

**Company Number: 4787626**  
**Registered Charity Number: 1108037**

# **THE CYCLISTS' DEFENCE FUND**

## **REPORT AND FINANCIAL STATEMENTS**

**30 SEPTEMBER 2015**

## **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 2015.

### **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' organisation, 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 principle 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 and information in support of cyclists in the past year.

CDF is supporting the family of a cyclist who was killed following a collision with a car on Regent Street in London in February 2014. The Metropolitan Police decided not to charge the driver and not to pass the case to the CPS to review. With the family's consent and support, CDF decided to prosecute the driver privately. A fundraising appeal was launched to raise £75,000 to fund the case. A law firm was enlisted to carry out the prosecution. By 13 November 2015 the fundraising appeal had raised £36,796 through online and offline donations and from a gift of £9,000 from the deceased cyclist's family. Contingency plans have been put in place in case the appeal fails to raise the remainder of funds required.

CDF continues to support the family of a 12 year old boy killed whilst cycling in Leicester in August 2014. The case has not yet been made public due to complexities with the investigation, but a trial date has been set for April 2016. The family maintains close contact with CDF.

CDF has provided information to several other cyclists during the course of the year, albeit without becoming involved financially. These include a case in Lancashire in which a cyclist was badly injured after a collision with a car, helping the cyclist submit a complaint to the Police Standards Authority as the police decided not to take further action; three cases where cyclists have been alleged to have cycled carelessly; one where a cyclist was charged with dangerous cycling; and several others which did not involve criminal behaviour.

The case involving a cyclist who received a Fixed Penalty Notice (FPN) for riding on the pavement in June 2014 concluded in February 2015 with a last minute decision by the Crown Prosecution Service to drop the charge on the grounds that it was not in the public interest to prosecute. CDF helped to pay the cyclist's legal fees, raising over £3,000 via JustGiving. CDF helped support a number of others with Fixed Penalty Notices. One cyclist with an FPN in London was supported by connecting him with other local cyclists who had contested similar FPNs, helping to get the charge dropped. A cyclist in Swindon was helped by CDF with three prosecutions for cycling on the footway, which were dropped.

CDF supported a cyclist who was charged with jumping a red light in Birmingham to get the charge against him dropped. The entire incident was caught on the cyclist's helmet camera. The cyclist reported the incident to the police and both he and the driver were charged with jumping a red light. CDF helped the cyclist by putting him in touch with a barrister who could advise him on the right approach to take to challenge the charge. The charge was eventually dropped.

CDF continues to support a cycling group contesting North Yorkshire County Council's decision not to return a suspected illegally obstructed highway, maintained at public expense, to the list of streets. Working in collaboration with the British Horse Society (BHS) and focussed on a Definitive Map Modification Order (DMMO), CDF is considering whether to support a possible legal challenge if the outcome of the DMMO is unfavourable.

### **Website:**

CDF has improved the website by updating the Content Management System, improving the navigation and connecting the site to social media channels. From August 2014 to August 2015 (when user data stopped being collected), the site was visited by 27,501 users. One of the aims in the coming year is to bring down bounce rates. These are visitors to the website who view one page and then immediately leave. It may be that they have found the exact information on the website or more often not. The CDF website will be improved to engage more with the users.

### **Social media:**

CDF's twitter following has grown 143% in the last year, reaching 1,460 followers by the end of October 2015. Visits to CDF's Twitter profile were up by 213% (from 127 in October 2014 to 398 in October 2015), and

impressions were up by 63% (from 5,863 to 9,570). CDF's Facebook page follower numbers have increased by 61% (from 44 in October 2014 to 71 in October 2015).

## **Financial Review**

The PayPal and JustGiving donate buttons were reinstated on the CDF website in July 2015. There has been a rise in donations through PayPal since, but JustGiving continues to bring in the most donations.

A CDF donor database has been created on the Engaging Networks campaign platform, enabling CDF to stay in touch with donors and send out mass appeals.

There has been an increase in individuals doing activities to raise funds for CDF. Three individuals carried out activities in 2014-15, raising over £1,000 by November 2015, with more expected to be raised. The news and reviews site road.cc raised £625 for CDF through t-shirt sales.

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.

## **Reserves Policy**

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**

The Trustees recognise the need to develop a strategy for how the Charity will use legal challenges to further its aims and how it will raise the funds to support more legal challenges. The Charity is being brought closer in to its linked charity, CTC, the national cycling charity. CTC is undergoing a review of its strategy and is examining where CDF fits within it. The CDF Trustees will wait to see the outcome of CTC's strategy before finalising the CDF strategy.

In April 2015 the CDF coordinator's hours increased from one to two days a week. With this greater investment of staff time, coupled with the organisation being brought closer in to CTC and thus being able to draw on CTC's staff resources, the Charity will be able to raise its profile, attract more cases and raise more funds.

CDF aims to encourage more supporters to fundraise for the Charity.

CDF aims to fight one significant legal challenge in 2016 and three to four smaller challenges.

## **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.

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 adequate accounting records that disclose with reasonable accuracy at any time the financial position of the charitable company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

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  
16 March 2016

## **INDEPENDENT AUDITOR'S REPORT TO THE MEMBER OF THE CYCLISTS' DEFENCE FUND**

We have audited the financial statements of The Cyclists' Defence Fund for the year ended 30 September 2015 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 member, 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 member 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 member 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 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 2015 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.

*Katharine Patel*

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

*12 April 2016*



**STATEMENT OF FINANCIAL ACTIVITIES (INCLUDING INCOME AND EXPENDITURE ACCOUNT) FOR THE YEAR ENDED 30 SEPTEMBER 2015**

	Note	Unrestricted Funds £	Restricted Funds £	Total Funds £	Prior Year Total Funds £
<b>INCOMING RESOURCES</b>					
Donations, legacies and other voluntary income	1	77,775	-	77,775	36,631
<b>TOTAL INCOMING RESOURCES</b>		<b>77,775</b>	<b>-</b>	<b>77,775</b>	<b>36,631</b>
<b>RESOURCES EXPENDED</b>					
Charitable activities	3	47,183	-	47,183	22,940
Governance costs	2	2,572	-	2,572	2,812
<b>TOTAL RESOURCES EXPENDED</b>		<b>49,755</b>	<b>-</b>	<b>49,755</b>	<b>25,752</b>
<b>NET INCOMING RESOURCES, being net income before transfers</b>					
		28,020	-	28,020	10,879
<b>Transfer between funds</b>		<b>18,600</b>	<b>(18,600)</b>	<b>-</b>	<b>-</b>
<b>NET MOVEMENT IN FUNDS</b>		<b>46,620</b>	<b>(18,600)</b>	<b>28,020</b>	<b>10,879</b>
<b>RECONCILIATION OF FUNDS</b>					
Total funds brought forward	4	109,526	18,600	128,126	117,247
<b>TOTAL FUNDS CARRIED FORWARD</b>		<b>156,146</b>	<b>-</b>	<b>156,146</b>	<b>128,126</b>

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 12 to 13 form part of these financial statements.

## BALANCE SHEET AS AT 30 SEPTEMBER 2015

	2015		2014	
	£	£	£	£
<b>CURRENT ASSETS</b>				
Other debtors	4,405		-	
Cash at bank and in hand	<u>160,642</u>		<u>131,382</u>	
		165,047		131,382
<b>CREDITORS</b> , amounts falling due within one year:				
Sundry creditors	8,901		3,256	
		8,901		3,256
<b>NET CURRENT ASSETS</b>		<u><u>156,146</u></u>		<u><u>128,126</u></u>
Unrestricted funds		156,146		109,526
Restricted funds		-		18,600
<b>TOTAL FUNDS</b>		<u><u>156,146</u></u>		<u><u>128,126</u></u>

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 12 to 13 form part of these financial statements.

These financial statements were approved and authorised for issue by the Trustees on 16 March 2016 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 2015

### 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 2015 £	Total funds 2014 £
General donations received	77,775	-	77,775	36,631
<b>Total</b>	<b>77,775</b>	<b>-</b>	<b>77,775</b>	<b>36,631</b>

## 2. Governance costs

	Unrestricted funds £	Restricted funds £	Total funds 2015 £	Total funds 2014 £
Trustees' expenses	325	-	325	613
Audit fees	2,140	-	2,140	2,100
Bank fees	107	-	107	99
	<b>2,572</b>	<b>-</b>	<b>2,572</b>	<b>2,812</b>

## 3. Charitable activities

	Unrestricted Funds £	Restricted Funds £	2015 £	2014 £
Direct costs				
.Other costs	24,634	-	24,634	2,361
Support costs				
.Administration	22,549	-	22,549	20,579
	<b>47,183</b>	<b>-</b>	<b>47,183</b>	<b>22,939</b>

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 £8,569
- \* Management charges £13,980

#### 4. Movements in funds

	At 1 October 2014	Incoming Resources	Outgoing Resources	Transfers Between Funds	At 30 September 2015
	£	£	£	£	£
Unrestricted funds	109,526	77,775	(49,755)	18,600	156,146
Restricted funds	18,600	-	-	(18,600)	-
<b>Total Funds</b>	<b>128,126</b>	<b>77,775</b>	<b>(49,755)</b>	<b>-</b>	<b>156,146</b>

#### 5. Analysis of assets in the funds

	Unrestricted Funds	Restricted Funds	Total Funds
	£	£	£
Cash at bank and in hand	160,642	-	160,642
Other net current liabilities	(4,496)	-	(4,496)
<b>Total</b>	<b>156,146</b>	<b>-</b>	<b>156,146</b>

#### 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.

#### 8. Related party transactions

During the year to 30 September 2015, £180 was paid by the Cyclists' Defence Fund for legal fees with respect to a road justice court case for Kristian Gregory, a Trustee of the Cyclists' Touring Club.