at their transaction value and subsequently measured at their fair value as at the balance sheet date using the closing quoted market price. The statement of financial activities includes the net gains and losses arising on revaluation and disposals throughout the year.

The main form of financial risk faced by the charity is that of volatility in equity markets and investment markets due to wider economic conditions, the attitude of investors to investment risk, and changes in sentiment concerning equities and within particular sectors or sub sectors.

#### g) Realised gains and losses

Realised gains represent the profit by comparing the net proceeds of sale of investment with the market value of that investment as at 30 September 2020 or subsequent cost.

Unrealised gains represent the difference in market value at 30 September 2021 as compared with the market value at 30 September 2020 or subsequent cost.

#### h) Valuation, capitalisation and depreciation of other fixed assets

The values of the Minibus, Tractor, Cultivator and Mower are depreciated at 25% per annum and the fixtures and fittings at 10% per annum.

The charity capitalises new assets with a value in excess of £250. Anything below this figure is written off as incurred.

The works of art are not depreciated in view of their estimated residual value.

#### i) Debtors

Debtors are amounts owed to the Charity and they are measured on the basis of their recoverable amount.

#### j) Liabilities

Liabilities are recognised as resources expended as soon as there is a legal or constructive obligation committing the charity to the expenditure. All expenditure is accounted for on an accruals basis.

#### k) Cash at bank and cash in hand

Cash at bank is held to meet the day to day running costs of the charity as they fall due.

#### I) Service charges

With effect from 1 July 2010 the trustees introduced a service charge payable by occupiers of all properties allocated after 1 July 2010. The initial service charge was based on the budget for expenditure incurred by the trust in insuring the property, providing wardens services, maintenance of the grounds, administrating the trust and running the community hall and minibus for the year ended 30 September 2011. The service charge for a two bedroomed property was £1,800 and £1,200 for a one bedroom property. With effect from 1 April 2014 this is now adjusted by the movement in the Retail Price Index in the previous year to 30 June.

#### m) Pension contibution

Employees of the charity are entitled to join a defined contribution 'money purchase' scheme. The charity contribution is restricted to the contributions disclosed in note 3. There were no outstanding contributions at the year-end. The costs of the defined contribution scheme are included within support costs and charged to the unrestricted funds.

#### Notes to the accounts at 30 September 2021 (continued)

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(con	tinued)				
			021		20
1.	Service charges receiveable from tenants	£	£	£	£
	Service charge received from tenants		60 279		67 071
	Service charge due from tenants		60,378 1,358		57,871 988
			61,736		58,859
					00,000
2.	Costs of charitable activities				
	Costs of charitable activities		290,143		264,995
	The breakdown of costs of charitable activitie	s is as follows	5 -		
	Upkeep of homes at Stewartby				
	Maintenance expenditure		53,222		47,360
	(including Maintenance assistant's salary)				
	Salaries				
	Bursar	42,315		41,895	
	Wardens	33,500		33,065	
	Groundsman	38,351		37,296	
	Community Hall cleaner (inc supplies)	5,924		6,301	
	Groundsman's supplies	3,979		6,385	
	Other garden expenditure	4,322		1,560	
	Water charges	1,157		1,272	
	Street/Porch lights	3,377		3,478	
	Common Room Heating/lighting	3,478		2,385	
	Sundry Expenses	467		508	
	Vacant Home charges	30,563		17,497	
	Electricity for garage block	3,081		1,871	
	Insurance	22,339		20,684	
	Minibus expenses Benefits to tenants	3,297		1,383	
		431		872	
	Contribution to Church expenses	900	407 404	1,200	477.050
			197,481		177,652
			250,703		225,012
	Expenditure				
	Accountants' charges				
	Trust accounts	10,800		13,200	
	VE day celebration costs Auditor's charges			1,575	
	Independent examination	1,800		1,800	
	Accounts audit	-		4	
	Depreciation	3,235		4,295	
	Trustees' expenses Administration costs	-		133	
	Auministration costs	23,605	20 440	18,976	20.002
			39,440		39,983
	Total costs of charitable activities		290,143		264,995
			2		

Notes to the accounts at 30 September 2021 (continued)

#### 3. Employees and Emoluments

The trustees employ three wardens, one maintenance staff, one cleaner, one bookkeeper and a groundsman. Their combined salary costs amounted to £88,028 (2020: £81,746), including employer's national insurance contribution of £4,629 (2020: £4,129) and pension costs of £3,315 (2020: £3,728).

There are no employees with emoluments above £60,000.

#### 4. Fixed and Tangible Assets

#### **Fixed assets**

The trustees have revalued the freehold land and buildings at 30 September 2021 based on the recent sales of bungalows.

	Freehold	Works		
	Land and	of	2021	2020
	Buildings	Art	Total	Total
	£	£	£	£
Book values				
Opening balance	10,027,675	10,488	10,038,163	9,580,488
Less: Sale of homes during the year	(330,000)	-	(330,000)	-
Upgrading windows expenditure	197,105	-	197,105	457,676
Revaluation	-		-	
Closing balance	9,894,780	10,488	9,905,268	10,038,164

#### **Tangible assets**

	Furniture fittings and equipment	Tractors & Mowers	Minibus	2021 Total	2020 Total
	£	£	£	£	£
Cost					
Opening balance	4,899	29,828	15,764	50,491	50,491
Additions			-	-	-
Disposals		-	<u> </u>	-	Ξ.
Closing balance	4,899	29,828	15,764	50,491	50,491
Depreciation					
Opening balance	4,081	20,958	12,023	37,062	32,768
Disposals	E.	-	-	-	-
Charge for year	82	2,218	935	3,235	4,295
Closing balance	4,163	23,176	12,958	40,297	37,063
Net book values					
Closing balance	736	6,652	2,806	10,194	13,428

#### Notes to the accounts at 30 September 2021 (continued)

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**Fixed Asset Investments** 2021 2020 £ £ **Quoted Investments** Market value 30 September 2020 1,952,351 2,866,406 Additions 455,744 283,861 Disposals (426, 591)(1, 118, 790)Net realised investment gains/(losses) 25,341 (87, 281)Net unrealised investment gains/(losses) 390,110 8,155 Market value 30 September 2021 1,952,351 2,396,955 6. **Debtors and prepayments** 2021 2020 £ £ Service charge due from tenants 7,092 4,279 Income tax recoverable 1,728 1,728 **Dividend** receivable 512 296 Insurance prepayment 17,441 16,525 26,773 22,828 7. Liabilities: amounts falling due within one year 2021 2020 £ £ Maintenance expenditure 2,473 4,586 Salaries Bursar 3,688 3,224 Wardens 7,459 5,014 Groundsman 9,355 6.050 Community Hall cleaner (inc supplies) 1,346 870 Groundsman's supplies 384 1,724 Street/Porch lights 572 545 Sundry Expenses 20 Electricity for garage block 501 -Vacant home charges 194 220 Minibus expenses 165 Replacement windows 9,784 Contribution to Church expenses 300 Benefits to residents 18 13 Service charges repayable 4,454 Accountants' charges 16,800 6,000 3,600 Independent examiner's charges 1,800 Auditor's charges 4,561 9,124 Investment managers charges 2,648 2,263 Administration costs 2,933 1,945 66,336 48,297

Notes to the accounts at 30 September 2021 (continued)

#### 8. Related Party Transactions

Hanson Building Products Ltd provided the payroll services for the year without charge and were reimbursed payroll costs of £83,963 during the year.

Debra Hassall received payment of £42,315 (2020: £41,895) for her services as the Bursar. No trustee expenses were reimbursed in the year (2020: £133).

The above payments are permitted by the trust deed and no other trustee received payment for their services as trustee.

The charity's property is registered in the names of the trustees.

#### 9. Auditor's Remuneration

The auditor's remuneration constituted an independent examination fee of £1,800 including VAT (2020: £1,800).

#### 10. Controlling Party

The charity is controlled by its trustees but no one trustee has overall control.