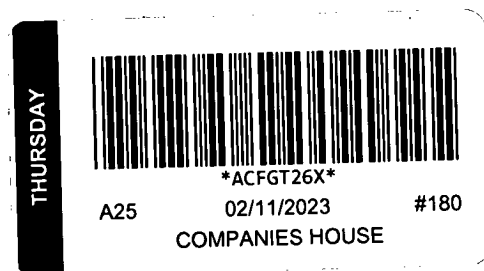


Esh Foundation
Company Limited by Guarantee
Trustees' report and financial statements
for the year ended 31 December 2022

Company Registered Number 05501224

Charity Registered Number 1112040



Esh Foundation

Company Limited by Guarantee

Trustees' report and financial statements for the year ended 31 December 2022

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Esh Foundation

Members of the board and professional advisers

Registered charity name:	Esh Foundation
Company registered number:	05501224
Charity number:	1112040
Registered office:	Esh House Bowburn North Industrial Estate Bowburn County Durham DH6 5PF
Trustees:	Mr R Batty Mr P Brooks Mr A J Carroll Jnr Mr J Flynn Mr M F Hogan Mr G Parkin
Secretary:	Mr A Law
Independent Examiner	Mr. A Radcliffe BA, ACMA, CGMA Dishforth House Dishforth N Yorks YO7 3JU
Bankers:	Barclays Bank Plc 6/7 Market Place Durham City County Durham DH1 3ND Lloyds Banking Group 19 Market Place Durham DH1 3NL
Legal advisers:	Womble Bond Dickinson St Ann's Wharf 112 Quayside Newcastle upon Tyne NE1 3DX

Esh Foundation

Trustees' report

The trustees, who are also directors for the purposes of company law, present their report and the financial statements of the Charity for the year ended 31 December 2022.

Reference and administrative details

Reference and administrative details are shown in the schedule of members of the board and professional advisers on page 2 of the financial statements.

The trustees

The trustees who served the Charity during the year and up to the date of signing the financial statements were as follows:

Mr R Batty
Mr P Brooks
Mr A J Carroll Jnr
Mr J Flynn
Mr M F Hogan
Mr G Parkin

Structure, governance and management

The Esh Foundation, trading as the Esh Charitable Trust, was registered with the Charity Commission on 11 November 2005, held its first Trustee meeting in January 2006 and made its first disbursement in March 2006.

The Trust was incorporated as a company, limited by guarantee, on 6 July 2005 and is governed by its Memorandum and Articles of Association.

The Trust is funded through periodic donations from Esh Holdings Limited (Esh Group), a private company whose main activities are civil engineering, construction and house building, based in County Durham.

At incorporation, Esh Group was committed to supporting the Charity with grants of £1 million over 5 years, subject to profitability and is pleased to have passed the cumulative £1.5m mark. In 2020, the Group experienced the inevitable challenges posed by the COVID 19 Pandemic, and so dramatically cut its funding to the foundation.

The Charity is governed by a board of up to 6 Trustees and as set out in the Articles of Association, the Chair of the Trustees is appointed by the Board of Esh Group. The donor company also has the power to appoint and remove from time to time the lesser of three trustees; or the largest number of trustees as is equal to less than one half of the total number of trustees.

Subject to conditions set out in the Articles of Association, Trustees may also be appointed by the Trust, by ordinary resolution, in a general meeting.

Trustees' report (continued)

Structure, governance and management (continued)

New Trustees undergo an orientation day to brief them on their legal obligations under charity and company law, the contents of the Memorandum and Articles of Association, the committee and the decision-making process.

The Trustees meet as required (either physically or virtually) to consider applications. The Trustees have conducted a review of the major risks to which the charity may be exposed, and systems have been established to mitigate those risks.

Objectives and activities for the public benefit

The objectives of the Charity fall into five main areas. However, the Trustees have the discretion to award grants to any project outside these guidelines so long as it is charitable in nature. The Trustees confirm that they have referred to 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.

Children and young people - groups and projects that help children and young people access activities and services.

Vulnerable people - groups and projects working with disadvantaged and isolated people, in particular providing increased access to services and facilities for people with disabilities, the homeless and the elderly.

Environmental community regeneration - groups and projects looking to improve local facilities for community use including refurbishment of community buildings and greening and opening up access to the local physical environment.

Education, capacity and skills development - group and community based training and education programmes, particularly for those who have had no previous access to training opportunities, or for the longer-term unemployed.

Health - groups and community based projects providing access to healthy eating, increased physical activity and self-help services, which aim to improve the health and wellbeing of local people.

These objectives form part of the Charity's Published Guidelines, which are available to all applicants.

As funds allow the Charity invites applications for funding from organisations and institutions located within its area of benefit. The Trustees meet to review applications and approve or refuse grants as and when required.

Achievement and performance

The Trust has maintained a widely drawn and committed group of Trustees and is established in the charitable community in the North East and Yorkshire.

Risk Management

The trustees have assessed the major risks to which the charity is exposed, in particular those relating to the operations and finances of the charity and are satisfied that systems are in place to mitigate exposure to these major risks.

Esh Foundation

Trustees' report (continued)

Financial review

Given the prevailing climate, the company was not able to make any donations to the foundation in the year.

The income and expenditure of the Charity is set out on page 8.

The Trust limited its awards and as a result, nil grants were made (2021: nil).

The trustees receive no remuneration. No trustee has requested reimbursement of expenses, although this is available if required. The charity does not employ anyone and therefore has not been required to disclose any information about key management personnel.

Reserves policy

The Trustees have examined the Charity's requirements for reserves in light of the main risks to the organisation. At the year end the free resources of the charity were £4 (2021: £3,310).

Plans for future periods

The Trust's immediate plans are to reduce to a minimum any future grants until the economic landscape appears more predictable. Moreover, the trustees are assessing the long term operation of the trust, which may ultimately result in its closure.

Fundraising

The Trust does not carry out any public fundraising activities but is aware of the need to publish conformity with fundraising best practice where it does.

Statement of trustees' responsibilities in respect of the trustees' report and the financial statements

The trustees (who are also directors of Esh Foundation for the purposes of company law) are responsible for preparing the Trustees' Annual Report and the financial statements in accordance with applicable law and regulations.

Company law requires the trustees to prepare financial statements for each financial year. Under that law the trustees have prepared the financial statements in accordance with United Kingdom Accounting Standards, comprising FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland", and applicable law (United Kingdom Generally Accepted Accounting Practice). Under company law the trustees must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of the affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period. In preparing these financial statements, the trustees are required to;

Trustees' report (continued)

Statement of trustees' responsibilities in respect of the trustees' report and the financial statements (continued)

- 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 FRS 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland", subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The trustees are responsible for keeping adequate accounting records that are sufficient to show and explain the charitable company's transactions and disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees are responsible for the maintenance and integrity of the charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Conclusion

The Esh Charitable Trust has successfully carried out its purpose for more than 15 years now with over £1.5m donations from the Esh Group to date, going to good causes. This ongoing support has allowed the Trustees to continue to disburse grants in line with its objectives. The Trustees remain cautious about extending its grant programmes further until there is an improvement in the UK economic conditions, and consequently the outlook for further contributions from Esh Group. The trustees will review the operations of the trust during the next 12 months and consider what, if any, changes may be required.

The annual report was approved by the trustees of the charity on 29 September 2023, and signed on its behalf by:



Mr A J Carroll

Trustee

Independent examination review for the members of Esh Foundation

I report on the accounts of the charity for the year ended 31 December 2022 which are set out on pages 8 to 16.

Responsibilities and basis of reports

The trustees (who are also the directors of the company for the purposes of company law) are responsible for the preparation of the accounts, in accordance with the requirements of the Companies Act 2006 (the 2006 Act). Having satisfied myself that the accounts of the Company are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's accounts as carried out under section 145 of the Charities Act 2011 (the 2011 Act). In carrying out my examination I have followed the directions given by the Charity Commission under section 145(5) (b) of the 2011 Act.

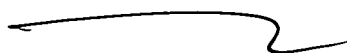
Independent examiner's statement

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

- (1) accounting records were not kept in respect of the Company as required by section 386 of the 2006 Act; or
- (2) the accounts do not accord with those records; or
- (3) the accounts do not comply with the accounting requirements of section 396 of the 2006 Act 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; or
- (4) the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities (applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102)).

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.

Mr A E Radcliffe, BA, ACMA, CGMA


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Dishforth House
Dishforth
N Yorks
YO7 3JU

Date: 29 September 2023

Esh Foundation

Statement of financial activities (incorporating the Income and Expenditure account) for the year ended 31 December 2022

		Unrestricted Funds 2022 £	Restricted Funds 2022 £	Total Funds 2022 £	Total Funds 2021 £
	Note				
Expenditure on:					
Expenditure on charitable activities	1	3,307	-	3,307	28
Total expenditure		3,307	-	3,307	28
Net income / (deficit) for the year		(3,307)	-	(3,307)	(28)
Reconciliation of funds					-
Funds balances brought forward		3,310	-	3,310	3,338
Funds balances carried forward	7	3	-	3	3,310

The statement of financial activities includes all gains and losses in the year and therefore a statement of total recognised gains and losses has not been prepared.

There is no material difference between reported result for the financial year stated above and their historical cost equivalents.

All of the above amounts relate to continued activities.

Esh Foundation

Balance sheet as at 31 December 2022

		2022	2021
	Note	£	£
Current assets			
Cash at bank and in hand		3	3,310
Total current assets		3	3,310
Net current assets		3	3,310
The funds of the charity			
Unrestricted income funds	7	3	3,310
Total charity funds		3	3,310

For the year ending 31st December 2022, the company was entitled to exemption from audit under section 477 of the Companies Act 2006 relating to small companies.

The members have not required the company to obtain an audit of its accounts for the year in question in accordance with section 476.

The directors acknowledge their responsibilities for complying with the requirements of the Act with respect to accounting records and the preparation of accounts.

These accounts have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime.

The financial statements on pages 8 to 16 were approved by the Trustees on 29 September 2023, and were signed on its behalf by:

Mr A J Carroll

Trustee



Company number: 05501224

Charity number: 1112040

Esh Foundation

Statement of accounting policies

1 Charity Status

The charity is a charity limited by guarantee and consequently does not have share capital. Each of the trustees is liable to contribute an amount not exceeding £1 towards the assets of the charity in the event of liquidation.

2 Accounting Policies

Summary of significant accounting policies and key accounting estimates

The principal accounting policies adopted, judgements and key sources of estimation uncertainty in the preparation of the financial statements are set out below. These policies have been consistently applied to all years presented, unless otherwise stated.

Statement of compliance

The financial statements have been prepared in accordance with applicable 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 (FRS 102) (effective 1 January 2015) – (Charities SORP (FRS 102)), the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102A) and the Companies Act 2006.

Basis of preparation

The charity meets the definition of a public benefit entity under FRS102.

These financial statements are prepared at historical cost.

The accounts are presented in sterling, which is the functional currency of the charity.

The Charity is a registered charity, and as such is entitled to certain tax exemptions on income and profits from investments, and surpluses on any trading activities carried on in furtherance of the charity's primary objectives, if these profits and surpluses are applied solely for charitable purposes.

Going concern

The Trustees consider that there are no material uncertainties about the charity's ability to continue as a going concern nor any significant areas of uncertainty that affect the carrying value of assets held by the charity.

Estimation Uncertainty and Judgements

The preparation of the financial statements require management to make judgements, estimates and assumptions that affect the amounts reported.

Cash flow statements

The charity opted to adopt Bulletin 1 published on 2 February 2016 and have therefore not included a cash flow statement in these financial statements.

Esh Foundation

Statement of accounting policies (continued)

2 Accounting Policies (continued)

Fund accounting

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by the donor or Trust Deed.

Unrestricted funds comprise those funds which the trustees are free to use for any purpose in furtherance of the charitable objects. Unrestricted funds can include designated funds where the trustees, at their discretion, have created a fund for a specific purpose.

Resources expended

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 and has been classified under headings that aggregate all costs related to the category.

Grants payable are payments made to third parties in furtherance of the charitable objects of the Foundation. Single or multi-year grants are accounted for when either the recipient has a reasonable expectation, they will receive the grant and the trustees have agreed to pay the grant without condition, or the recipient has a reasonable expectation that they will receive the grant and any condition attaching to the grant is outside the control of the Foundation.

Provision is made for grants when the intention of the grant has been communicated to the recipient but there is uncertainty about either the timing of the grant or the amount of grant payable.

Governance costs

Governance costs comprise all costs involving the public accountability of the charity and its compliance with regulation and good practice. These costs include costs relating to waiver of past fees accrued.

Charitable activities

Cost of charitable activities include grants made to organisations and institutions.

Irrecoverable VAT

The charity is not registered for VAT purposes. Irrecoverable VAT is charged in the Statement of Financial Activities against the expenditure to which it relates.

Income

All income is included in the statement of financial activities when entitlement has passed to the charity, it is probable that the economic benefits associated with the transaction will flow to the charity and the amount can be reliably measured.

Donations

Voluntary income including donations, gifts and legacies and grants that provide core funding or are of general nature are recognised where there is entitlement, probable receipt and the amount can be measured with sufficient reliability. Such income is only deferred when:

- The donor specifies that the grant or donation must only be used in future accounting periods; or
- The donor has imposed conditions which must be met before the charity has unconditional entitlement.

Statement of accounting policies (continued)

2 Accounting Policies (continued)

Investment Income

Investment income is recognised on a receivable basis.

Income tax is recoverable in relation to investment income and is recognised at the time the investment income is receivable.

Taxation

The charity is considered to pass the tests set out in Paragraph 1 Schedule 6 of the Finance Act 2010 and therefore it meets the definition of a charitable company for UK corporation tax purposes. Accordingly, the charity is potentially exempt from taxation in respect of income or capital gains received within categories covered by Chapter 3 Part 11 of the Corporation Tax Act 2010 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.

Cash and Cash Equivalents

Cash at bank and in hand includes cash and short term highly liquid investments with a short maturity of three months or less from the date of acquisition or opening of the deposit or similar account.

Financial Instruments

Classification

Financial Assets and financial liabilities are recognised when the charity becomes a party to the contractual provisions of the instrument.

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into. An equity instrument is any contract that evidences a residual interest in the assets of the charity after deducting all of its liabilities.

Recognition and measurement

All financial assets and liabilities are initially measured at transaction price (including transaction costs), except for those financial assets classified as at fair value through profit or loss, which are initially measured at fair value (which is normally the transaction price excluding transaction costs), unless the arrangement constitutes a financing transaction. If an arrangement constitutes a financing transaction, the financial asset or financial liability is measured at the present value of the future payments discounted at a market rate of interest for a similar debt instrument.

Financial assets and liabilities are only offset in the statement of financial position when, and only when there exists a legally enforceable right to set off the recognised amounts and the charity intends either to settle on a net basis, or to realise the asset and settle the liability simultaneously.

Financial assets are derecognised when and only when a) the contractual rights to the cash flows from the financial asset expire or are settled, b) the charity transfers to another party substantially all of the risk and rewards of ownership, has transferred control of the asset to another party.

Financial liabilities are derecognised only when the obligation specified in the contract is discharged, cancelled or expires.

Esh Foundation

Notes to the financial statements for the year ended 31 December 2022

1 Charitable activities

	Grant funding activities 2022 £	Fund raising costs 2022 £	Support costs 2022 £	Total 2022 £	Total 2021 £
Charitable donations	-	-	(3,307)	(3,307)	(28)

2 Analysis of grants

	2022 £	2021 £
Grants to institutions:	-	-
Total Grants	-	-
Support costs of grant-making	-	(28)

3 Net outgoing resources for the year

This is stated after charging:	2022	2021
Independent Examiners fees	-	-

The 2022 and 2021 Independent Examiners fees have been waived.

4 Staff costs and emoluments

No salaries or wages have been paid to employees, including the trustees, during the current or preceding year. The trustees were the only employees in the year.

No trustees have received any reimbursed expenses or any other benefits from the charity during the year.

Esh Foundation

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

5 Taxation

The charity is a registered charity and is therefore exempt from taxation.

6 Statement of funds

	Balance at 1 January 2022	Incoming resources	Outgoing resources	Balance at 31 December 2022
	£	£	£	£
Unrestricted income funds	3,310	-	(3307)	3

7 Analysis of net assets

	Net current assets	2021 Total
	£	£
Unrestricted income funds	3	3,310

8 Related party transactions

During the year, £nil (2021: £nil) was paid to Esh Holdings as direct reimbursement of expenses paid on behalf of Esh Foundation. No personnel time or administration fee was recharged during the year (2021:£nil).

Donations in the year received from Esh Holdings were £nil (2021: £nil).

No emoluments or expenses have been paid, or are due to be paid, to any Trustee (2021:£nil).

Esh Foundation

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

9 Company limited by guarantee

The Charity is incorporated as a company limited by guarantee and is governed by its Memorandum and Articles of Association.

10 Ultimate controlling party

The Trustees consider that the Charity has no ultimate controlling party other than the Board of Trustees.