

REGISTERED COMPANY NUMBER: SC478866 (Scotland)
REGISTERED CHARITY NUMBER: SC44907

**REPORT OF THE TRUSTEES AND
FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2022
FOR
ELLON CASTLE GARDENS**

Bain Henry Reid
28 Broad Street
Peterhead
Aberdeenshire
AB42 1BY



ELLON CASTLE GARDENS

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FOR THE YEAR ENDED 31 DECEMBER 2022**

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**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31 DECEMBER 2022**

The trustees who are also directors of the charity for the purposes of the Companies Act 2006, present their report with the financial statements of the charity for the period from 1 January 2022 to 31 December 2022.

The financial statements comply with the Charities and Trustee Investment (Scotland) Act 2005, the Charities Accounts (Scotland) Regulations 2006 (as amended), the Companies Act 2006 and the provisions of 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 (FRS102)(effective 1 January 2015).

OBJECTIVES AND ACTIVITIES

Objectives, aims and activities

The Charity's objects are to promote and advance heritage, culture and environmental protection or improvement for the public benefit, in particular by restoring, maintaining, permanently preserving, and making accessible to the public the scheduled Ancient Monument which is Ellon Castle Gardens, in order to conserve and facilitate access to a place of historical interest and encourage interest in local history while also encouraging the conservation of the natural environment for the benefit of the local community and wider public through the promotion of gardening, plant management and conservation works in relation to Ellon Castle Gardens.

Ellon Castle Gardens Trust was established in 2014 to assume ownership of the historic Ellon Castle walled garden, the ruins of the castle, and the surrounding parkland and woodland on behalf of the community. Funding for this undertaking was provided in the form of a donation and the transfer of eleven properties in a newly built development adjacent to the Gardens in accordance with an agreement concluded under Section 75 of the Town and Country Planning (Scotland) Act. Ellon Castle Gardens is a Private Limited Company (SC478866), and a Charity (SC044907).

A summary of the main activities in relation to the objectives, and carried out in the year under review, are as follows:

- The Gardens were open to Members, volunteers and visitors throughout the year.
- Visitor opening times included weekends, a midweek day and an evening slot.
- A full programme of events was undertaken including favourites such as the Snowdrop Festival, Bluebells and Blossoms, Spooky Halloween, Tales under the Yews, and additional, themed events such as the Jubilee Picnic.
- We hosted a performance of Shakespeare's A Midsummer Night's Dream which was staged by Illyria, the nationally acclaimed touring theatre company. Over 300 people gathered in the Gardens on a balmy summer's evening for this performance.
- Further substantial work was undertaken on the terrace Memorial Rose Garden in accordance with a design developed in conjunction with Katy Reynolds, a specialist designer. This project was funded through the generosity of several benefactors including companies and individuals.
- A new and permanent toilet and washroom was built using the proceeds of a grant allocated by the FCC Communities Foundation. This facility is accessible to all and includes, amongst other things, a baby change arrangement.
- The water feature was renovated and brought back into use. We are grateful for the time and resource provided by local trades people including Michael Duncan and Alan Penny during this project.
- Work to refine the scope and cost of works to conserve the castle ruin, renovate the Garden House and undertake other improvements, was undertaken.
- Many other tasks essential to the upkeep and improvement of the Gardens were undertaken by our dedicated and enthusiastic volunteers.
- We applied for and were successfully awarded a 'Just Transition' grant of £29,050 by Aberdeen Voluntary Action (AVA) at the end of Q4. The funds will be used to procure a solar/battery power system and battery-operated robotic mowers.
- Membership and visitor numbers showed year-on growth.

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31 DECEMBER 2022**

OBJECTIVES AND ACTIVITIES

Financial Review

- The Trustees continue to have a reasonable expectation that the combination of reserves and annual income arising from the letting of its properties and other sources (e.g., Memberships, Visitors) will be sufficient to ensure that the charity has sufficient resources to continue its operations for the foreseeable future.
- The Ellon Castle Gardens Business Plan remained as the guiding document for activities during the period of this report. This business plan set out financial targets for a 9-year period.
- The use of Key Performance Indicators was maintained on a monthly basis and have proved valuable in providing a clear and concise indication of current financial and business performance.
- Repayment of the Business Bounceback loan for £20,000 continued and at the end of 2022, the debt stood at £13,667.
- The Trustees continue to have a reasonable expectation that the combination of reserves and regular annual income will be sufficient to ensure that Ellon Castle Gardens has sufficient resources to ensure its operations for the foreseeable future.

STRUCTURE, GOVERNANCE AND MANAGEMENT

Governing document

The charity is governed by its Articles of Association and constitutes a limited company, limited by guarantee, as defined by the Companies Act 2006.

Trustee recruitment and appointment

The Trustees, who are also the Directors for the purpose of company law, are appointed from members of the Charity.

The minimum number of Trustees according to the Articles of Association is three and the maximum is twenty. Trustees are appointed for an initial period not exceeding four years, following which they may be reappointed for a second and final term of four years.

One third of the first Trustees appointed on 30 May 2014 shall retire after two years and a further third after three years. The remaining first Trustees shall retire after four years.

The Trustees are appointed by the members at the Annual General Meeting.

None of the Trustees has any beneficial interest in the company. All of the Trustees are members of the company and guarantee to contribute £1 in the event of a winding up.

REFERENCE AND ADMINISTRATIVE DETAILS

Registered Company number

SC478866 (Scotland)

Registered Charity number

SC44907

Registered office

11 The Square
Ellon
Aberdeenshire
AB41 9JB

Trustees

Mr A I Cameron (resigned 10/6/22)
Mr M J Taylor
Dr A Craigon
Mr D J Kerr
Mr D A Manson
Mr J Gill (appointed 14/3/22)
Ms J Gospel

Company Secretary

Mackinnons Solicitors LLP

**REPORT OF THE TRUSTEES
FOR THE YEAR ENDED 31 DECEMBER 2022**

REFERENCE AND ADMINISTRATIVE DETAILS

Independent Examiner
Katrina Cutler BA(Hons) CA
Bain Henry Reid
28 Broad Street
Peterhead
Aberdeenshire
AB42 1BY

EVENTS SINCE THE END OF THE YEAR

Information relating to events since the end of the year is given in the notes to the financial statements.

Approved by order of the board of trustees on 12 July 2023 and signed on its behalf by:



Mr D J Kerr - Trustee

INDEPENDENT EXAMINER'S REPORT TO THE TRUSTEES OF ELLON CASTLE GARDENS

I report on the accounts for the year ended 31 December 2022 set out on pages five to fourteen.

Respective responsibilities of trustees and examiner

The charity's trustees are responsible for the preparation of the accounts in accordance with the terms of the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006 (as amended). The charity's trustees consider that the audit requirement of Regulation 10(1)(a) to (c) of the Accounts Regulations does not apply. It is my responsibility to examine the accounts as required under Section 44(1)(c) of the Act and to state whether particular matters have come to my attention.

Basis of the independent examiner's report

My examination was carried out in accordance with Regulation 11 of the Charities Accounts (Scotland) Regulations 2006. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the view given by the accounts.

Independent examiner's statement

In connection with my examination, no matter has come to my attention :

- (1) which gives me reasonable cause to believe that, in any material respect, the requirements
- to keep accounting records in accordance with Section 44(1)(a) of the 2005 Act and Regulation 4 of the 2006 Accounts Regulations; and
 - to prepare accounts which accord with the accounting records and to comply with Regulation 8 of the 2006 Accounts Regulations
- have not been met; or
- (2) to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.



Katrina Cutler BA(Hons) CA
The Institute of Chartered Accountants of Scotland

Bain Henry Reid
28 Broad Street
Peterhead
Aberdeenshire
AB42 1BY

12 July 2023

ELLON CASTLE GARDENS

**STATEMENT OF FINANCIAL ACTIVITIES
FOR THE YEAR ENDED 31 DECEMBER 2022**

	Notes	Unrestricted fund £	Restricted fund £	2022 Total funds £	2021 Total funds £
INCOME AND ENDOWMENTS FROM					
Donations and legacies		9,204	75,857	85,061	42,077
Other trading activities	2	3,865	-	3,865	1,495
Investment income	3	58	81,396	81,454	78,536
Total		13,127	157,253	170,380	122,108
EXPENDITURE ON					
Raising funds		4,258	4,554	8,812	7,885
Charitable activities					
Charitable Activities		17,019	137,906	154,925	88,874
Total		21,277	142,460	163,737	96,759
NET INCOME/(EXPENDITURE)					
Transfers between funds	15	(8,150) 5,951	14,793 (5,951)	6,643 -	25,349 -
Net movement in funds		(2,199)	8,842	6,643	25,349
RECONCILIATION OF FUNDS					
Total funds brought forward		1,876,327	122,719	1,999,046	1,973,697
TOTAL FUNDS CARRIED FORWARD		1,874,128	131,561	2,005,689	1,999,046

The notes form part of these financial statements

ELLON CASTLE GARDENS (REGISTERED NUMBER: SC478866)

**BALANCE SHEET
31 DECEMBER 2022**

	Notes	Unrestricted fund £	Restricted fund £	2022 Total funds £	2021 Total funds £
FIXED ASSETS					
Tangible assets	8	19,378	-	19,378	22,810
Investment property	9	1,855,885	-	1,855,885	1,855,885
		<u>1,875,263</u>	<u>-</u>	<u>1,875,263</u>	<u>1,878,695</u>
CURRENT ASSETS					
Stocks	10	500	-	500	-
Debtors	11	1,564	4,200	5,764	11,532
Cash at bank and in hand		301	141,307	141,608	130,791
		<u>2,365</u>	<u>145,507</u>	<u>147,872</u>	<u>142,323</u>
CREDITORS					
Amounts falling due within one year	12	(3,500)	(4,279)	(7,779)	(8,305)
		<u>(1,135)</u>	<u>141,228</u>	<u>140,093</u>	<u>134,018</u>
NET CURRENT ASSETS					
		<u>(1,135)</u>	<u>141,228</u>	<u>140,093</u>	<u>134,018</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		<u>1,874,128</u>	<u>141,228</u>	<u>2,015,356</u>	<u>2,012,713</u>
CREDITORS					
Amounts falling due after more than one year	13	-	(9,667)	(9,667)	(13,667)
		<u>1,874,128</u>	<u>131,561</u>	<u>2,005,689</u>	<u>1,999,046</u>
NET ASSETS					
		<u>1,874,128</u>	<u>131,561</u>	<u>2,005,689</u>	<u>1,999,046</u>
FUNDS	15				
Unrestricted funds				1,874,128	1,876,327
Restricted funds				131,561	122,719
TOTAL FUNDS				<u>2,005,689</u>	<u>1,999,046</u>

The charitable company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 31 December 2022.

The members have not required the company to obtain an audit of its financial statements for the year ended 31 December 2022 in accordance with Section 476 of the Companies Act 2006.

The trustees acknowledge their responsibilities for

- ensuring that the charitable company keeps accounting records that comply with Sections 386 and 387 of the Companies Act 2006 and
- preparing financial statements which give a true and fair view of the state of affairs of the charitable company as at the end of each financial year and of its surplus or deficit for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the charitable company.

The notes form part of these financial statements

ELLON CASTLE GARDENS (REGISTERED NUMBER: SC478866)

BALANCE SHEET - continued
31 DECEMBER 2022

These financial statements have been prepared in accordance with the provisions applicable to charitable companies subject to the small companies regime.

The financial statements were approved by the Board of Trustees and authorised for issue on 12 July 2023 and were signed on its behalf by:



Mr D J Kerr - Trustee

The notes form part of these financial statements

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 DECEMBER 2022**

1. ACCOUNTING POLICIES

Basis of preparing the financial statements

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) (effective 1 January 2015) and the Financial Reporting Standard applicable in the United Kingdom and Republic of Ireland (FRS 102), the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006 (as amended).

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

Going concern

The trustees are of the opinion that there is sufficient resources available to continue the activities of the charity over the next 12 months. The trustees, therefore, have made an informed judgement, at the time of approving the financial statements, that there is a reasonable expectation that the charity has adequate resources to continue for the foreseeable future. As a result the trustees have continued to adopt the going concern basis of accounting in preparing these financial statements.

Income

All income is recognised in the Statement of Financial Activities once the charity has entitlement to the funds, it is probable that the income will be received and the amount can be measured reliably.

Expenditure

Liabilities are recognised as expenditure as soon as there is a legal or constructive obligation committing the charity to that expenditure, it is probable that a transfer of economic benefits will be required in settlement and the amount of the obligation can be measured reliably. Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

Tangible fixed assets

Tangible fixed assets are measured at cost less accumulated depreciation and any accumulated impairment losses.

Depreciation is calculated to write down the cost less estimated residual value of all tangible fixed assets, over their estimated useful life or, if held under a finance lease, over the term of the lease, whichever is the shorter. The rates applicable are:

Garden	- not depreciated as not yet complete
Plant and machinery	- 25% Reducing balance
Fixtures, fittings and equipment	- 25% Reducing balance

Impairment of assets

At each reporting date fixed assets are reviewed to determine whether there is any indication that those assets have suffered an impairment loss. If there is an indication of possible impairment, the recoverable amount of any affected asset is estimated and compared with its carrying amount. If the estimated recoverable amount is lower, the carrying amount is reduced to its estimated recoverable amount, and an impairment loss is recognised immediately in profit or loss.

If an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, but not in excess of the amount that would have been determined had no impairment loss been recognised for the asset in prior years. A reversal of an impairment loss is recognised immediately in profit or loss.

Investment property

Investment property is shown at most recent valuation. Any aggregate surplus or deficit arising from changes in market value is recognised in the Statement of Financial Activities for the year.

Stocks

Stocks are valued at the lower of cost and net realisable value, after making due allowance for obsolete and slow moving items.

Taxation

The charity is exempt from corporation tax on its charitable activities.

NOTES TO THE FINANCIAL STATEMENTS - continued
FOR THE YEAR ENDED 31 DECEMBER 2022

1. ACCOUNTING POLICIES - continued

Fund accounting

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees.

Restricted funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements.

Hire purchase and leasing commitments

Rentals paid under operating leases are charged to the Statement of Financial Activities on a straight line basis over the period of the lease.

Pension costs and other post-retirement benefits

The charitable company operates a defined contribution pension scheme. Contributions payable to the charitable company's pension scheme are charged to the Statement of Financial Activities in the period to which they relate.

Cash and cash equivalents

Cash at bank and in hand includes cash held with banking institutions.

Creditors

Creditors are recognised where the charity has a present obligation resulting from a past event that will probably result in transfer of funds to a third party and the amount due to settle the obligation can be measured or estimated reliably. Creditors are recognised at their settlement amount after allowing for any trade discounts due.

Financial Instruments

The charity only has financial assets and liabilities of a kind that qualify as basic financial instruments. Basic financial instruments are initially recognised at transaction value and subsequently measured at their settlement value.

2. OTHER TRADING ACTIVITIES

	2022	2021
	£	£
Shop income	<u>3,865</u>	<u>1,495</u>

3. INVESTMENT INCOME

	2022	2021
	£	£
Rents received	81,396	78,525
Deposit account interest	<u>58</u>	<u>11</u>
	<u>81,454</u>	<u>78,536</u>

ELLON CASTLE GARDENS

NOTES TO THE FINANCIAL STATEMENTS - continued FOR THE YEAR ENDED 31 DECEMBER 2022

4. NET INCOME/(EXPENDITURE)

Net income/(expenditure) is stated after charging/(crediting):

	YEAR ENDED 31/12/22	YEAR ENDED 31/12/21
	£	£
Depreciation - owned assets	3,432	4,547

5. TRUSTEES' REMUNERATION AND BENEFITS

There were no trustees' remuneration or other benefits for the year ended 31 December 2022 nor for the year ended 31 December 2021.

Trustees' expenses

There were no trustees' expenses paid for the year ended 31 December 2022 nor for the year ended 31 December 2021.

6. STAFF COSTS

The average monthly number of employees during the year was as follows:

	2022	2021
Gardeners	-	1

No employees received emoluments in excess of £60,000.

7. COMPARATIVES FOR THE STATEMENT OF FINANCIAL ACTIVITIES

	Unrestricted fund £	Restricted fund £	Total funds £
INCOME AND ENDOWMENTS FROM			
Donations and legacies	11,823	30,254	42,077
Other trading activities	1,495	-	1,495
Investment income	11	78,525	78,536
Total	13,329	108,779	122,108
EXPENDITURE ON			
Raising funds	2,759	5,126	7,885
Charitable activities			
Charitable Activities	15,272	73,602	88,874
Total	18,031	78,728	96,759
NET INCOME/(EXPENDITURE)	(4,702)	30,051	25,349
Transfers between funds	4,415	(4,415)	-
Net movement in funds	(287)	25,636	25,349

NOTES TO THE FINANCIAL STATEMENTS - continued
FOR THE YEAR ENDED 31 DECEMBER 2022

7. COMPARATIVES FOR THE STATEMENT OF FINANCIAL ACTIVITIES - continued

	Unrestricted fund £	Restricted fund £	Total funds £
RECONCILIATION OF FUNDS			
Total funds brought forward	1,876,614	97,083	1,973,697
TOTAL FUNDS CARRIED FORWARD	<u>1,876,327</u>	<u>122,719</u>	<u>1,999,046</u>

8. TANGIBLE FIXED ASSETS

	Garden £	Plant and machinery £	Fixtures and fittings £	Computer equipment £	Totals £
COST					
At 1 January 2022 and 31 December 2022	<u>8,500</u>	<u>34,638</u>	<u>27,769</u>	<u>1,287</u>	<u>72,194</u>
DEPRECIATION					
At 1 January 2022	-	27,517	21,710	157	49,384
Charge for year	-	<u>1,776</u>	<u>1,515</u>	<u>141</u>	<u>3,432</u>
At 31 December 2022	-	<u>29,293</u>	<u>23,225</u>	<u>298</u>	<u>52,816</u>
NET BOOK VALUE					
At 31 December 2022	<u>8,500</u>	<u>5,345</u>	<u>4,544</u>	<u>989</u>	<u>19,378</u>
At 31 December 2021	<u>8,500</u>	<u>7,121</u>	<u>6,059</u>	<u>1,130</u>	<u>22,810</u>

9. INVESTMENT PROPERTY

	£
FAIR VALUE	
At 1 January 2022 and 31 December 2022	<u>1,855,885</u>
NET BOOK VALUE	
At 31 December 2022	<u>1,855,885</u>
At 31 December 2021	<u>1,855,885</u>

Investment property comprises properties donated to the charity with the view to earn rental income. The fair value of the investment property has been arrived at on the basis of a valuation carried out at 31 May 2016 by J & E Shepherd Chartered Surveyors, who are not connected with the charity.

ELLON CASTLE GARDENS

**NOTES TO THE FINANCIAL STATEMENTS - continued
FOR THE YEAR ENDED 31 DECEMBER 2022**

10. STOCKS

	2022	2021
	£	£
Stocks	500	-

11. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2022	2021
	£	£
Other debtors	3,867	7,471
VAT	1,897	4,061
	5,764	11,532

12. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2022	2021
	£	£
Bank loans and overdrafts (see note 14)	4,000	4,000
Other creditors	279	445
Accrued expenses	3,500	3,860
	7,779	8,305

13. CREDITORS: AMOUNTS FALLING DUE AFTER MORE THAN ONE YEAR

	2022	2021
	£	£
Bank loans (see note 14)	9,667	13,667

14. LOANS

An analysis of the maturity of loans is given below:

	2022	2021
	£	£
Amounts falling due within one year on demand:		
Bank loans	4,000	4,000
Amounts falling between one and two years:		
Bank loans - 1-2 years	4,000	4,000
Amounts falling due between two and five years:		
Bank loans - 2-5 years	5,667	9,667

The charity drew down a COVID19 bounce back loan in May 2020 for a total of £20,000, repayable over five years from June 2021.

ELLON CASTLE GARDENS

NOTES TO THE FINANCIAL STATEMENTS - continued FOR THE YEAR ENDED 31 DECEMBER 2022

14. LOANS - continued

15. MOVEMENT IN FUNDS

	At 31/12/21 £	Net movement in funds £	Transfers between funds £	At 31/12/22 £
Unrestricted funds				
General fund	1,876,327	(8,150)	5,951	1,874,128
Restricted funds				
Property conservation fund	122,719	(42,311)	51,153	131,561
Investment property rental income	-	57,104	(57,104)	-
TOTAL FUNDS	1,999,046	6,116	-	2,005,689

Net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
Unrestricted funds			
General fund	13,127	(21,277)	(8,150)
Restricted funds			
Property conservation fund	75,857	(118,168)	(42,311)
Investment property rental income	81,396	(24,292)	57,104
TOTAL FUNDS	170,380	(163,737)	6,113

Monies held in the Property Conservation Fund are to be used for identified conservation projects relating to the Castle and Gardens.

The Investment Property Rental Income fund is first to be used for property maintenance costs and any surplus can then be used for the general purposes of the charity.

ELLON CASTLE GARDENS

NOTES TO THE FINANCIAL STATEMENTS - continued FOR THE YEAR ENDED 31 DECEMBER 2022

16. RELATED PARTY DISCLOSURES

There were no related party transactions for the year ended 31 December 2022.

17. POST BALANCE SHEET EVENTS

The charity has received notification in December 2022, of a grant from the Aberdeen Voluntary Association of £29,029 towards the purchase of battery operated robotic lawnmowers and a solar powered battery storage facility for use in the garden.