

CHARITY REGISTRATION NUMBER: 1183301

**The Cleary Foundation CIO**  
**Unaudited Financial Statements**  
**31 March 2021**

**BURGESS HODGSON LLP**

Chartered accountants  
Camburgh House  
27 New Dover Road  
Canterbury  
Kent  
CT1 3DN

# **The Cleary Foundation CIO**

## **Financial Statements**

**Year ended 31 March 2021**

	<b>Page</b>
Trustees' annual report	<b>1</b>
Independent examiner's report to the trustees	<b>5</b>
Statement of financial activities	<b>6</b>
Statement of financial position	<b>7</b>
Notes to the financial statements	<b>8</b>
<b>The following pages do not form part of the financial statements</b>	
Detailed statement of financial activities	<b>15</b>
Notes to the detailed statement of financial activities	<b>16</b>

# **The Cleary Foundation CIO**

## **Trustees' Annual Report**

**Year ended 31 March 2021**

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

### **Reference and administrative details**

<b>Registered charity name</b>	The Cleary Foundation CIO
<b>Charity registration number</b>	1183301
<b>Principal office</b>	16 Castle Street Dover Kent CT16 1PW

### **The trustees**

Mr Bicker  
Mr Hannent  
Mr Gould  
Mr Guillou-King

<b>Independent examiner</b>	Burgess Hodgson LLP Camburgh House 27 New Dover Road Canterbury Kent CT1 3DN
-----------------------------	---

### **Structure, governance and management**

#### **a. CONSTITUTION**

The original foundation was created by the late Frederick Ernest Cleary by Deed dated 15th February 1965. From the time of creating the Foundation until his death in June 1984, Mr Cleary made many gifts of cash and investments to the Trust.

On 8 May 2019, The Cleary Foundation CIO was formed under the charitable incorporated organisation structure which is governed by the CIO trust document. All assets and liabilities of the 'old' Foundation (Charity no. 242675) were transferred to the CIO during the period ending 31 March 2020.

#### **b. METHOD OF APPOINTMENT OR ELECTION OF TRUSTEES**

The management of the charity is the responsibility of the Trustees who are elected and co-opted under the terms of the Trust deed. When there is a requirement for new trustees, these would be identified and appointed, based on their experience and knowledge, by the remaining trustees.

#### **c. RISK MANAGEMENT**

The Trustees have assessed the major risks to which the charity is exposed, in particular those related to the operations and finances of the charity, and are satisfied that systems and procedures are in place to mitigate our exposure to the major risks.

# **The Cleary Foundation CIO**

## **Trustees' Annual Report *(continued)***

**Year ended 31 March 2021**

### **Objectives and activities**

#### **a. POLICIES AND OBJECTIVES**

The objectives of the Foundation remain similar to the original foundation and are set out the CIO trust document which states that the trustees shall hold the trust fund and the income thereof upon trust to pay all proper costs and expenses incurred by the trustees in administering the Foundation and, subject thereto, to pay or apply the income thereof and such part of the capital thereof as the trustees shall in their absolute discretion from time to time think fit for such purposes recognised by the law of England as charitable as the trustees shall from time to time select.

#### **Grant Making Policy**

The trustees meet twice a year to consider grant making, investment and all matters relevant to the administration of the Foundation.

When the trustees are discussing grant making, the review will consider a wide variety of factors including but not limited to environmental, social and governance impacts. A majority decision will be needed for grants to be approved.

All decisions are made by Trustee's by majority decision.

### **Achievements and performance**

#### **a. REVIEW OF ACTIVITIES**

The trustees intend to continue to operate as a general grant making charity with emphasis on issues local to Kent. During the prior period on 8 May 2019, this new charity under the same name has been formed adopting the Charitable Incorporated Organisation format with common objectives to The Cleary Foundation, with the intention of transferring the assets to this new entity to continue the good work of the charity.

The value of net assets transferred from the trust to the CIO amounted to £1,147,580.

Grants made during the prior period were made prior to the transfer of assets and are not recognised in the comparatives of these financial statements. All grants made were to charitable causes, and therefore all made for the public benefit and within the Charity's objectives.

# **The Cleary Foundation CIO**

## **Trustees' Annual Report *(continued)***

**Year ended 31 March 2021**

### **Financial review**

#### **a. RESULTS FOR THE YEAR**

The results for the year are shown from page 6 of the financial statements. The trustees are satisfied with the state of the Foundation's affairs.

#### **b. RESERVES POLICY**

From the formation of the Foundation funds have been accumulated and invested to produce an income to enable the trustees to fulfill the objectives of the Foundation. The invested assets are regarded as long term capital investments although the funds of the Foundation are unrestricted. As at the balance sheet date the Trust's total funds stood at £1,173,296 (2020: £1,105,948) as at 31 March 2021. The Trust's reserves total £874,820 (2020: £877,109), this figure is arrived at after removing the long term capital investments of £298,476 (2020: £228,839).

#### **c. INVESTMENT POLICY AND OBJECTIVES**

The charity's investments are managed by St. James's Place Wealth Management. The Charity intends to keep a mix of both quoted investments and cash to cover current and future cash flow requirements.

### **Plans for future periods**

#### **a. PUBLIC BENEFIT**

The principal objects of the charity are set out in the CIO document as previously stated. The trustees confirm they have referred to the 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 policy for the forthcoming year.

The Cleary Foundation CIO meets the definition of a public benefit entity under FRS 102.

#### **b. GOING CONCERN**

The Trustee has evaluated all subsequent events or transactions for potential recognition or disclosure through to the date on which these financial statements were signed and have determined that there were no additional subsequent events requiring adjustment to or disclosure in the Scheme's financial statements. As a result of this review and the matters referred to above, the Trustee consider that the preparation of these financial statements on the going concern basis is appropriate.

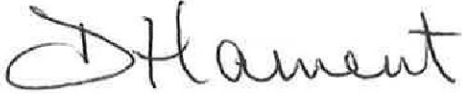
In particular, the review considered the Coronavirus outbreak and the potential impact of this in relation to the scheme. The Trustee has designed and implemented the Scheme's investment strategy taking a long term view, and have built in resilience to withstand short term fluctuations. The situation will continue to be monitored closely, with regular liaisons with the investment adviser to consider any necessary actions to respond to the emerging issues.

# The Cleary Foundation CIO

## Trustees' Annual Report *(continued)*

Year ended 31 March 2021

The trustees' annual report was approved on 29th Dec 2021 and signed on behalf of the board of trustees by:



Mr Hannent  
Trustee



Mr Gould  
Trustee

# **The Cleary Foundation CIO**

## **Independent Examiner's Report to the Trustees of The Cleary Foundation CIO**

**Year ended 31 March 2021**

I report to the trustees on my examination of the financial statements of The Cleary Foundation CIO ('the charity') for the year ended 31 March 2021.

### **Responsibilities and basis of report**

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

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

### **Independent examiner's statement**

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

1. accounting records were not kept in respect of the charity as required by section 130 of the Act; or
2. the financial statements do not accord with those records; or
3. the financial statements do not comply with the applicable requirements concerning the form and content of accounts set out in the Charities (Accounts and Reports) Regulations 2008 other than any requirement that the accounts give a 'true and fair' view which is not a matter considered as part of an independent examination.

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



Burgess Hodgson LLP  
Independent Examiner

Camburgh House  
27 New Dover Road  
Canterbury  
Kent  
CT1 3DN

*12th January 2022*

# The Cleary Foundation CIO

## Statement of Financial Activities

Year ended 31 March 2021

		Year to 31 Mar 21		Period from 8 May 19 to 31 Mar 20
		Unrestricted funds	Total funds	Total funds
	Note	£	£	£
<b>Income and endowments</b>				
Investment income	4	26,662	26,662	13,683
Other income	5	—	—	1,147,580
<b>Total income</b>		<u>26,662</u>	<u>26,662</u>	<u>1,161,263</u>
<b>Expenditure</b>				
Expenditure on charitable activities	6,7	(28,951)	(28,951)	(1,278)
<b>Total expenditure</b>		<u>(28,951)</u>	<u>(28,951)</u>	<u>(1,278)</u>
Net gains/(losses) on investments	8	69,637	69,637	(54,037)
<b>Net income and net movement in funds</b>		<u>67,348</u>	<u>67,348</u>	<u>1,105,948</u>
<b>Reconciliation of funds</b>				
Total funds brought forward		1,105,948	1,105,948	—
<b>Total funds carried forward</b>		<u>1,173,296</u>	<u>1,173,296</u>	<u>1,105,948</u>

The statement of financial activities includes all gains and losses recognised in the year.  
All income and expenditure derive from continuing activities.



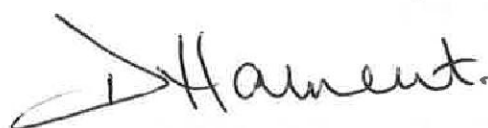
# The Cleary Foundation CIO

## Statement of Financial Position

31 March 2021

	Note	2021 £	2020 £
<b>Fixed assets</b>			
Investments	12	298,476	228,839
<b>Current assets</b>			
Debtors	13	822,390	914,000
Cash at bank and in hand		54,180	24,109
		876,570	938,109
<b>Creditors: amounts falling due within one year</b>	14	1,750	61,000
<b>Net current assets</b>		874,820	877,109
<b>Total assets less current liabilities</b>		1,173,296	1,105,948
<b>Net assets</b>		1,173,296	1,105,948
<b>Funds of the charity</b>			
Unrestricted funds		1,173,296	1,105,948
<b>Total charity funds</b>	15	1,173,296	1,105,948

These financial statements were approved by the board of trustees and authorised for issue on 29th Dec 2021, and are signed on behalf of the board by:



Mr Hannent  
Trustee



Mr Gould  
Trustee

**The Cleary Foundation CIO**  
**Notes to the Financial Statements**  
**Year ended 31 March 2021**

**1. General information**

The charity is a public benefit entity and a registered charity in England and Wales and is unincorporated. The address of the principal office is 16 Castle Street, Dover, Kent, CT16 1PW.

**2. Statement of compliance**

These financial statements have been prepared in compliance with FRS 102, 'The Financial Reporting Standard applicable in the UK and the Republic of Ireland', the 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) (Charities SORP (FRS 102)) and the Charities Act 2011.

**3. Accounting policies**

**Basis of preparation**

The financial statements have been prepared on the historical cost basis, as modified by the revaluation of certain financial assets and liabilities and investment properties measured at fair value through income or expenditure.

The financial statements are prepared in sterling, which is the functional currency of the entity.

**Going concern**

There are no material uncertainties about the charity's ability to continue.

**Judgements and key sources of estimation uncertainty**

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported. These estimates and judgements are continually reviewed and are based on experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

**Fund accounting**

Unrestricted funds are available for use at the discretion of the trustees to further any of the charity's purposes.

Designated funds are unrestricted funds earmarked by the trustees for particular future project or commitment.

Restricted funds are subjected to restrictions on their expenditure declared by the donor or through the terms of an appeal, and fall into one of two sub-classes: restricted income funds or endowment funds.

# **The Cleary Foundation CIO**

## **Notes to the Financial Statements *(continued)***

**Year ended 31 March 2021**

### **3. Accounting policies *(continued)***

#### **Incoming resources**

All incoming resources are 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. The following specific policies are applied to particular categories of income:

- income from donations or grants is recognised when there is evidence of entitlement to the gift, receipt is probable and its amount can be measured reliably.
- legacy income is recognised when receipt is probable and entitlement is established.
- income from donated goods is measured at the fair value of the goods unless this is impractical to measure reliably, in which case the value is derived from the cost to the donor or the estimated resale value. Donated facilities and services are recognised in the accounts when received if the value can be reliably measured. No amounts are included for the contribution of general volunteers.
- income from contracts for the supply of services is recognised with the delivery of the contracted service. This is classified as unrestricted funds unless there is a contractual requirement for it to be spent on a particular purpose and returned if unspent, in which case it may be regarded as restricted.

#### **Resources expended**

Expenditure is recognised on an accruals basis as a liability is incurred. Expenditure includes any VAT which cannot be fully recovered, and is classified under headings of the statement of financial activities to which it relates:

- expenditure on raising funds includes the costs of all fundraising activities, events, non-charitable trading activities, and the sale of donated goods.
- expenditure on charitable activities includes all costs incurred by a charity in undertaking activities that further its charitable aims for the benefit of its beneficiaries, including those support costs and costs relating to the governance of the charity apportioned to charitable activities.
- other expenditure includes all expenditure that is neither related to raising funds for the charity nor part of its expenditure on charitable activities.

All costs are allocated to expenditure categories reflecting the use of the resource. Direct costs attributable to a single activity are allocated directly to that activity. Shared costs are apportioned between the activities they contribute to on a reasonable, justifiable and consistent basis.

#### **Investments**

Unlisted equity investments are initially recorded at cost, and subsequently measured at fair value. If fair value cannot be reliably measured, assets are measured at cost less impairment.

Listed investments are measured at fair value with changes in fair value being recognised in income or expenditure.

# The Cleary Foundation CIO

## Notes to the Financial Statements *(continued)*

Year ended 31 March 2021

### 3. Accounting policies *(continued)*

#### Financial instruments

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into.

Debtors and creditors with no stated interest rate and receivable or payable within one year are recorded at transaction price. Any losses arising from impairment are recognised in the profit and loss account in other administrative expenses.

Loans and borrowings are initially recognised at transaction price including transaction costs. Subsequently, they are measured at amortised cost using the effective interest rate method, less impairment. If an arrangement constitutes a finance transaction it is measured at present value.

### 4. Investment income

	Unrestricted Funds £	Total Funds 2021 £	Unrestricted Funds £	Total Funds 2020 £
Bank interest receivable	22	22	33	33
Other interest receivable	26,640	26,640	13,650	13,650
	<u>26,662</u>	<u>26,662</u>	<u>13,683</u>	<u>13,683</u>

### 5. Other income

	Unrestricted Funds £	Total Funds 2021 £	Unrestricted Funds £	Total Funds 2020 £
Transfer of Assets	—	—	1,147,580	1,147,580
	<u>—</u>	<u>—</u>	<u>1,147,580</u>	<u>1,147,580</u>

### 6. Expenditure on charitable activities by fund type

	Unrestricted Funds £	Total Funds 2021 £	Unrestricted Funds £	Total Funds 2020 £
Office & admin	1,549	1,549	278	278
Grants	24,852	24,852	—	—
Support costs	2,550	2,550	1,000	1,000
	<u>28,951</u>	<u>28,951</u>	<u>1,278</u>	<u>1,278</u>

### 7. Expenditure on charitable activities by activity type

	Activities undertaken directly	Support costs	Total funds 2021 £	Total fund 2020 £
Office & admin	1,549	—	1,549	278
Grants	24,852	—	24,852	—
Governance costs	—	2,550	2,550	1,000
	<u>26,401</u>	<u>2,550</u>	<u>28,951</u>	<u>1,278</u>

# The Cleary Foundation CIO

## Notes to the Financial Statements *(continued)*

Year ended 31 March 2021

### 8. Net gains/(losses) on investments

	Unrestricted Funds £	Total Funds 2021 £	Unrestricted Funds £	Total Funds 2020 £
Gains/(losses) on listed investments	<u>69,637</u>	<u>69,637</u>	<u>(54,037)</u>	<u>(54,037)</u>

### 9. Independent examination fees

	Year to 31 Mar 21 £	Period from 8 May 19 to 31 Mar 20 £
Fees payable to the independent examiner for: Independent examination of the financial statements	<u>1,000</u>	<u>—</u>

### 10. Staff costs

There were no staffs costs incurred during the current and prior period.

The average head count of employees including Trustees during the period was 4 (2020: 4).

No employee received employee benefits of more than £60,000 during the current or prior period.

### 11. Trustee remuneration and expenses

No remuneration or other benefits from employment with the charity or a related entity were received by the trustees in the current or prior year.

### 12. Investments

	Listed investments £
<b>Cost or valuation</b>	
At 1 April 2020	228,839
Additions	—
Fair value movements	<u>69,637</u>
<b>At 31 March 2021</b>	<u>298,476</u>
<b>Impairment</b>	
At 1 April 2020 and 31 March 2021	
Carrying amount	
At 31 March 2021	<u>298,476</u>
At 31 March 2020	<u>228,839</u>

All investments shown above are held at valuation.

#### Financial assets held at fair value

The investments represent unitised funds which are valued based upon the market published data.

# The Cleary Foundation CIO

## Notes to the Financial Statements *(continued)*

Year ended 31 March 2021

### 13. Debtors

	2021 £	2020 £
Other debtors	<u>822,390</u>	<u>914,000</u>

The debtors above include the following amounts falling due after more than one year:

	2021 £	2020 £
Other debtors	<u>562,125</u>	<u>699,750</u>

### 14. Creditors: amounts falling due within one year

	2021 £	2020 £
Accruals and deferred income	1,750	1,000
Other creditors	<u>—</u>	<u>60,000</u>
	<u>1,750</u>	<u>61,000</u>

### 15. Analysis of charitable funds

#### Unrestricted funds

	At 1 April 2020 £	Income £	Expenditure £	Gains and losses £	At 31 March 2021 £
General funds	<u>1,105,948</u>	<u>26,662</u>	<u>(28,951)</u>	<u>69,637</u>	<u>1,173,296</u>

	At 8 May 2019 £	Income £	Expenditure £	Gains and losses £	At 31 March 2020 £
General funds	<u>—</u>	<u>1,161,263</u>	<u>(1,278)</u>	<u>(54,037)</u>	<u>1,105,948</u>

# The Cleary Foundation CIO

## Notes to the Financial Statements *(continued)*

Year ended 31 March 2021

### 16. Analysis of net assets between funds

	Unrestricted Funds	Total Funds
	£	2021 £
Investments	298,476	298,476
Current assets	876,570	876,570
Creditors less than 1 year	(1,750)	(1,750)
<b>Net assets</b>	<b>1,173,296</b>	<b>1,173,296</b>

	Unrestricted Funds	Total Funds
	£	2020 £
Investments	228,839	228,839
Current assets	938,109	938,109
Creditors less than 1 year	(61,000)	(61,000)
<b>Net assets</b>	<b>1,105,948</b>	<b>1,105,948</b>

### 17. Incorporation as a charitable incorporated organisation

During the prior year the trustees of The Cleary Foundation (242675) (The Trust) decided to use the provisions of the Charities Act 2011 to incorporate as a Charitable Incorporated Organisation (CIO).

This process involves setting up a new charity with a new charity number: The Cleary Foundation (1183301) (The CIO) was established on 8 May 2019.

There were no significant differences to the board of trustees between The Trust and The CIO, and neither the beneficiary class nor the charitable objectives have changed.

### 18. Related parties

The Trustees are the ultimate controlling party.

The Cleary Foundation is related to the Bay Trust Limited (Charity No. 1026765) by virtue of Mr A T F Gould and Mr C Bicker, who are trustees for both charities.

During the period, the Cleary Foundation Trust transferred debt due from The Bay Trust to the CIO of £Nil (2020: £810,350). £Nil (2020: £90,000) was advanced and £118,250 (2020: £Nil) was repaid to the Cleary Foundation CIO. Interest of £26,640 (2020: £13,650) has been charged in the period. At the balance sheet date, the amount due to the CIO was £822,390 (2020: £914,000).

During the period Mr A T F Gould, a Trustee of the CIO, was repaid £60,000 (2020: £Nil) and advanced £Nil (2020: £60,000) to the Cleary Foundation CIO. No interest was charged on this balance. At the balance sheet date, Mr A T F Gould was owed £Nil (2020: £60,000).

The connected Trustees were excluded from all decisions in respect of The Bay Trust.

# **The Cleary Foundation CIO**

## **Management Information**

**Year ended 31 March 2021**

**The following pages do not form part of the financial statements.**



# The Cleary Foundation CIO

## Detailed Statement of Financial Activities

Year ended 31 March 2021

	Year to 31 Mar 21 £	Period from 8 May 19 to 31 Mar 20 £
<b>Income and endowments</b>		
<b>Investment income</b>		
Bank interest receivable	22	33
Other interest receivable	26,640	13,650
	<u>26,662</u>	<u>13,683</u>
<b>Other income</b>		
Transfer of Assets	—	1,147,580
	<u>—</u>	<u>1,147,580</u>
<b>Total income</b>	<u>26,662</u>	<u>1,161,263</u>
<b>Expenditure</b>		
<b>Expenditure on charitable activities</b>		
Rent	(900)	(278)
Insurance	(649)	—
Legal and professional fees	(2,550)	(1,000)
Grants	(24,852)	—
	<u>(28,951)</u>	<u>(1,278)</u>
<b>Total expenditure</b>	<u>(28,951)</u>	<u>(1,278)</u>
<b>Net gains/(losses) on investments</b>		
Gains/(losses) on listed investments	69,637	(54,037)
	<u>69,637</u>	<u>(54,037)</u>
<b>Net income</b>	<u>67,348</u>	<u>1,105,948</u>

# The Cleary Foundation CIO

## Notes to the Detailed Statement of Financial Activities

Year ended 31 March 2021

	Year to 31 Mar 21 £	Period from 8 May 19 to 31 Mar 20 £
<b>Expenditure on charitable activities</b>		
<b>Office &amp; admin</b>		
<i>Activities undertaken directly</i>		
Office & admin costs	(900)	(278)
Insurance	(649)	—
	<u>(1,549)</u>	<u>(278)</u>
<b>Grants</b>		
<i>Activities undertaken directly</i>		
Grants	(24,852)	—
	<u>(24,852)</u>	<u>—</u>
<b>Governance costs</b>		
Governance costs - accountancy fees	(2,550)	(1,000)
	<u>(2,550)</u>	<u>(1,000)</u>
<b>Expenditure on charitable activities</b>	<u>(28,951)</u>	<u>(1,278)</u>