

Charity Registration No. 1045918

Company Registration No. 02485383 (England and Wales)

ENVIRONMENTAL LAW FOUNDATION
ANNUAL REPORT AND UNAUDITED FINANCIAL STATEMENTS
FOR THE YEAR ENDED 31 MARCH 2021

ENVIRONMENTAL LAW FOUNDATION

LEGAL AND ADMINISTRATIVE INFORMATION

Trustees	N J Flynn D Hart QC M A Polden OBE D C B Schumacher OBE J C Tabone M R Taite Dr J Woods R D Wald QC K Schneeberger MBE C Day
Charity number	1045918
Company number	02485383
Registered office	The Barn 36 High Street Persnore Worcestershire WR10 1DP
Independent examiner	P1 Accounting Services Limited 8 The Parade Bradford Street Shifnal TF11 8DL
Bankers	Natwest Bank PO Box 159 332 High Holborn London Depot Code 190 WC1V 7PS

ENVIRONMENTAL LAW FOUNDATION

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ENVIRONMENTAL LAW FOUNDATION

TRUSTEE'S REPORT (INCLUDING DIRECTORS' REPORT) FOR THE YEAR ENDED 31 MARCH 2021

The trustees present their report and financial statements for the year ended 31 March 2021.

The accounts have been prepared in accordance with the accounting policies set out in note 1 to the accounts and comply with the charitable company's Memorandum & Articles of Association, the Companies Act 2006 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 (FRS 102) (as amended for accounting periods commencing from 1 January 2016).

Objectives and activities

The objects for which the charitable company is established are: -

- To promote the enhancement and conversation of the environment.
- To advance the education of the public about such matters relating to the preservation, conversation and sustainable development of the natural environment and the causes of environmental degradation or concern.
- To protect and preserve the natural and built environment where there is a community or neighborhood interest by providing advice and information to enable members of the public to secure access to legal and other professional advice and representation in cases concerned with the planning and development of such environment or non-compliance with environmental and administrative law and procedures.
- The promotion of sustainable development for the benefit of the public by:
 - Providing legal and expert guidance and support to those working for and advocating the preservation, conservation and the protection of the environment and the prudent use of natural resources.
 - Conducting or commissioning research and publishing the results of such research.
- "Sustainable development" means improving the quality of life while living within the carrying capacity of supporting ecosystems and the natural environment without compromising the ability of future generations to meet their own needs.
- The promotion of the sound administration of environment and human rights law by:
 - Providing specialist legal advice, assistance and representation including representation in the European Court of Human Rights for those unable to obtain such legal advice, assistance and representation as a result of their lack of resources.
 - Providing advice on the institution structures and mechanisms by which such law is enforced.
 - and
 - Training the judiciary, lawyers, public authorities and the public in the relevant law and administrative processes

The trustees have paid due regard to guidance issued by the Charity Commission in deciding what activities the charitable company should undertake.

Principal Activity

ELF's purpose is to secure access to environmental justice for all. It has been formed to promote the use of law to solve problems of an environmental nature, which arise in the United Kingdom, and helps people use the law to protect and improve their local environment and quality of life. There have been no changes in the objects of the charity or to its methods of pursuing them since last year.

Applications for employment by disabled persons are always fully considered, bearing in mind the aptitudes of the applicant concerned. In the event of members of staff becoming disabled, every effort is made to ensure that their employment within the charitable company continues and that the appropriate training is arranged. It is the policy of the charitable company that the training, career development and promotion of disabled persons should, as far as possible, be identical to that of other employees.

Overview

Covid brought many challenges in the period 2020/21. We lost funding as did many other organisations. Despite the challenges, ELF finished the year in a stronger financial position, with good reason to expect to become stronger still.

Excluding enquiries beyond our scope, the number of requests for help received by ELF from public individuals and community groups remained steady at approximately 300. This apparent 'normality' hides a shift in the nature, quality and urgency of those enquiries, towards concerns which:

- affect larger community groups
- are more urgent because damage is not threatened, but in progress
- reflect not an absence of laws, but the failure to enforce them.

Responding to these changes – which are a driving factor behind a modest growth in our number of professional, community and individual lay members – we began this year to develop new ways of working with our members. These aim to increase our effectiveness and grow our network yet further, making it more genuinely national.

For example, in relation to law firms, we now have a system under which in-house commercial lawyers wishing to have exposure to environmental law concerns, can work discreetly on technical research and scenario analyses relating to specific community cases. This extends ELF's professional pro bono membership offer to in-house lawyers with relevant expertise and a sympathetic employer.

Similarly, following the return of Tom Brennan (see 'Executive Team' below), a new basis for university membership was devised, allowing university law schools unable to handle live cases, to join and work on policy concerns arising out of those cases, instead. This has already resulted in the net growth of the ELF university network from seven members, to ten, with those joining including Bristol University, King's College London, University of Sussex and the Open University. The coming year will see us set areas of research for the policy clinics, as set out in the ELF draft Vision and Strategy paper.

As before, our professional members and university legal and policy clinics, alongside our in-house team, have helped to give thousands of ordinary people a realistic, affordable route to environmental justice. In the great majority of cases, their efforts are at least partially, sometimes wholly, successful. In every case, our underlying purpose – to give affected communities a voice - is served. This participation is democracy, and fairness in the rule of law, in action. It is helping to maintain confidence in our democratic, legal and regulatory institutions, at a time when trust in them is, according to the annual Edelman survey, at a post-WWII low.

Executive team

As in previous years, Emma Montlake continued as our mainstay lawyer, case handler and liaison officer with all members and university teams. During 2019/20, Emma was joined, on a consultancy basis, by her former ELF colleague, Tom Brennan. A qualified solicitor and experienced environmental lawyer, Tom established the ELF university network when last employed by ELF. Tom has been developing further the university clinics building relationships and developing ideas for setting up the Policy Clinic network.

Claire Fowler continued to assist with all operational matters, including the preparation of cashflow forecasts and other management information. Claire also set in place financial and role planning for the on-going recruitment of paid para-legal interns to assist Emma, during the coming year. Sadly, Claire has announced that she will be leaving ELF in May 2021. We thank her and wish her every success.

Trustees

There were no changes to the board this year. David Hart QC continued to serve as our Chair, supported by Vice Chair Michael Taite, who continued to provide operational support to the executive team and to cover those tasks which might normally be the preserve of a company secretary and treasurer. A suitable treasurer is still sought.

Budget

ELF does not charge members of the public for its services. Membership subscriptions and donations make up a large proportion of our small income, almost all of which is spent on paying our staff to assist the communities who turn to us for help.

Having received our final grant of £22,300 from the Tudor Trust last year we were delighted that they permitted ELF to make a continuous application for funding and we await that decision. We have asked that they fund us for another year. In addition, we welcomed our second grant from the Treebeard Trust (£20,000). This sum was granted in recognition of lost funding and as a support mechanism to ELF in lockdown.

Financial review

The trustees assess on a regular basis the major risks to which the charity is exposed, in particular those related to the operations and finances of the Foundation and are satisfied that systems are in place to mitigate its exposure to major risks.

Structure, governance, and management

The Environmental Law Foundation (ELF) is a registered charity number 1045918. It is established as a company limited by guarantee.

The trustees, who are also the directors for the purpose of company law, and who served during the year were:

N J Flynn
D Hart QC
M A Polden OBE
D C B Schumacher OBE
K Schneeberger MBE
J C Tabone
M R Taite
R D Wald QC
Dr J Woods

The trustees of the charitable company form its Committee of Management and Governing Body and are empowered to act as necessary in order for the charitable company to fulfil its objectives. The members of the charitable company or fellow trustees may appoint trustees at any time.

Appropriate induction and training is given on appointment of new trustees. 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.

Due to the size of the organisation the day-to-day running of the organisation is led by its contracted executive, supported by the Vice Chair. The remuneration of staff is approved by the board of trustees.

This report has been prepared having taken advantage of the small companies' exemption in the Companies Act 2006.

The trustee's report was approved by the Board of Trustees on 31st January 2022.

M R Taite
Trustee
Dated: 31st January 2022

ENVIRONMENTAL LAW FOUNDATION

STATEMENT OF TRUSTEES RESPONSIBILITIES

FOR THE YEAR ENDED 31 MARCH 2021

The trustees, who are also the directors of Environmental Law Foundation for the purpose of company law, 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).

Company Law requires the trustees to prepare financial statements for each financial year which give a true and fair view of the state of 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 year.

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 UK Accounting Standards have been followed, 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 charitable company will continue in operation.

The trustees are responsible for keeping adequate accounting records that 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 charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

ENVIRONMENTAL LAW FOUNDATION

INDEPENDENT EXAMINER'S REPORT

TO THE TRUSTEES OF ENVIRONMENTAL LAW FOUNDATION

I report to the trustees on my examination of the financial statements of Environmental Law Foundation (the charitable company) for the year ended 31 March 2021.

Responsibilities and basis of report

As the trustees of the charitable company (and also its directors for the purposes of company law) you are responsible for the preparation of the financial statements in accordance with the requirements of the Companies Act 2006 (the 2006 Act).

Having satisfied myself that the financial statements of the charitable 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 the charitable company's financial statements carried out under section 145 of the Charities Act 2011 (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

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 that in any material respect:

- 1 accounting records were not kept in respect of the charitable company as required by section 386 of the 2006 Act; or
- 2 the financial statements do not accord with those records; or
- 3 the financial statements 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 financial statements 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 financial statements to be reached.

Jamie Plowman
P1 Accounting
Services Limited

8 The Parade
Bradford Street
Shifnal
Shropshire
TF11 8DL

Dated: 31st January 2022

ENVIRONMENTAL LAW FOUNDATION

STATEMENT OF FINANCIAL ACTIVITIES INCLUDING INCOME AND EXPENDITURE ACCOUNT

FOR THE YEAR ENDED 31 MARCH 2021

		Unrestricted funds 2021 £	Restricted funds 2021 £	Total 2021 £	Unrestricted funds 2020 £	Restricted funds 2020 £	Total 2020 £
	Notes						
<u>Income from:</u>							
Donations and memberships	3	47,079	0	47,079	38,782	22,300	61,082
Investments	4	17		17	56		56
Total income		47,096	0	47,096	38,838	22,300	61,138
<u>Expenditure on:</u>							
Charitable activities	5	48,953	0	48,953	23,768	22,300	46,068
Net income for the year/ Net movement in funds		-1,857		-1,857	15,070		15,070
Fund balances at 1 April 2020		15,771	22,300	38,071	701	22,300	23,001
Fund balances at 31 March 2021		13,914	22,300	36,214	15,771	22,300	38,071

The statement of financial activities includes all gains and losses recognised in the year.

All income and expenditure derive from continuing activities.

The statement of financial activities also complies with the requirements for an income and expenditure account under the Companies Act 2006.

ENVIRONMENTAL LAW FOUNDATION

BALANCE SHEET

AS AT 31 MARCH 2021

		2021	2020
	Notes		
Fixed assets			
Tangible assets	9	0	379
Current assets			
Debtors	11		
Cash at bank and in hand		37,564	39,154
		37,564	39,154
Creditors: amounts falling due within one year	12	(1,350)	(1,462)
Net current assets		36,214	37,692
Total assets less current liabilities		36,214	38,071
Income funds			
Restricted funds	13	22,300	22,300
Unrestricted funds		13,914	15,771
		36,214	38,071

The company is entitled to the exemption from the audit requirement contained in section 477 of the Companies Act 2006, for the year ended 31 March 2021.

The trustees acknowledge their responsibilities for ensuring that the charity keeps accounting records which comply with section 386 of the Act and for preparing financial statements which give a true and fair view of the state of affairs of the company as at the end of the financial year and of its incoming resources and application of resources, including its income and expenditure, for the 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 company.

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

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

The financial statements were approved by the Trustees on 31st January 2022.

M R Taite
Trustee

Company Registration No. 02485383

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2021

1 Accounting policies

Charity information

Environmental Law Foundation is a private company limited by guarantee incorporated in England and Wales. The registered office is The Barn, 36 High Street, Pershore, Worcestershire, WR10 1DP.

1.1 Accounting convention

The accounts have been prepared in accordance with the charitable company's Memorandum and Articles of Association, the Companies Act 2006 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 (FRS 102)" (as amended for accounting periods commencing from 1 January 2016). The charitable company is a Public Benefit Entity as defined by FRS 102.

The charitable company has taken advantage of the provisions in the SORP for charities applying FRS 102 Update Bulletin 1 not to prepare a Statement of Cash Flows.

The financial statements are prepared in sterling, which is the functional currency of the charitable company. Monetary amounts in these financial statements are rounded to the nearest £.

The financial statements have been prepared under the historical cost convention. The principal accounting policies adopted are set out below.

1.2 Going concern

At the time of approving the accounts, the trustees have a reasonable expectation that the charitable company has adequate resources to continue in operational existence for the foreseeable future. Thus the trustees continue to adopt the going concern basis of accounting in preparing the accounts.

1.3 Charitable funds

Unrestricted funds are available for use at the discretion of the trustees in furtherance of their charitable objectives unless the funds have been designated for other purposes.

Restricted funds are subject to specific conditions by donors as to how they may be used. The purposes and uses of the restricted funds are set out in the notes to the financial statements.

1.4 Incoming resources

Income is recognised when the charitable company is legally entitled to it after any performance conditions have been met, the amounts can be measured reliably, and it is probable that income will be received.

Cash donations are recognised on receipt. Other donations are recognised once the charitable company has been notified of the donation, unless performance conditions require deferral of the amount.

1.5 Resources expended

Expenditure is recognised on an accruals basis.

1.6 Tangible fixed assets

Tangible fixed assets are initially measured at cost and subsequently measured at cost or valuation, 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

Computers	3 years on cost
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ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

1 Accounting policies (Continued)

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 recognised in net income/(expenditure) for the year.

1.7 Impairment of fixed assets

At each reporting end date, the charitable company reviews the carrying amounts of its tangible assets to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss (if any).

1.8 Cash and cash equivalents

Cash and cash equivalents include cash in hand, deposits held at call with banks, and other short-term liquid investments with original maturities of three months or less.

1.9 Financial instruments

The charitable company has elected to apply the provisions of Section 11 'Basic Financial Instruments' and Section 12 'Other Financial Instruments Issues' of FRS 102 to all of its financial instruments.

Financial instruments are recognised in the charitable company's balance sheet when the charitable company becomes party to the contractual provisions of the instrument.

Financial assets and liabilities are offset, with the net amounts presented in the financial statements, when there is a legally enforceable right to set off the recognised amounts and there is an intention to settle on a net basis or to realise the asset and settle the liability simultaneously.

Basic financial assets

Basic financial assets, which include debtors and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method. Financial assets classified as receivable within one year are not amortised.

Basic financial liabilities

Basic financial liabilities, including creditors are initially recognised at transaction price. Financial liabilities classified as payable within one year are not amortised.

Trade creditors are obligations to pay for goods or services that have been acquired in the ordinary course of operations from suppliers. Amounts payable are classified as current liabilities if payment is due within one year or less. If not, they are presented as non-current liabilities. Trade creditors are recognised initially at transaction price and subsequently measured at amortised cost using the effective interest method.

Derecognition of financial liabilities

Financial liabilities are derecognised when the charitable company's contractual obligations expire or are discharged or cancelled.

1.10 Retirement benefits

Payments to defined contribution retirement benefit schemes are charged as an expense as they fall due.

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

2 Critical accounting estimates and judgements

In the application of the charitable company's accounting policies, the trustees are required to make judgements, estimates and assumptions about the carrying amount of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised where the revision affects only that period, or in the period of the revision and future periods where the revision affects both current and future periods.

3 Donations and memberships

	Unrestricted funds	Restricted funds	Total	Unrestricted funds	Restricted funds	Total
	2021	2021	2021	2020 £	2020 £	2020 £
Donations, gifts and memberships	25,079		25,079	38,782		38,782
Grants received		22,000	22,000		22,300	22,300
	25,079	22,000	47,079	38,782	22,300	61,082

4 Investments

	Unrestricted funds	Unrestricted funds
	2021	2020
Interest receivable	17	56

5 Charitable activities

	2021 £	2020 £
Staff costs including pensions	39,282	40,369
Consultancy fees	7,562	2,592
	46,844	42,961
Share of support costs (see note 6)	1,709	2,505
Share of governance costs (see note 6)	400	602
	48,953	46,068
Analysis by fund		
Unrestricted funds	25,079	

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

Restricted funds	22,000
	<hr/>
	47,079
	<hr/>
For the year ended 31 March 2021	
	2021
	£
Consultancy fees	7,562
Share of support costs (see note 6)	1,709
Share of governance costs (see note 6)	400
	<hr/>
	2,109
	<hr/>
Analysis by fund	
Unrestricted funds	2,109

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

6 Support costs

	Support costs	Governance costs	2021	2020	Basis of allocation
	£	£	£	£	
Depreciation	379		379	380	
Printing and stationery	659		659	531	
Computer running costs	0		0	444	
Insurance	593		593	587	
Bank charges	54		54	64	
Professional charges	0		0	0	
Sundry expenses	24		24	499	
Accountancy Independent Examination Fees		400		602	
	1,709	400	2,109	3,107	
Analysed between Charitable activities	1,709	400	2,109	3,107	

Governance costs includes payments to the accountants of £400 (2020 £300) for independent examination fees).

7 Trustees

None of the trustees (or any persons connected with them) received any remuneration during the year, and no travel expenses were reimbursed (2020 £nil).

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

8 Employees

Number of employees

The average monthly number of employees during the year was:

	2021 Number	2020 Number
Salaried staff	3	2
Time costs	2021 £	2020 £
Salaries and consultants fees	46,201	42,162
Other pension costs	643	799
	46,844	42,961

Included in salaries and consultants fees is £38,639 (2020- £39,570) paid through the payroll and £7,562 (2020- £2,592) invoiced direct on an hourly basis by 1 (2020 - 3) consultant.

There were no employees whose annual remuneration was £60,000 or more.

9 Tangible fixed assets

	Computer s £
Cost	
Additions	1,139
At 31 March 2021	1,139
Depreciation and impairment brought forward	760
Depreciation charged in the year	379
At 31 March 2021	1,139
Carrying amount	
At 31 March 2021	0

10 Financial instruments	2021 £	2020 £
Carrying amount of financial liabilities		
Measured at amortised cost	1,350	1,462

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

11 Debtors

	2021	2020
	£	£
Amounts falling due within one year:		
Prepayments and accrued income	0	0
	<u>0</u>	<u>0</u>

12 Creditors: amounts falling due within one year

	2021	2020
	£	£
Trade creditors	800	844
Other creditors	550	618
Accruals and deferred income	0	0
	<u>1,350</u>	<u>1,462</u>

13 Restricted funds

The income funds of the charity include restricted funds comprising the following unexpended balances of donations and grants held on trust for specific purposes:

	Movement in funds		Movement in funds			
	Balance at 1 April 2020	Incoming resources	Balance at 1 April 2020	Incoming resources	Resource Expended	Balance 31 March 2021
	£	£	£	£	£	£
Tudor Trust Grant	<u>22,300</u>	<u></u>	<u>22,300</u>	<u>22,300</u>	<u>(22,300)</u>	<u>22,300</u>

Tudor Trust Grant this fund represents amounts received to cover specific staffing costs.

14 Analysis of net assets between funds

	Unrestricted funds	Restricted funds	Total	Unrestricted funds	Restricted funds	Total
	2021	2021	2021	2020	2020	2020
	£	£	£	£	£	£
Fund balances at 31 March 2021 are represented by:						
Tangible assets	0		0	379		379
Current assets/ (liabilities)	<u>13,914</u>	<u>22,300</u>	<u>36,214</u>	<u>15,392</u>	<u>22,300</u>	<u>37,692</u>
	<u>13,914</u>	<u>22,300</u>	<u>36,214</u>	<u>(701)</u>	<u>22,300</u>	<u>22,300</u>

ENVIRONMENTAL LAW FOUNDATION

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2021

15 Related party transactions

There were no disclosable related party transactions during the year (2020 - none).