REGISTRARS COPY

The Brighton West Pier Trust (A Company Limited by Guarantee)

Report and Financial Statements

Year ended 31 December 2001

Charity No. 280177 Company No. 01399732

12/10/02

COMPANIES HOUSE

AIKQJEKJ A04 COMPANIES HOUSE

0823 27/09/02

The Brighton West Pier Trust (A Company Limited by Guarantee)

31 December 2001 Contents

	Page
Legal and administrative information	1
Trustees' report	2
Auditors' report	4
Consolidated statement of financial activities	. 5
Consolidated and charity balance sheets	. 6
Notes forming part of the financial statements	. 7

Legal and Administrative Information For the year ended 31 December 2001

Constitution

The Brighton West Pier Trust is a company limited by guarantee, and a registered charity governed by its memorandum and articles of association. Charity number: 280177. Company number: 01399732.

Directors and trustees

The directors of the charitable company ("the charity") are its trustees for the purpose of charity law and throughout this report are collectively referred to as the trustees.

The trustees serving during the year and since the year end were as follows:

Sir Lindsay Bryson (Chairman)

Mr Michael Ann

Mr Douglas Baker (Treasurer)

Mr Andy Durr (appointed 8 October 2001)

Mr Jim Ellis

Dr Fred Gray

Mr Gavin Henderson (appointed 31 January 2001)

Ms Niki Hinman (resigned 25 April 2001)

Mr Glynn Jones (appointed 28 January 2002)

The Rt Hon Lord Lloyd of Berwick

Mrs Mary Mason

Mr Stephen Phillips

Lord Renton of Mount Harry

Mr Ken Revis (died 7 March 2002)

Mr Harry Shepherd

Mrs Audrey Simpson

Mr John Wells-Thorpe

Dr Terry Whitney

The Board or the charity in General Meeting may appoint any member of the charity to the Board to fill a vacancy. Any person so appointed shall serve only until the end of the Annual General Meeting following the date of appointment. The trustee will then resign but be eligible for election as a trustee. One third of the elected trustees for the time being shall retire from office at the Annual General Meeting in each year and shall be eligible for reelection.

Chief executive

Dr Geoffrey Lockwood

Treasurer

Mr Douglas Baker FCA

Secretary

Ms Rachel Clark

Registered office and principal address

The West Pier Kings Road Brighton BN1 2FL

Auditors

BDO Stoy Hayward Nile House Nile Street Brighton BN1 1JB

Solicitors

DMH

100 Queens Road Brighton BN1 3YB

Bankers

Bank of Scotland 15 Queen Square Brighton BN1 3FD

Consulting civil & structural engineers

Hemsley Orrell Partnership Hop House 41 Church Road Hove BN3 2BE

Trustees' Report For the year ended 31 December 2001

The trustees are pleased to present their report together with the financial statements of the charity for the year ended 31 December 2001.

Legal and administrative information set out on page 1 forms part of this report. The financial statements comply with current statutory requirements, the memorandum and articles of association and the Statement of Recommended Practice – Accounting and Reporting by Charities

Objects

The charity's principal objects are to:-

- secure the structural maintenance of the restored West Pier;
- restore the West Pier architecturally to its external appearance in the 1920's. The internal structures of buildings and their uses are open for discussion with funding partners, but the restoration of the external appearance of the principal structures is a requirement;
- ensure that the commercial development of the West Pier is sufficient to fund its long term maintenance;
- realise the potential of the West Pier, as part of Brighton's Seafront Development Initiative, in the regeneration of the economy of Brighton and Hove as a major tourist and conference resort in the 21st century;
- develop the cultural and educational potential of the West Pier area. Public access to the restored pier is an essential requirement in its development, but the charity will also seek to create a visitor centre to house permanent and temporary exhibitions on the history of the West Pier and more generally on the heritage of the British seaside.

Organisation

The charity is organised according to its Memorandum and Articles of Association and the Board of the charity is responsible for its management and will report on the year's work to the Annual General Meeting to be held on 12 July 2002. In order to facilitate the control and management of the charity the Board has in place Executive, Finance, Audit and Remuneration Committees, all of whom meet regularly and report formally to the Board.

Review of activities and future developments

The charity's main operational activity; in addition to maintaining the organisation of the charity and the information services to its members, continues to be the management and profitable usage of the lettable spaces and assets of the charity at the landward end of the pier and other fundraising in order to generate income to promote the objects of the charity. Since 1 October 2000 any trading activities of the charity have been transferred to Brighton West Pier Trading Limited, a wholly owned subsidiary.

The principal work of the charity remained focussed on progressing the project for the restoration of the pier in collaboration with a private sector partner (St Modwen plc), the Heritage Lottery Fund, English Heritage and Brighton & Hove City Council. Last year's review of activities reported that the signed agreement with St Modwen was exchanged in December 2000; that in January 2001 the Heritage Lottery Fund formally accepted St Modwen as the charity's private sector partner, re-iterated its agreement in principle to commit a further £12.5m to the restoration of the pier and agreed to fund 75% of the £1.2m final development phase prior to the restoration of the pier commencing; and that the charity, St Modwen plc and the HLF were negotiating the text of the grant contract for that phase with a view to it taking place in May 2001 to March 2002 in order that work on the full restoration of the pier could commence in summer 2002.

In February/March 2001 the charity, the Heritage Lottery Fund and St Modwen had agreed that grant contract and commenced the preparations for its implementation. However, a third party then issued a legal challenge to the Heritage Lottery Fund about its intended grant to the charity. As a result the Heritage Lottery Fund froze forward action on the project in spring 2001 whilst it contested that challenge; a process which has involved deliberations with Departments of State and the European Commission. The charity has assisted the Heritage Lottery Fund in those deliberations. The current situation is that it is expected that the threatened legal challenge will be overcome in the near future, having stalled the main project for a full year.

Trustees' Report (continued) For the year ended 31 December 2001

Review of activities and future developments (continued)

However, during that year the charity and St Modwen have continued to develop the plans for the restoration and the associated enabling development, especially with the Brighton & Hove City Council and English Heritage; thus the stalling of action with the Heritage Lottery Fund for a full year should not extend the project by a year.

The current expectation is that in April 2002 the charity, St Modwen plc and the Heritage Lottery Fund will agree plans and funding which will lead to actions later in 2002 which will pave the way for the main restoration to commence by spring 2003.

Policy on reserves

It is the policy of the trustees that reserves be retained for the purpose of furthering the work of The Brighton West Pier Trust and providing a cushion against any costs arising from unforeseen circumstances.

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 are in place to mitigate our exposure to the major risks.

Results and dividends

The results of the charity are set out in the financial statements on Pages 5 to 12.

To the net income resources for the year of £21,494 on unrestricted funds has been added the surplus brought forward of £73,913 to leave a surplus of £95,407 at 31 December 2001.

The income and expenditure on restricted funds is in balance.

The trustees are not permitted to recommend the payment of dividends.

Taxation status of the charity

The charity is a registered charity and as such has been granted exemption from taxation under Section 505 of the Income and Corporation Taxes Act 1988.

Trustees' responsibilities in relation to the financial statements

Company law requires the trustees to prepare financial statements that give a true and fair view of the state of affairs of the charity and of its surplus or deficit for the financial year. In doing so, the trustees are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charity will continue in business.

The trustees are responsible for maintaining proper accounting records which disclose with reasonable accuracy at any time the financial position of the charity and to enable them to ensure that the financial statements comply with the Companies Act 1985. The trustees are also responsible for safeguarding the assets of the charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Auditors

BDO Stoy Hayward have signified their willingness to continue in office and a resolution to re-appoint them as auditors will be proposed at the forthcoming annual general meeting.

By order of the trustees:

LS BYKOA

Date:

15 M A Pen 2002

Independent Auditors' Report To the Members of The Brighton West Pier Trust

We have audited the financial statements of The Brighton West Pier Trust for the year ended 31 December 2001 which comprises a consolidated Statement of Financial Activities, the consolidated and charity Balance Sheets and related notes. These financial statements have been prepared under the historical cost convention and the accounting policies set out therein.

Respective responsibilities of trustees and auditors.

The trustees (who are also the directors of The Brighton West Pier Trust for the purposes of company law) responsibility for preparing the financial statements in accordance with applicable law and United Kingdom Accounting Standards are set out in the Statement of Trustees' Responsibilities. Our responsibility is to audit the financial statements in accordance with relevant legal and regulatory requirements and United Kingdom Auditing Standards.

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Trustees' Report is not consistent with the financial statements, if the charity has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding trustees' remuneration and transactions with the charitable company is not disclosed.

We are not required to consider whether the statement in the Trustees' Report concerning the major risks to which the charity is exposed covers all existing risks and controls, or to form an opinion on the effectiveness of the charity's risk management and control procedures.

We read other information contained in the Trustees' Report, and consider whether it is consistent with the audited financial statements. We consider the implications for our report if we become aware of any apparent misstatements or material inconsistencies with the financial statements. Our responsibilities do not extend to any other information.

Basis of opinion

We conducted our audit in accordance with United Kingdom Auditing Standards issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the trustees in the preparation of the financial statements, and of whether the accounting policies are appropriate to the charitable company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance as to whether the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

Opinion

In our opinion the financial statements give a true and fair view of the state of the charitable company's and its subsidiary's affairs as at 31 December 2001 and of their incoming resources and application of resources, including their income and expenditure, in the year then ended and have been properly prepared in accordance with the Companies Act 1985.

BPO Stay Hayward
BDO Stoy Hayward

Chartered Accountants
Registered Auditors

Brighton

Date: 19 April 2002

Consolidated Statement of Financial Activities (including Income and Expenditure) For the year ended 31 December 2001

	Notes	Unrestricted £	Restricted £	2001 Total funds £	2000 Total funds £
Income and expenditure					
Incoming resources					
Donations Activities for generating funds:		8,914	-	8,914	14,225
Commercial trading operations National Heritage Memorial Fund:	3	69,121	-	69,121	43,917
- restoration and repairs grant		-	-	-	8,190
- excess management fee	4	-	39,024	39,024	71,142
Subscriptions		13,721	-	13,721	12,966
Rents and insurance		50,511	-	50,511	44,278
Interest receivable		4,278	-	4,278	3,279
Other income		1,537	-	1,537	9,601
Consideration for agreement to grant lease	8	-	-	-	140,000
Total incoming resources		148,082	39,024	187,106	347,598
Less cost of generating funds:					
Commercial trading operations	3	(45,295)	-	(45,295)	(9,513)
Net incoming resources available for charitable application		102,787	39,024	141,811	338,085
Charitable expenditure					
Direct charitable expenditure	5	13,874	6,424	20,298	37,639
Management and administration	6	67,025	32,600	99,625	130,788
Bank charges and interest	Ū	394	-	394	917
Total charitable expenditure		81,293	39,024	120,317	169,344
Total resources expended		126,588	39,024	165,612	178,857
Movement in total funds for the year - Net income for the year		21,494	-	21,494	168,741
Total funds brought forward		73,913	-	73,913	(94,828)
Total funds carried forward		95,407	_	95,407	73,913

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

All incoming resources and resources expended derive from continuing activities.

Consolidated and Charity Balance Sheets As at 31 December 2001

		Group					arity
	 .	2001	2000	2001	2000		
	Note	£	£	£	£		
Fixed assets							
Tangible assets	8	576	647	576	647		
Investments	3 _		-	100	100		
		576	647	676	747		
Current assets			2 =				
Stocks		2,000	9,748	27.770	215 610		
Debtors Cash at bank and in hand	9	14,957 105,036	195,774 50,184	37,678 81,491	215,610 39,598		
Cash at bank and in hand		103,036	30,184	81,491	39,376		
	_	121,993	255,706	119,169	255,208		
Current liabilities Creditors: amounts falling due							
within one year	10	(27,162)	(182,440)	(24,438)	(182,042)		
Net current assets		94,831	73,266	94,731	73,166		
Total assets less current							
liabilities	_	95,407	73,913	95,407	73,913		
Funds							
runus							
Unrestricted		95,407	73,913	95,407	73,913		
Restricted		-	-	-	-		
Total funds	12 _	95,407	73,913	95,407	73,913		

Approved by the Board on 15th April 2002 and signed on its behalf by

Lindsay Bryson Trustee

Douglas Baker
Trustee

1. Accounting policies

1.1. Basis of accounting

The financial statements have been prepared under the historical cost convention and in accordance with the Statement of Recommended Practice, Accounting and Reporting by Charities (SORP 2000) issued in October 2000, applicable accounting standards and the Companies Act 1985. The provisions of SORP 2000 are adopted for the first time this year. The principal accounting policies adopted in the preparation of the financial statements are as follows:

1.2. Group financial statements

These financial statements consolidate the results of the charity and its wholly-owned subsidiary Brighton West Pier Trading Limited on a line by line basis. A separate Statement of Financial Activities, or income and expenditure account, for the charity itself is not presented because the charity has taken advantage of the exemptions afforded by 230 of the Companies Act 1985 and paragraph 304 of SORP 2000.

Group financial statements were not prepared in the previous year and comparative figures have been restated on a group basis. There has been no effect on the surplus for the current or previous year.

1.3. Commercial trading activities

Income from commercial activities is included in the period in which the group is entitled to receipt.

1.4. Grants receivable

Grants receivable are not recognised until all conditions attaching are satisfied and are treated as income in the charity's accounting records where these are matched against the expenditure to which they relate. Where such income is restricted to future accounting periods it is deferred and recognised in those future accounting periods.

Income for immediate financial support and assistance, or to reimburse costs previously incurred, is recognised immediately in the Statement of Financial Activities.

1.5. Donations

The profits of the subsidiary which are payable under Gift Aid are included in the financial statements in the year to which the profits relate.

Other donations which include cash receipts are recognised when they are received and recorded in the charity's accounting records.

1.6. Subscription income

Subscriptions which are non refundable are taken to the credit of the profit and loss account upon receipt.

1.7. Interest receivable

Interest is included when receivable by the charity.

1.8 Incoming resources

All incoming resources relate to the United Kingdom.

1.9 Resources expended

Resources expended are included in the Statement of Financial Activities on an accruals basis.

Certain expenditure is directly attributable to specific activities and has been included in those cost categories.

1.10. Operating leases

Rental costs under operating leases are charged to the Statement of Financial Activities as incurred

1. Accounting policies (continued)

1.11. Stock

Stock is included at the lower of cost or net realisable value.

1.12. The West Pier

No value has been attributed to the West Pier in the financial statements because reliable cost information is not available and conventional valuation approaches lack sufficient reliability.

1.13. Depreciation of tangible fixed assets

Fixed assets are depreciated so as to write them off over their anticipated useful lives at the following annual rates:-

Office equipment

25% straight line

1.14. Fund accounting

Funds held by the charity are either:

- Unrestricted funds these are funds which can be used in accordance with the charitable objects at the discretion of the trustees.
- Restricted funds these are funds that can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

The charity's restricted funds represent monies received specifically towards work (including contribution to management and administration costs) for the restoration and repair of the West Pier.

2. Legal status of the charity

The charity is a company limited by guarantee and has no share capital. The liability of each member in the event of winding-up is limited to £1.

3. Commercial trading operations and investment in subsidiary

The wholly-owned trading subsidiary, Brighton West Pier Trading Limited, which is incorporated in the United Kingdom, pays all its profits to the charity by Gift Aid. Brighton West Pier Trading Limited operates the market, guided tours, sale of books, Christmas cards and other goods, and all commercial trading operations carried on at The Brighton West Pier Trust since 1 October 2000. The charity owns the entire issued share capital of 100 ordinary shares of £1 each. A summary of the trading results, which include those operated by the charity prior to 1 October 2000 are shown below.

	2001	2000
	£	£
Turnover	69,121	43,917
Cost of sales and administrative expenses	(45,295)	(9,513)
Interest receivable	679	71
Net profit	24,505	34,475
Amount gifted to the charity	(24,505)	(7,024)
Retained in the subsidiary		
Retained in the charity	-	27,451
The assets and liabilities of the subsidiary were:		
Current assets	25,615	20,353
Creditors: amounts falling due within one year	(25,515)	(20,253)
Total net assets	100	100
Aggregate share capital and reserves	100	100

4. Excess management costs

The grant from the National Heritage Memorial Fund provided for a contribution towards the charity's excess management costs to 31 December 2001. The financial statements include claims made to the National Heritage Memorial Fund in respect of costs expended up to 30 November 2001 and debtors include £7,868 (2000: £28,117) in respect of claims made but not received at 31 December 2001. The sums owing have been received since the balance sheet date.

5. Direct charitable expenditure

	Unrestricted	Restricted	Total	Total
	funds	funds	2001	2000
Pier costs	£	£	£	£
Repairs	2,044	-	2,044	13,016
Electricity	2,272	-	2,272	2,705
Insurance	3,176	-	3,176	14,814
Security services	45	=	45	120
Cost of technical officer	3,761	_	3,761	6,984
Professional	5,000	_	5,000	-
Legal	4,000	_	4,000	-
Transfer in respect of grant income			, .	
received towards charitable expenditure	(6,424)	6,424	-	-
-	13,874	6,424	20,298	37,639

6. Management and administration

	Unrestricted	Restricted	Total	Total
	funds	funds	2001	2000
	£	£	£	£
Office rent and rates	2,871	-	2,871	2,902
Staff costs	52,749	-	52,749	58,906
Cost of finance officer	3,494	_	3,494	4,690
Other administrative costs	1,422	-	1,422	2,435
Printing, postage and stationery	3,658	-	3,658	4,912
Auditors' remuneration - audit	5,000	-	5,000	5,500
- other services	3,550	-	3,550	3,700
Legal fees	10,282	-	10,282	23,506
Telephone	1,926	-	1,926	3,126
Commission on promotional activities	5,185	-	5,185	12,828
Office and sundry expenses	3,838	_	3,838	2,660
Marketing and publicity	3,894	_	3,894	2,438
Bad debts and deficiencies	-	-	•	587
Depreciation and loss of sale on fixed assets	621	-	621	783
Repairs to office and equipment	1,135	-	1,135	1,815
Transfer in respect of grant income			•	,
received towards administration costs	(32,600)	32,600	-	-
	67,025	32,600	99,625	130,788

7. Trustees and employees

The average number of full time equivalent employees (including casual and part-time staff) during the year was made up as follows:

was made up as follows.	2001 £	2000 £
Tour guides	1	-
Market operations	1	-
Management and administration of the charity	2	3
	4	3
	2001	2000
Staff costs include:-	£	£
Wages and salaries	64,878	53,958
Social security	5,913	4,948
	70,791	58,906

No trustee received any remuneration from the charity nor had any expenses reimbursed.

8. Tangible fixed assets – group and charity

	Office equipment \pounds
Cost At 1 January 2001 Additions	1,958 550
At 31 December 2001	2,508
Depreciation At 1 January 2001 Charge for year	1,311 621
At 31 December 2001	1,932_
Net book value At 31 December 2001	576
At 31 December 2000	647

The charity owns the freehold of the West Pier which is not capitalised in the financial statements for the reasons set out in the accounting policies on page 8. The landward end of the West Pier is insured for a value of £192,000 (2000: £192,500). The trustees hold no insurance for the sea based structure of the pier.

Last year the charity entered into an agreement to grant a lease of the West Pier for 125 years at a peppercorn rent. The formal granting of the lease is dependent upon certain conditions in relation to the full restoration of the pier being met. The consideration of £140,000 received for this agreement in 2000 is non refundable.

Falling due within one year:					
	Group		Ch	Charity	
	2001	2000	2001	2000	
	£	£	£	£	
Trade debtors	6,110	-	6,110	-	
Amount owed by subsidiary undertaking	-	_	22,753	19,855	
VAT recoverable	-	-	37	-	
Other debtors	7,937	192,636	7,868	192,617	
Prepayments	910	3,138	910	3,138	
	14,957	195,774	37,678	215,610	

10. Creditors: amounts falling due within one year

•	Group		Cl	harity
	2001	2000	2001	2000
	£	£	£	£
Trade creditors	2,921	1,001	2,921	1,001
Taxes and social security	2,339	22,212	1,740	22,212
Other creditors	36	418	36	20
Loan	-	138,154	_	138,154
Accruals and deferred income (see note 11)	21,866	20,655	19,741	20,655
	27,162	182,440	24,438	182,042

11. Deferred income

Accruals and deferred income in note 10 include the following deferred income:	Group £	Charity £
Balance at 1 January 2001	10,760	10,760
Amount released to incoming resources	(10,760)	(10,760)
Amount deferred in the year	3,574	3,574
Balance at 31 December 2001	3,574	3,574

Deferred income comprises income received for rents in advance.

12. Reconciliation of movement in funds of the charity

	Unrestricted funds £	Restricted funds £	Total 2001 £	Total 2000 £
Opening funds	73,913	-	73,913	(94,828)
Movement in funds for the year	21,494	-	21,494	168,741
Closing funds	95,407	-	95,407	73,913

13. Analysis of group net assets between funds

	Unrestricted funds £	Restricted funds £	Total 2001 £	Total 2000 £
Tangible fixed assets	576	<u>.</u>	576	647
Stocks	2,000	-	2,000	9,748
Debtors	14,957	••	14,957	195,774
Cash at bank and in hand	105,036	-	105,036	50,184
Creditors - amounts falling due	·	-		
within one year	(27,162)	-	(27,162)	(182,440)
Closing funds	95,407	<u> </u>	95,407	73,913

14. Contingent liabilities

i) Restricted funds

As at 31 December 2001 the charity has reclaimed value added tax of approximately £100,000 (2000: £100,000) on certain direct charitable expenditure. The input VAT may ultimately become repayable to HM Customs & Excise depending upon the VAT status of future tenants; however, the charity does not believe that any provision is required in the financial statements as they consider it unlikely that any liability will arise.

ii) Conditions attaching to grants

The agreements attaching to the restoration grants of circa £1.4million received in earlier years incorporate various conditions including requirements for ongoing maintenance and insurance. Non-compliance with the conditions can result in the grants becoming repayable in certain circumstances, and in any event if the charity ceases to operate or is placed in receivership of liquidation. The trustees do not anticipate that repayment of the grants received will be required.

15. Trustees' indemnity insurance

The statement of financial activities includes £1,029 (2000: £1,025) in respect of Trustees' indemnity insurance.

16. Related party transactions

The charity has taken advantage of the exemptions contained in Financial Reporting Standard Number 8 and has not disclosed such transactions with its subsidiary in these financial statements.

17. Net income for the year

£21,494 (£168,741) of the consolidated net income for the year has been dealt with in the financial statements of The Brighton West Pier Trust.