

Company Number: 4787626
Registered Charity Number: 1108037

THE CYCLISTS' DEFENCE FUND

REPORT AND FINANCIAL STATEMENTS

30 SEPTEMBER 2014

Reference and Administrative Details of the Charity, its Trustees and Advisors

Trustees

S M Bolt
C Field
R N Geffen
N Gough
R L Muers
S Shivapadasundaram
H Vecht

Registered Office and Operational Address

Parklands, Railton Road, Guildford, GU2 9JX

Auditor

Buzzacott LLP, 130 Wood Street, London, EC2V 6DL

Bankers

Royal Bank of Scotland, 10 North Street, Guildford, Surrey, GU1 4AF

Solicitors

Anthony Collins Solicitors LLP, 134 Edmund Street, Birmingham, B3 2ES

Company Secretary

Paul Tuohy

REPORT OF THE TRUSTEES, INCORPORATING THE DIRECTORS' REPORT

The Trustees, who are the directors of The Cyclists' Defence Fund (the "Charity"), submit their report and the accounts for the year ended 30 September 2014.

Structure, Governance and Management

The Cyclists' Defence Fund is a company limited by guarantee, incorporated in England and Wales. The Charity was established under a Memorandum of Association which established the objects and powers of the Charity and is governed by its Articles of Association. The Charity's company registration number is 4787626.

The Charity has been registered as a charity by the Charity Commission. The charity registration number is 1108037.

Trustees are appointed by the sole member, Cyclists' Touring Club ("CTC"), the national cyclists' charity, which founded the Charity in 2003 and the Charity is therefore regarded as a subsidiary of CTC. Trustees are appointed for a period of three years after which Trustees are eligible for reappointment.

Potential new trustees are initially sent information about the Charity's work and the role of Trustees. They are also invited to attend one or more Trustees' meetings as observers, so that they can see the Board's work first-hand. They are then asked if they wish to confirm their interest in standing and, if so, the existing Trustees will decide whether to co-opt them. Co-optees are then nominated at the Charity's next AGM, where the members of CTC Council decide whether or not to confirm their appointment.

Decision making is retained within the board of trustees, which meets on average once a quarter. The board has an oversight of the principal activities of the organisation.

Risk Review

The Trustees have considered the risks to which the Charity is exposed, and have identified appropriate steps to manage those risks.

Objectives and Activities

The Charity exists to:

- preserve and protect the health and safety of the public by encouraging and facilitating safe cycling;
- advance the education of the public in the relationship between cycling and the law;
- further the sound development, administration and knowledge of the law relating to cycling; and
- promote, assist, undertake and commission research into the law, practice, and administration of justice in connection with cycling and to disseminate the useful results of such research.

The trustees have considered the Charity Commission's guidance on public benefit when reviewing the charity's aims and objectives and in planning future activities.

The trustees confirm that they have complied with the duty in the Charities Act 2011 to have due regard to the public benefit in determining the activities undertaken by the charity.

Achievement and Performance

The Cyclists' Defence Fund (CDF) has provided financial support, advice or both for various challenges in the past year, relating to its objects. Several of these were still on going at the 2013-14 year end.

CDF continues to support the family of a cyclist killed in Kent in 2012. When a driver phoned 999 to report that they had found a dead cyclist on the road, this was taken at face value. The police were not called to investigate, due to an informal arrangement between the local police and ambulance services for the police not to attend the scene of cyclists' injuries. The coroner strongly criticised this arrangement, which has since been withdrawn. CDF sought advice from Martin Porter QC to help the family with their complaint about the investigation to the Independent Police Complaints Commission. The CDF coordinator has been interviewed twice by South West Today News about this case.

The case involving a cyclist, who challenged a Fixed Penalty Notice (FPN) which he received for alleged red light jumping, wrapped up at the end of 2013 when the Crown Prosecution Service (CPS) dropped the fine. CDF helped to pay his legal fees to fight the case, provided information to his solicitor on the use of Advance Stop Lines, and wrote to the CPS urging them to reconsider whether the prosecution was in the public interest.

The claim begun in 2012 against Edinburgh City Council over their alleged failure to ensure adequate safety for cyclists in the design of the Edinburgh tram scheme is on-going, but the Fund has reduced its involvement. Thompsons Solicitors are bringing the claim on behalf of over 100 cyclists who had fallen on the tramlines before the trams had even begun to run. The scheme raises wider issues about public bodies' liability to consider cyclists' safety in designing all forms of highway infrastructure, not just tram schemes. CDF explored options for conducting a judicial review of the Council's decision but failed to find any organisation or individual willing to bring the review. CDF is awaiting the outcome of the civil claims to determine if further action is needed.

CDF is currently supporting a cyclist, who is challenging a fixed penalty notice he received for riding on the pavement in June 2014. He is currently awaiting a court hearing date. CDF has raised £1,300 to support this case and others like it.

CDF has also provided advice on several other cases during the course of the year, albeit without becoming involved financially. The cases were varied, including: a challenge to a breach of Rights of Way law in North Yorkshire (ongoing); a campaign to re-consult cycling groups on infrastructure plans in Bath, Somerset (ended); a challenge to restrictions on cycle routes in the New Forest (ongoing); a potential injunction against lorry companies illegally unloading in central Cambridge (ongoing); and two cases where cyclists had been charged with careless cycling (both ongoing).

CDF collaborated with other organisations by co-signing a letter to the Transport Minister requesting the Operators Compliance Risk Score be made public. The OCRS relates to the level of risk of operators of heavy goods vehicles. CDF also supported the Road Justice campaign Sentencing Debate in June 2014.

CDF has also increased its media presence, with mentions in Road.cc, Cycling Weekly and Bike Biz and two appearances on South West Today News. CDF has a growing Twitter following but the Facebook page requires more attention. Three new advisors have been recruited: two barristers and one solicitor.

Financial Review

£3,300 was raised via the Just Giving website for two campaigns, however CDF have not received the level of donations anticipated. This will be focused on in the next financial year.

The Trustees remain of the view that the financial resources held by the Charity need to be substantially increased in order to widen the range of work that the Charity is able to perform, given the high costs of litigation, and have strategies in place to achieve this.

Reserves Policy

At this stage of the Charity's existence, the reserves policy remains a simple one of building up reserves to the level that the Trustees believe is necessary to be able to properly achieve the Charity's objectives.

Investment Policy

Funds are currently held in interest bearing bank and deposit accounts in the Charity's name.

Plans for the Future

CDF is seeking to increase the number of applications for assistance it receives by hiring an individual to increase media coverage.

CDF aims to fight one significant legal challenge in 2015 and three to four smaller challenges. A major potential case is under consideration as this report is being finalised.

CDF aims to increase donations by updating the website, making it mobile friendly, and increasing the ways individuals can donate.

Statement of Trustees' responsibilities

The trustees (who are also directors of CDF for the purposes of company law) are responsible for preparing the trustees' report and 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 period. Under company law the trustees must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period.

In preparing these financial statements, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Statement of Recommended Practice (Accounting and Reporting by Charities) (the Charities' SORP);
- make judgements and estimates that are reasonable and prudent;
- state whether applicable United Kingdom 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 proper 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.

Each of the trustees confirms that:

- so far as the trustee is aware, there is no relevant audit information of which the charitable company's auditor is unaware; and
- the trustee has taken all the steps that he/she ought to have taken as a trustee in order to make himself/herself aware of any relevant audit information and to establish that the charitable company's auditor is aware of that information.

This confirmation is given and should be interpreted in accordance with the provisions of s418 of the Companies Act 2006.

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

Small company provisions

This report has been prepared in accordance with the special provisions for small companies under Part 15 of the Companies Act 2006.

Approved by the Trustees and signed on their behalf by



R N Geffen
19 January 2015

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE CYCLISTS' DEFENCE FUND

We have audited the financial statements of The Cyclists' Defence Fund for the year ended 30 September 2014 which comprise the statement of financial activities, the balance sheet and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

This report is made solely to the charity's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charity's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charity and the charity's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of trustees and auditor

The trustees are also the directors of the charitable company for the purposes of company law. As explained more fully in the Statement of Trustees' Responsibilities set out in the Report of the Trustees, the trustees are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view.

Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's (APB's) Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the charitable company's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the trustees; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Report of the Trustees to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

Opinion on financial statements

In our opinion the financial statements:

- give a true and fair view of the state of the charitable company's affairs as at 30 September 2014 and of its incoming resources and application of resources, including its income and expenditure, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Opinion on other matter prescribed by the Companies Act 2006

In our opinion the information given in the Report of the Trustees for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of trustees' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the trustees were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies exemption in preparing the Report of the Trustees and take advantage of the small companies exemption from the requirement to prepare a Strategic Report.



Edward Finch, Senior Statutory Auditor
for and on behalf of Buzzacott LLP, Statutory Auditor
130 Wood Street
London
EC2V 6DL

28/3/15

STATEMENT OF FINANCIAL ACTIVITIES (INCLUDING INCOME AND EXPENDITURE ACCOUNT) FOR THE YEAR ENDED 30 SEPTEMBER 2014

	Note	Unrestricted Funds £	Restricted Funds £	Total Funds £	Prior Year Total Funds £
INCOMING RESOURCES					
Donations, legacies and other voluntary income	1	36,631	-	36,631	50,520
TOTAL INCOMING RESOURCES		36,631	-	36,631	50,520
RESOURCES EXPENDED					
Charitable activities	3	22,940	-	22,940	31,635
Governance costs	2	2,812	-	2,812	2,483
TOTAL RESOURCES EXPENDED		25,752	-	25,752	34,118
NET INCOMING RESOURCES, being net income for the year		10,879	-	10,879	16,402
RECONCILIATION OF FUNDS					
Total funds brought forward	4	98,647	18,600	117,247	100,845
TOTAL FUNDS CARRIED FORWARD		109,526	18,600	128,126	117,247

All recognised gains and losses are shown above and therefore a separate Statement of Total Recognised Gains and Losses has not been presented. All amounts relate to continuing activities.

The notes on pages 11 to 13 form part of these financial accounts.

BALANCE SHEET AS AT 30 SEPTEMBER 2014

	2014		2013	
	£	£	£	£
CURRENT ASSETS				
Amounts due from parent company	-		2,448	
Amounts due from group companies	-		253	
Cash at bank and in hand	131,382		132,024	
		131,382		134,724
CREDITORS , amounts falling due within one year:				
Sundry creditors	3,256		10,503	
Amounts due to group companies	-		6,974	
		3,256		17,477
NET CURRENT ASSETS		128,126		117,247
Unrestricted funds		109,526		98,647
Restricted funds		18,600		18,600
TOTAL FUNDS		128,126		117,247

These financial statements have been prepared in accordance with the special provisions for small companies under Part 15 of the Companies Act 2006.

The notes on pages 11 to 13 form part of these financial accounts.

These financial statements were approved and authorised for issue by the Trustees on 19 January 2015 and signed on their behalf by:



R N Geffen

Company registration number 4787626

NOTES FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 SEPTEMBER 2014

Accounting policies

- a) The financial statements have been prepared under the historical cost convention in accordance with the Companies Act 2006 and the Statement of Recommended Practice issued by the Charity Commission in March 2005 and revised in July 2008.
- b) Voluntary income is received by way of donations and gifts and is included in full in the Statement of Financial Activities when received.
- c) Legacies are recognised when the Charity is advised by the personal representatives of the estate that payment will be made or property transferred and the amount involved can be quantified.
- d) Resources expended are recognised in the period in which they are incurred. Resources expended include attributable VAT which cannot be recovered.

Charitable expenditure comprises those costs incurred by the charity in the delivery of its activities and services for its beneficiaries. It includes both costs that can be allocated directly to such activities and those costs of an indirect nature necessary to support them.

Governance costs are those costs which relate to the direct running of the charity and its responsibilities to be compliant with the various legislations applicable to it. Costs such as audit fees and expenses in relation to trustees' meetings are included in this area.

The salary is recharged at cost to CDF from the Cyclists' Touring Club who maintains the staff member on the payroll. For office accommodation and other management services, an appropriate rate has been calculated based on the office space required and the level of transaction handling required by the finance department.

- e) Unrestricted funds are donations and other incoming resources receivable or generated for the objects of the Charity without further specified purpose and are available as general funds.
- f) Restricted funds are to be used for the specific purposes as laid down by the donor. Expenditure which meets those criteria is charged to the fund, together with a fair allocation of management and support costs.
- g) The Charity has taken advantage of the exemptions available under FRS1 and has not prepared a cash flow statement.
- h) The Charity has taken advantage of the exemptions in FRS 8 – Related Party Disclosures and has not reported transactions with other group companies. There are no other related party transactions.

1. Voluntary Income

	Unrestricted funds	Restricted funds	Total funds 2014	Total funds 2013
	£	£	£	£
General donations received	36,631	-	36,631	40,520
Grants received	-	-	-	10,000
Total	36,631	-	36,631	50,520

2. Governance costs

	Unrestricted funds	Restricted funds	Total funds 2014	Total funds 2013
	£	£	£	£
Trustees' expenses	613	-	613	401
Audit fees	2,100	-	2,100	2,000
Bank fees	99	-	99	82
	<u>2,812</u>	<u>-</u>	<u>2,812</u>	<u>2,483</u>

3. Charitable activities

	Unrestricted Funds	Restricted Funds	2014	2013
	£	£	£	£
Direct costs				
.Other costs	2,362	-	2,362	6,109
Support costs				
.Administration	20,579	-	20,579	25,526
	<u>22,940</u>	<u>-</u>	<u>22,940</u>	<u>31,635</u>

A service level agreement is in place with partner organisations to provide a part time staff member along with office accommodation and accountancy provision. The fees payable under these service level agreements are listed below:

- * Salary £6,599
- * Management charges £13,980

4. Movements in funds

Restricted funds consists of income that has been received in regards to the Road Justice project.

	At 1 October 2013	Incoming Resources	Outgoing Resources	At 30 September 2014
	£	£	£	£
Unrestricted funds	98,647	36,631	(25,752)	109,526
Restricted funds	18,600	-	-	18,600
Total Funds	<u>117,247</u>	<u>36,631</u>	<u>(25,752)</u>	<u>128,126</u>

5. Analysis of assets in the funds

	Unrestricted Funds	Restricted Funds	Total Funds
	£	£	£
Cash at bank and in hand	112,782	18,600	131,382
Other net current liabilities	(3,256)	-	(3,256)
Total	109,526	18,600	128,126

6. Taxation

As The Cyclists' Defence Fund is a registered charity, under the Charities Act 2011 it is entitled to the exemptions from tax afforded by CTA 2010 ss 466 – 493 so far as its income and gains are applied for charitable purposes.

7. Ultimate parent company

As sole member of the Charity, Cyclists' Touring Club has the right to appoint or remove a majority of the Board of directors and therefore in accordance with Part 38 section 1159 (b) of the Companies Act 2006, the Charity is a subsidiary of Cyclists' Touring Club, a company limited by guarantee, incorporated in England and Wales. In the event of the Charity winding up, Cyclists' Touring Club, as the sole member, has guaranteed to contribute £1 or any smaller amount required.