

SHEFFIELD PRESBYTERIAN CHURCH TRUST

REPORT OF THE TRUSTEES FOR THE YEAR ENDED AUGUST 31, 2022

Registered Charity Number

1139937 (date of registration January 20, 2011)

Address for Charity Correspondence

121 Westley Road
Bury St Edmunds
Suffolk
IP33 3SA

Current Charity Trustees

N Green	Appointed June 21, 2023
M D Jolley (Chairman)	Appointed June 21, 2023
P Leverton	Appointed June 21, 2023
K McGrane (Secretary)	Appointed June 21, 2023

Charity Trustees during the Reporting Period

K J Bidwell	Retired October 26, 2021	
G D C N Bowerman	Retired June 25, 2022	
P J Brown	Retired May 26, 2023	
S N Dancer	Appointed December 17, 2021	Retired July 10, 2023
L Etches	Appointed November 1, 2021	Retired July 15, 2023
J T Norris	Appointed December 17, 2021	Retired June 23, 2023

Independent Examiner

Douglas McCallum

Governing Document

The Charity is a trust constituted under a Trust Deed dated November 21, 2010.

The Trust Deed recites that the Charity was constituted for the furtherance of the religious and other charitable activities of Sheffield Presbyterian Church, a charitable unincorporated association.

Trustees are appointed by the existing trustees. Trustees are required to exercise their responsibilities consistent with the teaching of the Westminster Confession of Faith.

In the management and administration of the Trust Fund the trustees are to have full and proper regard to the governing spiritual leaders of Sheffield Presbyterian Church.

A trustee who is a minister is permitted by the Trust Deed to be remunerated out of the Trust Fund.

Objects

The principal object of the Charity is to advance the Christian faith in accordance with the Westminster standards.

History

In 2016 the Charity funded the purchase of the Grade II listed Hill Top Chapel in Attercliffe, Sheffield (originally built in 1629), and in 2017 the surrounding graveyard. The property is held by the trustees in trust for the Charity for the exclusive use of Christian worship services and other religious activities in accordance with the rites and customs of the Evangelical Presbyterian Church in England and Wales, whose subordinate standards are the Westminster Confession of Faith and the Larger and Shorter Catechisms.

Subsequently the Charity funded extensive renovations and extension to make the property most suitable as the place of worship and home of Sheffield Presbyterian Church, a congregation of the Evangelical Presbyterian Church in England and Wales.

Activities

In planning activities, the trustees have considered the Commission's guidance on public benefit and, in particular, the specific guidance on charities for the advancement of religion.

The Charity principally satisfies the public benefit requirement by maintaining and making available Hill Top Chapel for services of public worship on a weekly basis of Sheffield Presbyterian Church, and in providing full-time ministerial support thereto and for pastoral services in the local community.

Services of public worship at Hill Top Chapel are advertised and are open to all without charge. Recordings of sermons delivered there are uploaded and freely available to all via the Internet, and Christian literature is displayed on the premises and available without charge or at cost.

Effectively to promote the Charity's objects for the public benefit, the Charity's principal activities necessitate gathering in person for the provision of charitable services.

The Charity relies extensively on volunteer support to provide and conduct the full range of its services and activities.

Achievements and Performance

The Charity enabled Sheffield Presbyterian Church to hold services of public worship morning and evening each Lord's Day throughout the year. A catechism class was held on most Lord's Days. Regular Bible studies and prayer meetings were held during the week.

The Lord's Supper was frequently observed when Sheffield Presbyterian Church was gathered.

Extensive pastoral visitation was undertaken, especially by the Rev. K. Bidwell.

Two of the current charity trustees are also the elders of the Church and attend regular meetings of the Presbytery of the Evangelical Presbyterian Church in England and Wales, of which Sheffield Presbyterian Church is a member congregation.

Financial Review

Accounts have been prepared on a cash accounting basis in accordance with Section 133 of the Charities Act 2011, reporting receipts and payments with a statement of assets and liabilities.

Receipts of £115,050 for the year comprised donations of £25,427, grants of £43,232, Gift Aid recovery of tax of £4,488, transfers from Lincoln Presbyterian Church funds of £41,135, and bank interest and compensation of £768.

As is usual for a charity of this type and size, a significant proportion of the direct costs of £62,664 relates to ministerial support, a principal activity of this Charity.

The Charity made or returned grants of £117,750 during the accounting period.

Extraordinary payments totalling £36,489 were made to Rev. Benjamin Thomas, who had left the Lincoln church planting work on which he was engaged to take up a call to ministry in the USA in July 2021.

Payments exceeded receipts by £101,853, this historically large deficit being funded from reserves.

Reserves Policy

The policy of the trustees is not to accumulate reserves but to use reserves in the promotion of the Charity's objects, and maintain a balance on unrestricted funds that equates to at least six months' unrestricted payments to cover unforeseen situations that may arise from time to time. In light of the main risks facing the Charity the trustees consider the current level of reserves and their use (as necessary) to fund annual deficits satisfactory.

Statutory Filings

[See Appendix for necessary observations on filings for the *previous* year]

The present trustees were appointed on June 21, 2023, and signed their acceptances of appointment on June 24, less than a week before the statutory filing deadline for submission of an independently-examined Trustees Annual Report and Accounts, together with the Annual Return. The trustees in post on August 31, 2022, all of whom retired over the period from May to July 2023 (hereinafter referred to as the 'former trustees'), had kept no cashbooks or spreadsheets detailing payments and receipts, had not made preparations for statutory filings, and had not appointed an Independent Examiner. Necessary and sufficient documentation to compile a Trustee Annual Report and set of accounts for the year under review was not made available to the present trustees until August 2023.

Commentary on Actions during the year under review and until July 2023

It is the view of the present trustees that the former trustees brought the Charity to the brink of ruin. Towards the end of their tenure they recorded in their trustee meeting minutes that 'We have no money, no donors, we're in trouble and it's not going to be resolved by us.' In their final update to the Charity Commission in June 2023 they acknowledged that 'we have not received a penny since Q4 2022...so the trust fund is almost depleted...The reputations of the charity and the trustees are in ruins.' Indeed, they presided over a total loss of confidence of the donors and the beneficiaries, their actions split the Church, alienated the government of the Church and the church plant at Lincoln, ruined the reputation of the Charity and were inimical to the nature and purpose of trusteeship.

It is a requirement of the governing document that a trustee of the Charity 'exercise his responsibilities consistent with the teaching of the Subordinate Standard of Faith as defined in the Book of Church Order of the Evangelical Presbyterian Church in England and Wales' or else resign, yet the former trustees so overreached themselves and intruded into areas beyond their defined responsibilities that at length the highest court of that Church convened an extraordinary meeting and ruled that the trustees had infringed upon 'the powers and responsibilities of the courts of EPCEW', and that their actions were to be 'publicly recognized as being in conflict with biblical and confessional principles of church governance and the constitution of the EPCEW.'

Serious Incidents



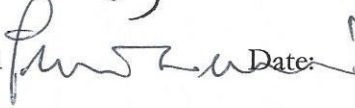

During the year and a half that the former trustees were in post they filed six Serious Incident Reports (SIRs) and three updates to SIRs. A fuller and more dispassionate understanding of the background of what is reported in these SIRs can discern that most of the conflicts and failings reported had their origins in the attitudes and actions of several of the former trustees, and of the Independent Examiner whom they overly relied upon for advice, which failings they nevertheless repeatedly sought to project onto the minister of Sheffield Presbyterian Church, the Rev. Dr Kevin Bidwell. Accordingly, all six SIRs have been repudiated by the current trustees as essentially false or misleading.

In due course the present trustees will file any necessary SIRs for reportable acts associated with the former trustees and Independent Examiner, several of which had been informed by members of the public to the Charity Commission and its CEO. Further details and disclosures will be contained in the TAR and Accounts for the year ending August 31, 2023.

The Way Forward

The Charity has passed through a tempestuous storm since August 2021, in which it sustained considerable damage, but has now emerged into calmer and benign waters. The present trustees, all of whom have served or still serve on the Session (the spiritual governing body) of Sheffield Presbyterian Church, have the best of relations with that Session, and the confidence of those who gather for the worship of God at Hill Top Chapel and at Lincoln. The trustees are wholeheartedly committed to the promotion of the objects of the Charity, principally to advance the Christian faith in accordance with the Westminster standards, by facilitating the spiritual government of the Church as well as its members to achieve those ends according to the will of Christ.

Signed by all Trustees

N Green		Date: 11. 9. 23
M D Jolley		Date: 11/09/23
P Leverton		Date: 11/9/23
K McGrane		Date: 11.09.23

APPENDIX

Observations on the TAR and Accounts for the Previous Year ending August 31, 2021.

The document comprising the Trustees Annual Report and Accounts and Independent Examination report for the *previous* year ending August 31, 2021 contained numerous errors. In particular, the compiler of form CC16a (still using a long-superseded 2012 template) had failed to consult and/or understand the guidance notes CC16b. In order to produce this present report it has been deemed necessary to draw attention to these inaccuracies so that a proper understanding of the state of the Charity can be had at the start of the year under review.

1. Under 'Other names charity is known by' the name 'Sheffield Presbyterian Church' has been entered. However, as the Trust Deed notes, 'Sheffield Presbyterian Church' was the existing name of the charitable unincorporated association that resolved to constitute the trust that is this present Charity. The Trust Deed states, 'There exists a body of Christian believers in the locality of Sheffield, being known as Sheffield Presbyterian Church... a Congregation of the Evangelical Presbyterian Church in England and Wales... which is engaged in the worship of God, the furtherance of the gospel of the Lord Jesus Christ and the general advancement of the Christian faith.' Accordingly, to ascribe the name of a pre-existent unregistered charitable association, whose trustees in law are the members of the Session, to a distinct, unlinked, registered charity that has different trustees under a trust governing document, was apt to be misleading and confusing.
2. In the column 'Dates acted if not for whole year', the entry for Rev. K. Bidwell has been entered 'Resigned 12 Oct 2021', which does not specify the dates that he acted. His resignation letter of October 12, 2021 stated that in accordance with the Trust Deed he was giving two weeks' notice of retirement and that his last day serving as a trustee would be October 26. Accordingly, the entry should read 'Retired 26 Oct 2021'. Likewise, in the same column the entry for Mr Lee Etches has been entered 'Appointed 4 Nov 2021'. The correct date should be November 1, 2021.
3. Section E 'Brief statement of the charity's policy on reserves' states that 'the Church has an Operational Reserve Fund and a Building/Fabric Account to refurbish/outfit the existing premises of the Church and to provide for emergency repairs as needed.' This is not a policy on reserves, and it again confuses two distinct charities.
4. In Section B1 there is confusion between the type of funds. Some funds that are in actuality unrestricted are shown as restricted, and all the funds shown in the column 'Endowment funds' should have been categorized either as unrestricted or restricted. The Charity had no endowments on August 31, 2021, yet under endowment funds had been shown a staggering £164,616 including a £300 petty cash fund. All the funds associated with the Lincoln church planting work have been incorporated within this category of endowment funds though they have never been endowments. Had they been endowments then the transfers and payments made by the former trustees would have been unlawful.
5. The sum of the total cash funds in Section B1 is £108 light. The error is contained within the figure shown as £60,064.
6. Including the Lincoln church planting funds as assets of the Charity was incorrect. At August 31, 2021 there were £78,713 of funds across three bank accounts, the trustees of which in law were the members of the Session of Sheffield Presbyterian Church who had general management and control of the unincorporated association known as Lincoln Presbyterian Church. Once funds had been moved from the Charity into those accounts

they were no longer the assets of the Charity. In the accounts for the year ending August 31, 2022 these Lincoln funds are shown for reference in a clearly separated column and greyed out so that it is clear that they are not the Charity's funds, and also to manifest how funds were extracted from this association by the former trustees without lawful authority. Lincoln funds will not be shown in the Charity's accounts for subsequent years.

7. In Section B3 'Investment Assets' has been included the chapel building and surrounding freehold land. These assets are manifestly NOT investment assets, which would imply that they are being held for later resale at a profit. These assets are, in fact, 'Assets retained for the charity's own use', Section B4. This mistake is devastating to any view of the purpose of acquiring and holding the chapel and land, and potentially distressing to donors who have donated generously to acquire, refurbish and extend the historic chapel as a permanent home for the congregation that meets there.
8. In the IE report Section B the Independent Examiner wrote that 'during the 2020/2021 fiscal year Rev. Kevin Bidwell in addition to being a remunerated employee of the Charity Trust was also serving as Trustee', which was not the case. In previous years the Independent Examiner had correctly stated that 'As permitted by the charity's constitution/declaration of trust (Section 22), Reverend Kevin Bidwell, received remuneration during the year solely in respect of his services as Pastor of Sheffield Presbyterian Church.' The subsequent change in language from office holder to employee was harmful: Section/Clause 22 permitted remuneration of a trustee who was a minister of religion, but not employment. Moreover, the latest wording stated that Rev. Bidwell was an 'employee of the Charity Trust', which was a legal impossibility since the Charity is unincorporated. This and other like statements by the Independent Examiner who promulgated this error would ultimately render the positions of the former trustees untenable when they acted on the advice of the Independent Examiner.
9. The Independent Examiner's comments in Section B, page 4 ('Charity Governance Breakdown') were tendentious. They follow from the false premise that operating procedures other than those set down in the governing document are automatically an exercise of powers *ultra vires*, which view fails to appreciate that such governing procedures are often weaker powers supplementary to those established by statute. The comments create a false impression that the Charity went through a period of severe governance breakdown during August – October 2021, which was deftly restored by the timely intervention of the Independent Examiner, the resignation of Rev. Bidwell as a trustee, and the appointment of three new trustees. A more realistic account would reflect that whatever shortcomings occurred during that period, which were easily rectifiable, paled into insignificance compared to the failures that were to follow.
10. In the box for the Independent Examiner to add his credentials, Gordon Whitehead, regarding himself qualified according to a paragraph in a publication superseded in 2012, stated that he was 'independent of both Sheffield Presbyterian Church and its parent religious denomination, the Evangelical Presbyterian Church in England and Wales.' Such claims were inapposite. What was necessary was that he be independent of *the registered Charity*, Sheffield Presbyterian Church Trust, a more unlikely statement than which it was impossible to make. A commission of the Presbytery of the denomination properly noted that Gordon Whitehead was 'involved (at times appearing to insert himself without solicitation) in trust/session matters beyond the customary limitations of an independent examiner and/or advisor.' Unwittingly the former trustees implied as much when they complained to the Charity Commission that they were 'hindered because we no longer have the advice and support of our independent examiner, whom we formerly relied on quite heavily.' The accounts of both parties are understatements.

SHEFFIELD PRESBYTERIAN CHURCH TRUST

Receipts and Payments Account

for the year ending 31/08/2022

	Notes	Unrestricted Funds £	Restricted Funds £	Total Funds £	Lincoln Funds £
Receipts					
Grants and gifts received	2	68,659	-	68,659	8,617
Gift Aid recovered		4,488	-	4,488	-
Investment income	3	768	-	768	-
Reimbursements and transfers	4	41,135	-	41,135	-
Receipts from sale of assets		-	-	-	-
Total Receipts		115,050	-	115,050	8,617
Payments					
Direct costs	5	62,545	119	62,664	2,279
Grants paid or repaid	6	-	117,750	117,750	-
Extraordinary payments	7	36,489	-	36,489	-
Reimbursements and transfers	4	-	-	-	41,135
Payments for purchase of assets		-	-	-	-
Total Payments		99,034	117,869	216,903	43,414
Total Receipts over total Payments		16,016	(117,869)	(101,853)	(34,797)
Transfers between funds		784	(784)	-	-
Cash balance at 1 Sep 2021		95,399	119,443	214,842	78,713
Cash balance at 31 Aug 2022		112,199	790	112,989	43,916

Statement of Assets and Liabilities

as at 31/08/2022

	Notes	£	Lincoln £
Fixed Assets			
Buildings	10	693,839	-
Contents and equipment		41,912	-
		693,839	-
Cash Balances			
Held at Bank			
Instant Access		112,989	43,916
Bonds and notice accounts		-	-
Less Unpresented cheques		-	-
Plus Cash awaiting banking		-	-
Cash float		-	-
		112,989	43,916
Investments		-	-
Liabilities		-	-

Financial statements were approved by the Board of Trustees and signed on their behalf by:

Date:

11/09/23



Mr M. Jolley - Chairman of the Trustees

SHEFFIELD PRESBYTERIAN CHURCH TRUST

Notes to the Accounts for the year ending 31/08/2022

1. Accounting Policy

The accounts have been prepared on a receipts and payments basis with a statement of assets and liabilities.

	Notes	Unrestricted Funds £	Restricted Funds £	Total Funds £	Lincoln Funds £
2. Grants and gifts received					
Weekly offerings/regular donations		19,189	-	19,189	7,965
Other donations		6,238	-	6,238	-
Legacy income		-	-	-	-
Grants received	8	43,232	-	43,232	652
		<u>68,659</u>	<u>-</u>	<u>68,659</u>	<u>8,617</u>
3. Investment income					
Bank compensation		750	-	750	-
Bank interest		18	-	18	-
		<u>768</u>	<u>-</u>	<u>768</u>	<u>-</u>
4. Transfers from Lincoln to Sheffield					
Reimbursement for pulpit supply		3,438	-	3,438	3,438
Reimbursement for expenses		1,208	-	1,208	1,208
For the Rev. Benjamin Thomas		36,489	-	36,489	36,489
		<u>41,135</u>	<u>-</u>	<u>41,135</u>	<u>41,135</u>
5. Direct costs					
Ministerial support	9	47,773	-	47,773	84
Heat, light, power, water		3,295	-	3,295	-
Premises rental		-	-	-	690
Insurance		894	-	894	-
Maintenance and services		332	-	332	-
Pulpit supply		9,011	-	9,011	1,505
Travel costs		621	-	621	-
Sundry		155	-	155	-
Diaconal		200	-	200	-
Bank charges		264	119	383	-
		<u>62,545</u>	<u>119</u>	<u>62,664</u>	<u>2,279</u>
6. Grants paid or repaid					
Salford Evangelical Presbyterian Church		-	6,000	6,000	-
EPCEW for Salford EPC		-	20,750	20,750	-
Berlin Presbyterian Church		-	6,000	6,000	-
Trustbridge Global Foundation		-	85,000	85,000	-
		<u>-</u>	<u>117,750</u>	<u>117,750</u>	<u>-</u>
7. Extraordinary payments					
The Rev. Benjamin Thomas		36,489	-	36,489	-
8. Grants received					
USA Partner support		42,584	-	42,584	652
UK Partner support		648	-	648	-
		<u>43,232</u>	<u>-</u>	<u>43,232</u>	<u>652</u>

During the accounting period the charity received grants from the following churches in the USA:
First Presbyterian Church, Jackson; Smyrna Presbyterian Church, Smyrna; Second Presbyterian Church, Greenville;
Grace Presbyterian Church, Douglasville; Midway Presbyterian Church, Powder Springs; The Rock Presbyterian Church,
Stockbridge; The Reformed Presbyterian Church, Monroe; Christ Church, Charleston.

9. Ministerial support

During the accounting period the charity remunerated one office holder, The Rev. Kevin Bidwell, who received a stipend and pension contributions in his capacity as full-time Minister of the church.

10. Buildings and equipment

The Hill Top Chapel, Attercliffe, Sheffield property value is shown as insurance value (sum insured).

Independent Examiner's Report

to the Trustees of Sheffield Presbyterian Church Trust

I report on the accounts of Sheffield Presbyterian Church Trust (Registered Charity Number 1139937) for the year ended 31st August 2022.

Respective Responsibilities of Trustees and Examiner

The charity's trustees are responsible for the preparation of the accounts. The charity's trustees consider that an audit is not required for this year under section 144(2) of the Charities Act 2011 (the 2011 Act) and that an independent examination is needed.

It is my responsibility to:

- examine the accounts under section 145 of the 2011 Act;
- to follow the procedures laid down in the general Directions given by the Charity Commission under section 145(5)(b) of the 2011 Act; and
- to state whether particular matters have come to my attention.

Basis of Independent Examiner's Report

My examination was carried out in accordance with the general Directions given by the Charity Commission. 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 no opinion is given as to whether the accounts present a 'true and fair view' and the report is limited to those matters set out in the statement below.

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 130 of the 2011 Act; and
- to prepare accounts which accord with the accounting records and comply with the accounting requirements of the 2011 Act

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.


Name: Douglas McCallum

Relevant professional qualification or body: Institute of Chartered Accountants in England and Wales

Address: 3 Strangeways Road, Cambridge CB1 8PR

Date: 29th September 2023