

B. New Standing Order 930

930 Consents generally.

- (1) *No consent is required under this Standing Order for the exercise by managing trustees of their powers under heads (c), (g), (i) (j), (k), (l), or (m), (n) or (o) of paragraph 16 of the Model Trusts, nor for the execution of non-structural repair under head (d) of that paragraph, but this provision does not remove the need to comply with any other Standing Orders regulating the exercise of those powers and does not apply to listed building works, as defined in clause (8)(a) below, or to any other works, whether structural or not, which would materially affect the internal or external appearance of a listed building or the external appearance of a building in a conservation area.***
- (2) *Subject to clause (1) above the consent of the appropriate bodies, as specified below, shall be obtained before managing trustees take any of the steps specified in this Standing Order.***
- (3) *Consent under this Standing Order is consent to the substance of the transaction. It does not exempt managing trustees from complying with any proper requirements as to form or procedure imposed by the law or the custodian trustees, or arising under other Standing Orders or the Model Trusts, whether those requirements arise before or after consent is given under this Standing Order.***
- (4) *The following steps require, in the case of local property, the consent of the Circuit Meeting and, in the case of local, circuit and conference property, that of the appropriate district authority:***

 - (i) *the acquisition, or any contract for the acquisition, of land for Methodist use;***
 - (ii) *the exercise of any power conferred by paragraph 15 or 16 of the Model Trusts, except as provided in clause (1) above.***
- (5)(a) *Where any application to the appropriate district authority for consent under clause (4) above requires the authorisation of the Methodist Council under paragraph 20 of the Model Trusts, or in the opinion of the appropriate district authority gives rise to the question whether such authorisation should be sought, it shall be referred to the Methodist Council for consideration of that aspect.***
- (b) *Where some aspect of such an application requires the consent of the appropriate connexional authority under Standing Order 931(1) it shall be referred to the appropriate connexional authority for consideration of that aspect.***

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- (c) The appropriate district authority may also refer to the appropriate connexional authority any other such application, or any part or element of it, which it considers for any reason would better be decided there.*
- (6) In the case of district, connexional and general property, any of the steps specified in clause (4) above requires the consent of the appropriate connexional authority.*
- (7) In the exercise of the general powers of the Methodist Council under Standing Order 212(9) it shall prescribe an electronic process, compliant with Standing Orders, by which the appropriate district and connexional authorities shall deal with all applications for consent under this Standing Order. The process so prescribed shall include provisions to alert those using the process to the existence of possible conflicts of interests or duty and the steps to be taken to avoid any actual conflict.*
- (8) (a) In this and the next Standing Order 'listed building works' has the meaning given to it by Standing Order 980.*
- (b) In relation to listed building works in England and Wales the provisions of Section 98 shall apply in addition to those of this Standing Order, and in case of any conflict the provisions of Section 98 shall prevail.*

C. Amendments to the remainder of Part 9 of Standing Orders

Part 9 Property

Section 90 Introduction and Interpretation

900 Trusts and Standing Orders. (1) to (3) *[unaltered]*.

(4) Where church property is not held on the Model Trusts any provisions of these Standing Orders **of general application but** framed by reference to the terms of the Model Trusts shall take effect and be applied as nearly as the circumstances admit.

(5) *[unaltered]*.

901 Vesting of New Property. All land acquired for use as local, circuit or district property or otherwise on behalf of any Local Church, Circuit or District shall be vested in the custodian trustees on the trusts of the Model Trusts or, if a **scheme project** under the Sharing of Church Buildings Act 1969 has been approved **received consent** in accordance with Section 93, in the trustees and on the trusts provided for by that **scheme project**, and no person or church court shall permit the acquisition, or any step towards the acquisition, of any such land unless satisfied that it will be so vested.

902 Model Trusts – Consultation. *[unaltered]*.

903 Care and Custody of Deeds. (1) and (2) *[unaltered]*.

(3) A register of all documents of title and other documents relating to local or circuit property shall be kept in each Circuit and of those relating to district or connexional property in each District and by each connexional organisation respectively. Every such register shall be made and preserved in a book and the documents shall be compared annually with the register, in the case of those relating to local and circuit property by the Superintendent and the senior circuit steward or **by** some other person **or persons** appointed for the purpose by the Circuit Meeting, and in the case of district and connexional property by some person **or persons** appointed by the trustees.

(4) *[unaltered]*.

904 Connexional Trustees. *[unaltered]*

905 Interpretation – Schemes- Projects. In this Part references to ‘schemes-**projects**’ are to any of the matters requiring approval **consent** under Standing Order 930, any application of the capital or income of a circuit Advance Fund and any other dealing with or action relating to property for which the trustees of that property require the approval or consent of the connexional Property Committee or of any church court or officers under the Model Trusts or these Standing Orders, except ~~delegation of powers or duties under Standing Order 911, directions under Standing Order 915(2)(iii) and (v) and~~

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capitalisation of revenue reserves under Standing Order 915(6) and **(for the avoidance of doubt) schemes within Standing Order 942.**

906 Interpretation – Connexional Organisations. *[unaltered]*

907 Interpretation – Parent Bodies. In this Part, unless the context otherwise requires, 'parent body' means in relation to district property or district trustees the relevant Synod or Synods, in relation to conference property the Conference and in relation to connexional property or connexional trustees the **council**, board, general committee or other body administering the affairs of the relevant connexional organisation.

908 Interpretation – Investment Property. *[unaltered]*

909 Interpretation - Appropriate Connexional Authority. *In this Part 'appropriate connexional authority' means the Methodist Council or any person, persons or body to whom it may delegate its powers in relation to applications under this Part generally or in relation to the relevant application or class of applications.*

Section 91 Administration of Trusts

910 Proceedings of Trustees. *[unaltered]*

911 Delegation. (1) Subject to the consents required by clauses (2) and (3) below any managing trustees may at any time delegate all or any of their powers or duties under the Model Trusts to any of the bodies or committees specified in paragraph 16(k) of the Model Trusts, or withdraw any such delegation.

(2) Any such delegation by a Circuit Meeting or Church Council shall, unless expressly or impliedly prescribed or permitted by some other Standing Order, require the consents of the district Policy Committee and the connexional Property Committee.

(3) Any such delegation by connexional trustees or district trustees shall require the consent of the parent body.

912 Committees and Officers. *[unaltered]*

913 Accounts. *[unaltered]*

914 Investments. *[unaltered]*

915 Capital and Income. (1) The following clauses of this Standing Order shall have effect by virtue of paragraph 19(1)(c) of the Model Trusts and subject to the provisions of that paragraph.

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(2) The following shall be deemed to be capital for the purposes of the administration of the Model Trusts and shall be ***paid to and held by the custodian trustees and*** applied in accordance with the provisions of Standing Order 916:

(i) the proceeds of any sale of model trust property, ***including any premium received on the creation or disposal of a leasehold interest or an easement, but excluding the proceeds of sale of investments representing revenue reserves or other income;***

(ii) money raised by any appeal specifically for the acquisition of land or the erection or alteration of any building;

(iii) ~~the whole or such proportion as the connexional Property Committee may direct, either generally or in the specific instance, of charges and rents from licences or lettings of former places of worship or circuit manses pending disposal;~~

(iv) ~~the whole or such part as may be required to be added to capital under Standing Order 955(3) of the interest, dividends or other fruits arising from any circuit Advance Fund or from money liable to be paid into a circuit Advance Fund;~~ ***money paid into a district Advance Fund under any Standing Order requiring such a payment;***

(v) legacies, and bequests ***and devises received in kind unless the connexional Property Committee otherwise directs and, to the extent of any excess over £20,000 from any one estate, those received as money.***

(3) Subject to clauses (5) and (6) below the following shall be deemed to be income for the purposes of the administration of the Model Trusts and shall be applied in accordance with the provisions of Standing Order 917 ***may, so far as allowed by the custodian trustees, be received by the managing trustees and paid into a bank to their credit:***

(i) charges and rents from licences or lettings of Model Trust property, ~~except as provided in clause (2)(iii) above;~~

(ii) dividends and interest on the investment or deposit of money, ~~except as provided in clause (2)(iv) above;~~

(iii) in the case of local property, allocations and contributions to the property fund from Sunday collections, stewardship or envelope schemes, or from other income of the general church fund, or from Sunday School or other church departments or groups and all other moneys raised in the Local Church for the upkeep and maintenance of the property;

(iv) in the case of circuit property, allocations from the circuit assessment and all other moneys raised in the Circuit for the upkeep and maintenance of the property;

(v) in the case of district property, allocations from the district assessment, charges to residents in student hostels, recurring grants for the work of such hostels and all other moneys raised in the District for the upkeep and maintenance of the property;

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(vi) in the case of connexional property, allocations from the general income administered by the parent body;

(vii) proceeds of sale excluded from clause (2)(i) above;

(viii) the first £20,000 of the legacies, bequests and devises received as money from any one estate.

(4) Subject to clauses (5) and (6) below **the recommendations for the time being of the Charities Statement of Recommended Practice, or any successor to that statement, shall be followed for the purpose of determining whether** all any other moneys coming to the hands of trustees of model trust property shall be deemed to be capital or income for the purposes of the administration of the Model Trusts, **provided that no change in such recommendations** as the connexional Property Committee may direct either generally or in the specific instance. In the absence of an applicable general direction the managing trustees shall obtain a specific direction forthwith. ~~No giving, amendment or withdrawal of a general direction by the Property Committee shall affect the category of moneys already duly allocated to income or capital.~~

(5) Nothing in this Standing Order ~~or in any direction given thereunder~~ shall require any money to be deemed to be income which cannot in law be allowed to be held by managing trustees or in a bank account to the credit of managing trustees.

(6) Notwithstanding any other provision in these Standing Orders managing trustees may at any time, with the consent of the connexional Property Committee **appropriate connexional authority**, capitalise any sum or sums forming the whole or part of one or more revenue reserve accounts in their books. ~~The Any such~~ consent of the committee may be particular or may relate generally to sums identified by reference to the nature or origin of the reserve or in some other way.

916 Application of Capital Money. (1) **Subject to clauses (2) and (3) below**, capital money shall be held by the custodian trustees and, subject to the following clauses of this Standing Order, shall be applied by the managing trustees to or for the following purposes and in the following order:

(i) in payment of the expenses, if any, of or connected with the sale or other transaction giving rise to the receipt of the money;

(ii) unless the parent body (in the case of connexional property) or the **appropriate** connexional Property Committee **authority** (in any other case) otherwise permits, in the discharge of all or any encumbrances or liabilities on the trust property or on the trustees, whether personal or otherwise, lawfully incurred or assumed in the execution of the Model Trusts or by virtue of section 11 of the 1976 Act;

(iii) unless the treasurer or treasurers of the fund in question otherwise permit, in repayment of any grant at any time received in connection with the trust property from any connexional fund;

(iv) in making such payment, if any, to the ~~connexional Advance and Priority Fund~~ as may be required by the provisions of Standing Order 972;

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(v) where the money arises from any sale, letting or other disposition of model trust property approved **which has received consent** under Standing Order 930 as part of a scheme **project** involving the appropriation **application** of the proceeds to particular purposes, in carrying into effect that scheme of appropriation **applying the proceeds accordingly**;

(vi) where Standing Order 955 **945** applies, in paying the balance into the relevant circuit Advance Fund, and thereafter in applying the same **to the custodian trustees** in accordance with the provisions of that Standing Order;

(vii) subject to the above, and to any consents or approvals required by the ~~Model Trusts or by Standing Orders~~, for such of the purposes specified in clause (4) below as the managing trustees may from time to time decide **Standing Order 917**.

(2) Clause (1) of this Standing Order shall not govern the application of capital money in a district Advance Fund, which shall be applied in accordance with the provisions of Standing Order 963(3).

(3) Capital money received by way of legacy, or arising from the sale, letting or other disposition of property which has been received by way of devise or bequest and is not required for Methodist purposes, need not be applied for the purposes specified in clause (1)(ii) or (iii) above unless the managing trustees so decide.

(4) The purposes referred to in clause (1)(vii) above are:

(i) [Now 917(2)(vii) below]

(ii) those permitted by paragraph 20(1) of the Model Trusts;

(iii) to (vii) [Now 917(2)(viii) to (xii) below]

(viii) any of the purposes to or for which income may be applied under heads (i) to (ix) of Standing Order 917(1), but subject always to clause (6) below;

(ix) [Now 917(2)(xiii) below]

(5) [Now 917(4) below]

(6) Capital money arising from the sale, letting or other disposition of land which was local, circuit or district property may be applied under head (viii) of clause (4) above only if (i) the land was held as an investment or (ii) the money is in a circuit Advance Fund and the application of it is authorised under Standing Order 955.

917 Application of Income Model Trust Money generally. (1) Income **Subject to Standing Order 916 and to clause (5) below money which is model trust property** shall be applied by the managing trustees in the first place to or for the purposes set out in heads (i), (ii) and (iii) below and subject thereto for such other of the following purposes and in such amounts as the managing trustees may from time to time decide:

(i) the payment of all taxes, assessments, rates and other outgoings lawfully payable in respect of the trust property and of all rents, hire charges and similar payments due in respect of any part of the trust property held on lease, hire, licence or similar terms;

(ii) the payment of insurance premiums adequately to insure the trust property

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against destruction or damage by fire and other such perils as require to be insured against and to insure the trustees against such other risks and liabilities as they may be likely to incur;

(iii) the payment of interest due on all moneys borrowed by the managing trustees in the execution of the Model Trusts or due from them by virtue of section 11 of the 1976 Act or otherwise charged upon the trust property.

(2) Subject to clauses (1) above and (5) below and to any consents required by the Model Trusts or Standing Orders the balance may be applied for such of the following purposes and in such amounts as the managing trustees may from time to time decide:

(i) ~~(iv)~~ the repair, maintenance and decoration of the trust property;

(ii) ~~(v)~~ the replacement of lost, worn out, damaged or unserviceable chattels comprised in the trust property;

(iii) ~~(vi)~~ the cleaning, lighting, heating and caretaking of the trust property and the supply of water and other services;

~~(vii) in the case of local property, the payment of the remuneration of any organist or choir director and any other expenses involved in the provision of music for the worship or other activities of the Local Church;~~

(iv) ~~(viii)~~ the reimbursement of the managing trustees, their stewards, treasurers or other officers or any other person for any expenses incurred in the execution of the Model Trusts;

(v) ~~(ix)~~ the support of personnel serving in the District or any of its Circuits;

(vi) ~~(x)~~ subscriptions or other payments to the funds of any other model trust property or of any of the organisations, societies, institutions or charities specified in section 4 of the 1976 Act;

~~(xi) any of the purposes to or for which capital money may be applied under Standing Order 916~~

(vii) ~~(i)~~ those of paragraph 13(a) of the Model Trusts;

(viii) ~~(iii)~~ the promotion of the work of God in the relevant church organisation, as specified in clause (5) **(4)** below;

(ix) ~~(iv)~~ any other charitable purpose for the time being of that church organisation;

(x) ~~(v)~~ the establishment of or payments to any district Advance Fund ~~or circuit Advance Fund~~, or payments to the connexional Advance and Priority Fund;

(xi) ~~(vi)~~ any charitable purpose of a Housing Association if either the Housing Association is subsidiary or ancillary to the Church or the application of the capital money is made in furtherance of ecumenical work or activity within the purposes of the relevant church body;

(xii) ~~(vii)~~ the exercise of any power conferred on the managing trustees by paragraph 16 of the Model Trusts;

(xiii) ~~(ix)~~ any other purpose specifically authorised by the Conference, provided it is one of the purposes of the Church.

(3) Subject as in (2) above model trust money which is local property may also be

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applied to any purpose for which the relevant general church fund may be applied under Standing Order 650(4) or (5).

(4) For the purposes of heads (iii) **(viii)** and (iv) **(ix)** of clause (4) **(2)** above the relevant church organisation is the Methodist Council or other connexional organisation, the District, the Circuit, the Local Church, or other the church body in connection with which the relevant model trust property is held.

~~(2) (5) Clause (1) of~~ This Standing Order shall not govern the application of income of a district Advance Fund, which shall be applied in accordance with the provisions of Standing Order 963(3).

918 Overriding Power of Sale. (1) If at any time any managing trustees of model trust property are unable to discharge the interest on moneys properly borrowed and due from them as such trustees or any other current expenses involved in the due execution of the Model Trusts by reason of lack of income or other moneys available for the discharge of such interest ~~and or~~ other expenses then subject to clauses (2) and (3) below but notwithstanding any other provision of these Standing Orders those managing trustees shall be entitled to exercise the power of sale conferred by paragraph 16(b) of the Model Trusts without obtaining the consent of any other person or body.

(2) and (3) *[unaltered]*

919 Conflicts of Interest. *[unaltered]*

919A Amendment of Model Trusts. (1) Any committee or other body or person considering business which may involve proposals to amend the Model Trusts shall inform the ~~Connexional Property Committee~~ **Team** of the nature of the proposals.

(2) ~~That committee~~ **The Team** shall ensure that whenever such proposals are under consideration there are consultations with appropriate officers, bodies and persons in the home Districts and Circuits outside England and Wales in order to establish whether any proposed amendments will have the intended effect under the law there applicable or, if not, what modifications are needed to that end or (as the case may be) what corresponding amendments are required to any trust instrument taking the place of the Model Trusts in that jurisdiction.

(3) *[unaltered]*

Section 92 Use of Methodist Premises

920 Religious Meetings. (1) and (2) *[unaltered]*

(3) The consents required under paragraph 14(2A) of the Model Trusts shall be those of the Superintendent and the **appropriate** connexional ~~Property Committee~~ **authority** .

921 Political Matters. *[unaltered]*

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922 Intoxicants. (1) to (3) *[unaltered]*

(3A) Clause (1) above shall not preclude the lawful supply, sale or use of alcoholic drinks on Methodist premises (other than any part of the relevant premises in which worship has been identified by the trustees as the primary use) if:

(i) a significant part of the mission and activity of the Methodist Church carried out on the relevant premises involves use of the premises as a conference centre;

(ii) such supply, sale or use is solely in connection with an event taking place on those premises as part of such use; and

(iii) such supply, sale or use is with the consent of the trustees given for the specific event and subject to such conditions as they may prescribe.

(3B) Where the relevant premises are local, circuit or district property, the trustees may treat the condition specified in clause (3A)(i) above as satisfied only if the **appropriate** district Policy Committee **authority** of the relevant District so determines. In all other cases, the trustees may treat that condition as satisfied only if the **appropriate** connexional Property Committee **authority** so determines.

(3C) The trustees may delegate their power to grant consent under clause (3A)(iii) above to such person or body as they shall think fit upon terms that any exercise of the delegated power shall be in accordance with a policy agreed by the trustees.

(4) *[unaltered]*

923 Smoking. *[unaltered]*

924 Gambling. *[unaltered]*

925 Dances. *[unaltered]*

926 Drama. On all occasions when a dramatic licence is sought it shall be with the approval of the trustees and the application shall be made on their behalf by some person duly authorised by them and with the consent of the Superintendent.

927 Entertainments generally. (1) The primary purpose for which Methodist premises exist necessarily excludes every kind of entertainment or amusement which is inconsistent with the standards of the Church. Types of entertainment which are inimical to the spiritual life and purpose of the Church may not be allowed on Methodist premises.

(2) No entertainment shall be given on Methodist premises without the programme's having been submitted to and approved by the Superintendent or his or her nominee.

928 Masonic Services and Meetings. *[unaltered]*

929 Authorised Uses of Dwellings. (1) In accordance with paragraph 13(g) of the

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Model Trusts any house or other dwelling which is model trust property may with the appropriate consents, as prescribed by clause (3) or (4) below, and subject to clause (5) below, be put by the managing trustees to any of the uses specified in clause (2) below.

(2) The uses referred to are:

- (i) as a manse or connexional dwelling under paragraph 13(g) of the Model Trusts and Standing Order 803(1);
- (ii) as the residence of a caretaker of Methodist property, of a **worker person** employed under Standing Order 570 or of a supernumerary under an appointment of the Circuit Meeting and residing in the property as a term of that appointment;
- (iii) use in connection with youth and community service under a **scheme project** approved by the Connexional Team or its divisional predecessors or use by a residential community established by a Circuit or Local Church in furtherance of its purposes;
- (iv) any other use in furtherance of or incidental to a purpose of the Church.

(3) In the case of connexional property the appropriate consent for any use is that of the parent body or any person or persons to whom that body may delegate its authority in this behalf.

(4) In the case of district, circuit or local property the appropriate consents under each head of clause (2) above are as follows:

- (i) no consent is required for any use by the managing trustees within head (i) or (ii) **or of circuit or district property within head (iii)**;
- (ii) the appropriate consent for **the** use of **local property** within head (iii) are those of the appropriate district authority, as specified in Section 96 and, in the case of local property, **is** that of the Circuit Meeting;
- (iii) the appropriate consents for a use within head (iv) are those specified in (ii) above and that of the **appropriate** connexional Property Committee **authority and, in the case of local property, of the Circuit Meeting.**

(5) Whether or not the above clauses apply and whether or not any consent is required under clause (3) or (4) above, no person shall be admitted into occupation of or allowed to reside in any house or other dwelling which is model trust property, except under head (i) of clause (2) above, unless that person has entered into and signed a binding agreement in writing with the managing trustees in terms approved by the Connexional Property Committee **Team**.

Section 93 Schemes Projects

930 (See B above).

931 Approval by the Property Committee Connexional Consent, Approval and Guidance. (1) The approval **consent** of the **appropriate** connexional Property Committee

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authority shall be required for all schemes within Standing Order 930 which involve **the following matters:**

- (i) the purchase or other acquisition of land, or
- (ii) the erection of a new building, or
- (iii) the sale, or lease of land, or
- (iv) alteration or structural repair of a building, or
- (v) the obtaining of a grant, or
- (vi) the raising of an interest bearing loan **any mortgage or charge of all or any part of the trust property, other than a mortgage or charge to secure a loan from Methodist Chapel Aid**, or
- (vii) the application of capital money under head (v) or (vii) of Standing Order 916(1), or
- (viii) the application of the Sharing of Church Buildings Act 1969, or
- (ix) demolition of all or any part of a building, or
- (x) **listed building works, as defined in Standing Order 930(8)(a), and any other works, whether structural or not, which would materially affect the internal or external appearance of a listed building or the external appearance of a building in a conservation area.**

(2) [Now dealt with in 932(1A)]

(3) All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind shall be forwarded in draft to the committee **Connexional Team** for inspection and approval before being signed.

(4) Before any application is made to the Charity Commissioners (or to any court or other authority having jurisdiction in relation to charities) for any order affecting Methodist property the advice **guidance** of the committee **Team** shall be obtained, and all drafts of proposed orders of the Charity Commissioners, court or other authority shall be submitted to the committee **Team** before they are accepted.

(5) Except by direction of the Conference trustees shall not, without the written consent of the committee **Team**:

(i) bring any action or refer or join in a reference to arbitration in respect of any Methodist property, or any matter relating thereto;

(ii) make any application for consent to demolish a listed building or a building in a conservation area nor any other application in relation to a building which is listed or is in a conservation area which could result in an official inquiry (whether public or by written submission);

(iii) make any application to a statutory tribunal or similar body.

(6) If any action is brought against trustees, or any dispute or difference between them and another party is submitted to a statutory tribunal or similar body or to arbitration, or becomes the subject of an appeal or official inquiry or if any public authority takes any step which may lead to the making of an order or the holding of an inquiry affecting Methodist property, the trustees shall at once inform the committee **Team**.

(7) [Now dealt with in clause (1)(v) above].

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(8) The committee may waive or limit (for example by making them applicable only over specified monetary minima) all or any of the requirements of clause (1) of this Standing Order in one or more specified Districts for one or more specified connexional years, not exceeding five, provided that any such waiver or limitation shall be in writing, shall be reported to the next Conference and shall lapse if not then ratified by the Conference.

932 Requirements. (1) Before giving approval **consent under Standing Order 930** to any scheme **project** the appropriate bodies must be satisfied that:

- (i) the church court which constitutes the managing trustees or is their parent body has adopted a mission policy statement with which the scheme **project** accords;
- (ii) the plans take into account any ~~guidelines and advice~~ **guidance** supplied by the Connexional Team **or the district officers**;
- (iii) the trustees will have sufficient funds at their disposal to meet the cost of the **scheme project** as it proceeds and any loans will be repaid in accordance with Standing Order 933 or 934(2), as the case may be.

(1A) Before considering any project requiring its consent and affecting a building on which there is or should be a current quinquennial report the appropriate district or connexional authority may, if it thinks fit, require such a report to be produced to it.

(2) In considering any scheme **project** affecting the activities of a Local Church the appropriate bodies shall have regard to the role of the Local Church as a centre of worship and mission and shall make every effort to give effect to proper pastoral concerns.

933 Time Limits. Before giving consent to any expenditure **project** the appropriate bodies shall be satisfied that ~~the scheme~~ **it** can be completed and the entire outlay defrayed within five years after the approval of the scheme **date of consent** unless they specifically approve a defined longer period. They shall not approve such a longer period unless (i) there are exceptional circumstances making it appropriate, and (ii) a satisfactory scheme for the liquidation of debt has been submitted.

934 Shared Schemes Projects. (1) Where a new building, alteration or extension is to be part of a shared scheme **the subject of a sharing agreement** under the Sharing of Church Buildings Act 1969 the approval **decision** of the **appropriate** connexional Property Committee **authority upon any application for consent** shall have regard to the property regulations and practices of the other participating denominations.

(2) In the case of such a shared scheme **project** all reasonable measures shall be taken to complete the scheme **it** and clear all debt within five years of its approval by the committee **the date of consent**. Any debt beyond that period shall be sanctioned only if proposals for its early liquidation are approved **accepted** by the other participating denominations and by the committee **appropriate connexional authority**.

(3) Where, under such a shared **scheme project**, the property is model trust property

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responsibility for quinquennial inspections shall fall upon the Circuit Meeting. Where the building is in joint ownership an arrangement shall be made by the joint council whereby the regulations of one of the participating denominations for quinquennial or comparable periodic inspections and reports are complied with and the reports are made to or shared with the Circuit Meeting. Where the property is held on the trusts of another participating denomination that denomination's regulations shall be complied with and the report shared with the Circuit Meeting.

(4) In such shared **schemes projects**, the Methodist Church Council shall be responsible for making annual returns of local property as required by Standing Order 941(iii) and (vii).

935 Housing Associations. (1) Before authorising any disposition of model trust property to a Housing Association under paragraph 20(1) of the Model Trusts ~~or approving any scheme for the grant of capital money to a Housing Association under Standing Order 955(4)(a)(iii) or 916(1)(vii)~~ the ~~connexional Property Committee~~ **Methodist Council** shall:

- (i) satisfy itself that the purposes of the Housing Association are wholly charitable and that either the Association is subsidiary or ancillary to the Church or the disposition or grant is made in furtherance of ecumenical work or activity within the purposes of the relevant church body ~~or of the fund out of which the grant is made;~~
- (ii) consider whether the ~~capital money to be granted~~, the property to be disposed of, or any additional proceeds which might be obtained from some other disposition of such property, are likely to be required by the managing trustees for property purposes (and to that end the committee shall be provided with any quinquennial inspection reports, district manse inspection reports and other information which it may deem requisite);
- (iii) obtain the judgment of the District in which the model trust property ~~or fund~~ is situated or managed and also of the District (if different) in which the housing project is to proceed as to the nature and urgency of the housing need intended to be met.

(2) A Housing Association may at any time, notwithstanding that no specific disposition or ~~scheme project~~ **project** is before the ~~committee council~~ **council** under clause (1) above, obtain the opinion of the ~~committee council~~ **council** as to whether the purposes of that Association are wholly charitable and whether the Association is subsidiary or ancillary to the Methodist Church.

936 Historic Artefacts. (1) The ~~permission~~ **consent** of the Methodist Council shall be obtained before managing trustees sell, lease, lend or otherwise dispose of or part with any artefact, publication or record on the list provided for by Standing Order 212(11) and any dealing with such property shall be on such terms only as may be approved by the council.

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(2) Applications for ~~permission~~ **consent** under this Standing Order or for grants for the care and safety of such property shall be made through the Archives and History Committee.

Section 94 The Local Church

940 Church Council. [*unaltered*]

941 Particular Responsibilities. [*unaltered*]

942 Local Churches and Chapels. (1) There may be more than one chapel used by or in connection with one Local Church, but only (i) where Standing Order 605(4) is in operation, or (ii) under a scheme ~~approved~~ **adopted** by **the Church Council and** the Circuit Meeting ~~and the Synod~~.

(2) More Local Churches than one may share the use of a chapel or other local property, but only under a scheme ~~approved~~ **adopted** by **the Church Councils and** the Circuit Meeting or Meetings ~~and the Synod or Synods~~ involved. Every such scheme shall (unless an appropriate Memorandum of Terms of Management has already been signed under paragraph 3(2)(b) of the Model Trusts, and the scheme includes a copy) include a draft Memorandum or amended Memorandum of Terms of Management under paragraph 8 or 9 of the Model Trusts, agreed between the Church Councils involved, and that Memorandum or amended Memorandum shall be signed on their behalf as soon as the scheme has been ~~approved~~ **adopted**.

943 Closure of Chapels. (1) to (3) [*unaltered*]

(4) Before offering by auction or entering into a contract for the sale of a building for secular use (and in the case of head (i) below before worship ceases) the trustees shall:

- (i) if the building is a listed building or a building in a conservation area which in either event is a chapel, obtain the prior ~~approval~~ **consent** of the **appropriate** connexional ~~Property Committee~~ **authority** to the removal of any object or structure fixed to the building or within its curtilage;
- (ii) consider the appropriate time for the removal of notice boards associated with the Methodist use of the building, and make arrangements accordingly;
- (iii) give attention to the preservation in situ of external foundation stones and other public indications of the Methodist history of the building;
- (iv) seek the ~~advice of~~ **guidance from** the **Connexional Property Committee Team** as to whether internal memorials and other internal items (whether or not part of the structure of the building) should for historical or aesthetic reasons be preserved in situ, in other places of worship or elsewhere, and make decisions and arrangements in those matters in the light of that advice;
- (v) identify any sanctuary furniture or other structural or non-structural items (not to be preserved under (iv) above) which they wish to exclude from the

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sale of the building and which are to be sold separately or transferred to other places of worship, and make arrangements accordingly.

944 Proceeds of City Centre Premises. Where capital money arises from the sale, letting or other disposition of the whole or substantially the whole of the land held in connection with a Local Church, Circuit or project on the official list kept under Standing Order 440(1) the ~~scheme authorising~~ **project for** the disposition shall provide for the capital money to be ~~appropriated~~ **applied** to district purposes under Standing Order 440(6).

945 Other Proceeds. (1) Capital money arising from any other disposition of land **to** which is local property shall, where ~~this~~ Standing Order 955 ~~so requires~~ **applies shall** be paid into the relevant circuit Advance Fund **to the custodian trustees, to be held and applied as capital money held for the circuit purposes of the relevant Circuit.**
(2) This Standing Order applies to the sale, letting or other disposition of any land which is local property except:

- (i) land held as an investment, and**
- (ii) land received within the last five years by way of bequest or devise and not required or no longer required for use for Methodist trust purposes, and**
- (iii) Local Church caretakers' accommodation.**

Section 95 The Circuit

950 Circuit Meeting. [*unaltered*]

951 Schemes: Projects. (1) All ~~schemes~~ **projects** affecting local or circuit property shall be considered, giving particular attention in the case of new ~~schemes~~ **projects** to their relation to existing properties in the Circuit or to the opportunities they present for shared ~~schemes~~ **projects** with other denominations. Careful enquiry shall be made as to:

- (i) the adequacy of insurance cover for each property, and the current quinquennial inspection where applicable;
- (ii) compliance with Standing Order 901 in relation to the acquisition of new land;
- (iii) the measures being taken to reduce and extinguish capital debts where they exist;
- (iv) the irregular cases referred to in Standing Order 961(5).

(2) After such consideration and enquiry the Circuit Meeting shall **in the case of local property** give or withhold its approval **consent, or in the case of circuit property reach its decision as managing trustees.**

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952 Quinquennial Inspections. (1) and (2) [*unaltered*]

(3) The Circuit Meeting shall ensure that every inspector engaged to carry out an inspection under this Standing Order is an architect or building surveyor or has some other appropriate professional qualification and is adequately covered by professional indemnity insurance against any liability arising out of the inspection **or report**.

953 Local Property. In relation to local property the Circuit Meeting shall also:

(i) arrange for the annual local property schedules on the state of the property to be examined, especially in relation to work recommended by quinquennial inspections, and obtain a report on the general condition of each property in the Circuit;

(ii) arrange for the annual local schedules of accounts and returns of investments to be examined and review the enquiries made of each Local Church, satisfying itself that the Church Council has officially accepted, as presented, the schedule relating to its own accounts;

(iii) send to the district property secretaries such originals, copies or summaries of the above schedules as may be directed by the **Connexional Property Committee Team**, together with a report on matters requiring special attention, especially where work recommended by the quinquennial inspections has not been undertaken.

954 Circuit Property. [*unaltered*]

955 Circuit Advance Fund. Model Trust Money. (1)(a) Capital money arising from a disposition to which this clause applies shall, unless applied under Standing Order 916 (1)(v) in carrying into effect a scheme of appropriation, be paid into a circuit Advance Fund in the name of the relevant Circuit.

(b) This clause applies to the sale, letting or other disposition of any land which is local or circuit property except:

(i) land held as an investment, and

(iA) land received within the last five years by way of bequest or devise and not required or no longer required for use for Methodist trust purposes, and

(ii) Local Church caretakers' accommodation.

(2) Up to £10,000 may be withdrawn from the fund in each year for any Methodist purpose. Income shall be drawn first, then capital if required. All such withdrawals shall be reported to the district Policy committee. No approval is required, except that the withdrawal of income or capital for a purpose which is within head (i), (iii), (iv) or (v) of clause (4) below (or would be so but for the geographical limits of heads (iv) and (v)) shall require the same approvals as if it were capital money applied under that clause.

(3) All income not used under clause (2) above shall at the year end be added to the capital of the circuit Advance Fund.

(4)(a) Subject to clause (5) below capital money in a circuit Advance Fund not withdrawn

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under clause (2) above may be applied as follows:-

- (i) for the purchase of land or the erection, extension, alteration, structural repair or replacement of buildings;
- (ii) in the establishment of or in payments to a district Advance Fund or to another circuit Advance Fund or in payments to the Connexional Advance and Priority Fund; or
- (iii) by way of payment to a Housing Association the purposes of which are wholly charitable if either it is subsidiary or ancillary to the Church or the payment is made in furtherance of the ecumenical work of the Circuit; or
- (iv) in the purchase of a minibus for circuit use in the Circuit; or
- (v) in support of personnel serving in the District or any of its Circuits; or
- (vi) in making the contributions required by clause (6) below.

(b) A scheme within sub-clause (a)(i) or (iii) above may be for the application of capital money either within or outside the Circuit.

(5)(a) The application of capital money under clause 4(a)(i), (iii) or (iv) above requires the approval of the Synod (acting normally through the district Policy Committee) and the connexional Property Committee. The district Policy Committee shall give special attention to schemes which raise matters of circuit or district policy.

(b) The application of capital money under clause (4)(a)(v) above requires the approval of the appropriate district authority, as defined in Section 96.

(6)(a) **Subject to sub-clause (b) below** a contribution shall be made annually to the relevant district Advance Fund from the **model trust** capital money held in each Circuit Advance Fund at the end of the year (including income to be added to the capital of the fund in respect of that year under clause (3) above), as follows:

- (i) up to £100,000 or the first £100,000 2½%;
- (ii) on any excess over £100,000 5%

(b) Sub-clause (a) above does not apply to capital money held for long-term investment to yield income used for the work and mission of the Circuit in accordance with a circuit policy approved by the district Synod, nor to money raised by any appeal specifically for the acquisition of land or the erection or alteration of any building.

(7) The district Policy Committee shall from time to time (and at least once every three years) review the state of the circuit Advance Funds **model trust funds** and their distribution throughout the District and may propose to the relevant Circuit Meeting schemes **projects** for the application or use anywhere within the District of the capital money of or income from any such fund. The outcome of any review shall be reported to the Synod. (or, in London, relevant Synods). Any such scheme shall, if adopted by the Circuit Meeting, require the approvals prescribed by clause (5) above

(8) A careful and responsible balance shall be held in the application of capital money as between property schemes **projects**, ministry projects and other purposes.

Section 96 The District

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960 Authority in Property Matters. Interpretation - Appropriate District Authority. (1) Subject to clauses (4) and (5) below property matters shall be dealt with on behalf of the District by the persons or committees specified in clause (2) or (3) below or in any other relevant Standing Order, who shall report thereon to the Synod. ***In this Part 'appropriate district authority' means, subject to clause (2) below, the relevant district Policy Committee or any person, persons or body to whom it may delegate its powers in relation to applications under this Part generally or in relation to the relevant application or class of applications.***

(2) The Chair and the district property secretaries shall consider all schemes within Standing Order 930 proposed within the District, examine all relevant quinquennial reports and, unless Standing Orders otherwise require or they decide that further investigation is required, shall record and communicate their own judgment thereon. ***The Synods of two or more Districts may by agreement appoint a joint body to take the place, in those Districts, of the district Policy Committee for the purposes of clause (1) above.***

—(3) If Standing Orders so provide or they decide that further investigation is required they shall submit the scheme to the district Policy Committee for its judgment, and in that case either they or the district Policy Committee may consult the advisory panel, if any, constituted under Standing Order 474.

—(4) The Synod may give general directions or specific instructions to anyone dealing with property matters on behalf of the District or may take any case into its own hands and any such person may refer any case to the Synod for decision.

—(5) The Synod shall itself act where Standing Orders so prescribe.

—(6) The judgment reached under the above clauses of this Standing Order shall have effect as the giving or withholding of consent or approval by the appropriate district authority for the purposes of Standing Orders 929 and 930.

(7) [Now at 961(1) below.]

961 Further Provisions as to Schemes. Projects. (1) Schemes requiring the approval of the connexional Property Committee shall be submitted as soon as possible with the decision referred to in Standing Order 960(6) and a reasoned statement where necessary. In reaching a judgment on behalf of ***projects submitted to the appropriate district authority for consent*** particular attention shall be given to the requirements of Standing Order 932(1).

(2) In cases not requiring the approval of the committee ***where the appropriate district authority has given its consent under Standing Order 930(4)*** the district property secretaries shall nevertheless send ***to the Connexional Team such*** financial details, and plans to the committee ***and other information as the Team may require*** for purposes of record and ***the appropriate district authority*** shall be responsible for ensuring that the scheme is completed and the entire outlay defrayed within five years after its approval ***the date of consent*** or within such longer period (if any) as was ***then*** specified. ~~in the approval~~

(3) In all schemes ***projects*** for the acquisition of sites the responsible officers or

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committee **appropriate district authority** shall have regard to current town planning proposals, the needs of the Church, the extent of local and circuit resources and those matters which are the responsibility of the district Policy Committee.

(4) At the Synod next following the expiry of five years from the ~~approval~~ date of the ~~scheme~~ **consent** a return shall be made showing that the ~~any~~ conditions of the ~~sanctioning bodies~~ **attaching to the consent** have been fulfilled.

(5) The Synod shall call the attention of the trustees to any cases in which the proportion of debt is excessively heavy or the proceedings irregular and shall communicate its judgment to the trustees through the Superintendent.

~~(6) The connexional Property Committee shall send to the Synod particulars of all cases in which it is, in the opinion of the committee, desirable that special enquiry should be made from time to time until it appears that the conditions of erection or alteration of buildings have been fulfilled.~~

962 Development Plan. The district Policy Committee shall formulate and keep under annual review a development master-plan for the Methodist church buildings and circuit staffing of the District, taking into account Planning Authority proposals (e.g., new residential areas, new road proposals, and urban centre redevelopment). Existing and proposed church buildings of other denominations shall be noted, particularly with a view to ecumenical co-operation or the formation of local ecumenical partnerships and the consideration of ~~schemes~~ **projects** under the Sharing of Church Buildings Act 1969. In Synod Cymru and the Wales Synod the master-plan shall take account of and give effect to any action of Y Cyngor under Standing Order 491(3). Any such ~~scheme~~ **project** may be referred for detailed consideration to a group appointed by the committee for that purpose. The committee shall report annually to the Synod upon any such ~~schemes~~ **projects** and upon the content and implementation of the development master-plan generally.

963 Advance Funds. (1) and (2) [*already revoked*]

(3) Each Synod shall establish a district Advance Fund for the purpose of making grants out of capital or income for the support of personnel serving in the District or any of its Circuits, for property ~~schemes~~ **projects** ~~approved under~~ **within** Standing Order 930 and, where applicable, ~~Standing Order 931~~ and for ecumenical work. The Synod shall establish a process and criteria for dealing with such grants. An annual report shall be sent to the ~~secretary of the Resourcing Mission~~ **connexional** Grants Committee ~~appointed under Standing Order 971(3)~~ by the end of October each year, covering the previous connexional year. A copy of the report shall be presented to Synod.

(4) Money in a ~~circuit or~~ district Advance Fund, whether arising from the disposition of model trust property or otherwise, shall be held upon the Model Trusts and is accordingly model trust property.

964 Supervision of Circuit Meetings. (1) and (2) [*unaltered*]

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(3) Any case of serious financial deficiency or under-insurance or questions relating to trust investments revealed by the circuit schedules shall be reported to the **Connexional Property Committee Team**.

(4) *[unaltered]*

965 Manses. (1) to (3) *[unaltered]*

(4) If an inspection reveals what the committee adjudges to be inadequacy of accommodation, the facts shall immediately be communicated to the circuit stewards or other responsible officers and also to the **Connexional Property Committee Team**, so that their advice may be available to the Circuit **Meeting** or other responsible body.

966 District Property. *[unaltered]*

Section 97 Connexional Advance and Priority Fund

970 Scope. (1) Subject to the following provisions of this Section a levy for the connexional ~~Advance and~~ Priority Fund shall be charged on all capital money arising from the sale, letting or other disposition of land held for local, circuit or district purposes.

(2) The levy shall not apply:

(i) *[deleted]*

(ii) to properties on the official city centre list kept under Standing Order 440(1);

(iii) *[deleted]*

(iv) *[deleted]*

(v) to property compulsorily purchased where compensation by the acquiring authority is on the basis of equivalent reinstatement;

(vi) to dispositions of land held as an investment;

(vii) to dispositions of property received within the last five years by way of devise or bequest and not required or no longer required for Methodist trust purposes.

(3) Money in this fund shall be held upon the Model Trusts and is accordingly model trust property.

971 The Resourcing Mission Grants Committee. (1) The Conference shall appoint annually a Resourcing Mission Grants Committee for the purpose of administering this fund and such other funds as the Conference or the Methodist Council shall from time to time determine. The committee shall consist of:

(i) the ex-officio members specified in Standing Order 201;

(ii) three district Chairs;

(iii) three circuit ministers;

(iv) a circuit deacon, to be nominated by the Methodist Diaconal Order;

(v) five lay persons;

(vi) one representative of the Methodist Council;

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(vii) four members of the Connexional Team nominated by the Methodist Council to represent its concerns for church life and church and society;
(viii) a person appointed by the trustees of the London Mission Fund.

(2) A chair shall be appointed by the committee from among categories (ii) to (vi) in clause (1) above.

(3) One of the members appointed under head (vii) of clause (1) above shall be appointed by the committee as its secretary.

(4) In addition to the persons appointed under clause (1)(vii) above, members of the Connexional Team with responsibilities for advice on grant applications shall attend the committee from time to time, as they or the committee may determine. **The fund shall be administered by the Connexional Grants Committee.**

972 Contributions. (1) When trustees dispose of property on which a levy is chargeable under Standing Order 970 they shall, subject to Standing Order 973, contribute part of the proceeds to the fund as follows:

- (i) up to £100,000 or the first £100,000: 15%
- (ii) on any excess over £100,000: 25%

(2) The sum upon which the levy is calculated shall be the balance remaining after making the payments required under heads (i), (ii) and (iii) of Standing Order 916(1), but shall include charges and rents added to capital under Standing Order 915(2)(iii).

973 Replacement Schemes Projects. (1) This Standing Order applies when the proceeds of one or more dispositions are to be employed in or towards a replacement scheme **project** approved as such by the connexional Property Committee **and consent to the disposition or dispositions has been granted under Section 93 on that basis.**

(2) If the replacement scheme **project** costs not less than the net proceeds, arrived at in accordance with Standing Order 972(2), and is implemented forthwith, then no levy shall be required.

(3) If the replacement scheme **project** costs less than such net proceeds and is implemented forthwith then the levy shall be calculated on the unused balance or balances, as if they were the net proceeds.

(4) If the replacement scheme **project** is not implemented forthwith then the levy shall initially be paid as if there were no such scheme **project**, but if the scheme **project** is implemented within five years of the disposition the levy shall be cancelled or recalculated in accordance with clause (2) or clause (3) above, as appropriate, and the overpayment refunded with interest at the rate earned by the Central Finance Board's Trustees Interest Fund.

974 Purposes. (1) The purposes of the fund are

- (i) to distribute annually to some or all of the district Advance Funds a sum equal to 50% of the balance between the total received and the total refunded in the previous year through the levy charged under Standing Order 970(1), the

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amount (if any) payable to each such fund being determined by the Resourcing-Mission **Connexional** Grants Committee;

(ii) subject to (i) above, to make grants out of income or capital to Local Churches, Circuits and Districts in cases which are within one or more of the following categories and are beyond the normal resources of the Circuit and District, namely when:

- ∞ new work is to be undertaken which will constitute an advance and be of connexional significance;
- ∞ *[deleted]*
- ∞ an urgent and essential property scheme is to be carried out.

(iii) subject to (i) above, to make payments out of capital to the Fund for Home Mission when so directed by resolution of the Conference to support the payment of grants from that fund to Local Churches and Circuits for the furtherance of the Church's mission in cases which are beyond the normal resources of the Local Church or Circuit and are judged to be a priority.

(1A) If the requirements of clause (1) are satisfied a grant may be made for ecumenical work within the purposes of the relevant Local Church, Circuit or District or for the Mission Alongside the Poor Programme.

(2) A grant under category (iii) **of clause (1)** shall consist of a single amount payable in a lump sum or by instalments, and any other grant shall consist either of such an amount, or of an annual sum for a limited period, or of both.

(3) All grants shall be at the discretion of the committee.

975 Applications. *[unaltered]*

976 Administration. *[unaltered]*

977 Payments. *[unaltered]*

978 Reports. *[unaltered]*

Section 98 Listed Building Works

980 Scope of Section. *[unaltered]*

981 Interpretation. *[unaltered]*

982 Advice and Consultation. Before considering whether to approve **consent to a scheme project** for listed building works the **appropriate** connexional Property Committee **authority** shall:

- (i) obtain the advice of the Listed Buildings Advisory Committee, which shall include advice on the factors specified in Standing Order 983(iii);

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(ii) consult each of the following bodies, namely the Local Planning Authority, the Heritage Authority and the National Amenity Societies, and (except in case of emergency) ensure that each such body has 28 days in which to comment upon the proposed works;

(iii) ensure (except in case of emergency) that a notice describing the proposed works and inviting comments from interested persons is or has been displayed for 28 days outside the building affected in a prominent position visible to the general public and that a similar notice is or has been published in a local newspaper circulating in the locality; and

(iv) where works of demolition are proposed, ensure that notice of the proposal is or has been given to the Royal Commission.

983 Requirements. When considering whether to approve **consent to** a scheme for listed building works the **appropriate** connexional Property Committee **authority** shall take into account:

(i) the advice obtained under item (i) of Standing Order 982 and any comment or representation made in the course of or in response to any consultation or notice under item (ii) or (iii) of that Standing Order;

(ii) the provisions of Standing Order 932; and

(iii) in addition to any other relevant factors the desirability of preserving historic church buildings, the importance of protecting features of architectural merit and historic interest and the archaeological implications of the scheme.

983A Reviews and Appeals. (1) Trustees who have applied for consent to listed building works may seek, in accordance with the provisions of this Standing Order, to have a refusal, or the imposition of one or more conditions, reversed.

(2) In order to do so they must within three months of receiving the decision lodge an appeal in writing with the Property Secretary, stating what new decision they seek and the grounds on which they do so.

(3) For the purposes of this Standing Order the Listed Buildings Advisory Committee shall appoint and maintain a review sub-committee, with a convener, and the Methodist Council shall annually appoint a chair and four other members of an appeals panel.

(4) Upon receipt of an appeal the Property Secretary shall send copies to the convener of that review sub-committee and the chair of that appeals panel.

(5) The review sub-committee shall consider the appeal and within 40 days report to the appropriate connexional authority, which shall review its decision in the light of that report and within 28 days inform the trustees whether it is maintained, reversed or varied.

(6) Unless the decision, as reviewed, is that which the trustees seek they shall within 28 days inform the chair of the appeals panel whether they wish to pursue their appeal.

(7) If the trustees inform the chair of the appeals panel that they wish to pursue their appeal the chair shall convene an appeal hearing as soon as possible, but so that the

date shall in any event (i) allow for not less than 28 days' notice, which shall be given to those entitled to attend or be represented, and (ii) be not more than six months after the lodging of the appeal under clause (2) above.

(8) The appeal shall be heard by three members of the appeal panel, appointed by and if possible including the chair, who shall ensure that no-one is appointed who has been involved at any earlier stage, or has any personal interest in the outcome, or might or might reasonably be supposed for any other reason to be open to partiality or embarrassment in acting.

(9) The parties entitled to attend or be represented shall be the trustees and the appropriate connexional authority.

(10) Either party may rely on written submissions, but otherwise there may attend one or more of the following:

(i) on behalf of the trustees: one trustee, one minister, one professional adviser and one legal representative;

(ii) on behalf of the appropriate connexional authority: the person, or one of the persons, who made the decision, as reviewed, one member of the Listed Buildings Advisory Committee and, if the trustees are legally represented, a legal representative (who may if so desired be a legal officer of the Trustees for Methodist Church Purposes).

(11) (a) The appeal body shall give each party the opportunity of making representations and of knowing the substance of, and dealing with, any representations or other material before the appeal body adverse to its case, and shall not, in the course of its deliberations, take into account any point which the party affected has not had an opportunity of meeting.

(b) Each party shall be responsible for its own costs.

(c) Subject to sub-clauses (a) and (b) above the appeal body shall determine its own procedure.

(12) The connexional Team shall provide a clerk to the hearing, who shall take notes and provide support to the chair in the preparation of the latter's report, which shall include the reasoned decision of the appeal body. That decision shall be final. The report shall be communicated to the parties and to any other interested persons or bodies specified in guidelines issued by the Methodist Council

984 Records. (1) The connexional Team shall maintain properly arranged and indexed records of all schemes **projects** for listed building works in such form as to show the action taken to comply with Standing Orders 982, and 983 **and 983A**, the response to such action and the decision taken.

(2) The record of the decision taken shall show what account was taken of any comments made under Standing Order 982.

(3) The records maintained under this Standing Order shall be open to public inspection during reasonable hours as prescribed from time to time by the **appropriate** connexional Property Committee **authority**.

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985 Enforcement. (1) In this Standing Order ‘unapproved listed building works’ means listed building works which have not been approved **received consent** in accordance with Section 93 and this Section ~~by~~ **from** all the appropriate bodies, including the **appropriate** connexional Property Committee **authority**.

(2) Without prejudice to the generality of Standing Order 1130 it shall be a breach of the discipline of the Church to carry out or authorise, alone or jointly with others, any works which the person concerned knows or should have known to be unapproved listed buildings works.

(3) It shall be the right and duty of the custodian trustees and of the connexional Property Secretary ~~or other authorised member of the Connexional Team~~ to take such steps as they or either of them may deem necessary or expedient for preventing the commencement or continuation of unapproved listed building works, and if thought fit to invoke disciplinary action in respect of any such acts, including:

- (i) an application to any court having jurisdiction in that behalf for an injunction or other appropriate relief; and
- (ii) the initiation of a charge under Part 11 against any person subject to the discipline of the Church who is involved as a managing trustee or in any other capacity in carrying out or authorising unapproved listed building works, and of an application for the suspension under Standing Order 1105 of any such person.

(3A) to (6) [*unaltered*]

D. Associated and consequential amendments

Model Trusts

Paragraph 1 Delete the definition of “Circuit Advance Fund”.

Amend the definition of “Circuit Purposes” as follows:

‘Circuit purposes’ means, in relation to any model trust property or any part thereof and in relation to any Circuit, all or any of the purposes of a Circuit manse or of any other property (not being local property), for the time being used or applied or held for the purposes of being used or applied, in accordance with the model trusts, solely or mainly by or in connection with such Circuit, ~~or all or any of the purposes of any property for the time being comprising or required, by Standing Orders or by any direction of the Conference or of the Methodist Council given pursuant to Standing Orders, to be held as or to be added to a Circuit Advance Fund;~~ and includes any other charitable purpose comprised in the model trusts which the Conference may by Standing Order designate as a Circuit purpose in relation to such Circuit and to model trust property;

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Standing Orders

006 Property. (1) In these Standing Orders, unless the context otherwise requires, the following expressions have the meanings assigned to them by section 2(1) of the 1976 Act or paragraph 1 of the Model Trusts:

~~(xiiiA) 'Property Secretary'.~~

(2) In these Standing Orders 'chapel' has the same meaning as 'place of worship', and ~~'connexional Property Secretary'~~ has the same meaning as ~~'Property Secretary'~~, in each case as defined in clause (1) above.

(2A) In these Standing Orders 'Property Secretary' or 'connexional Property Secretary' means the person appointed in accordance with Standing Order 331(1) to fulfil the duties assigned in the Model Trusts to the Property Secretary or to the General Secretary of the board of the Property Division, and in any particular Standing Order includes also any other person authorised by the Methodist Council to exercise or fulfil the powers, functions or responsibilities of the Property Secretary under that Standing Order.

332 Listed Buildings and Conservation Areas. (3) The convener shall be the Property Secretary or some other person appointed for the purpose in his or her place by the council.

437 Redevelopment and Circuit Advance Funds Model Trust Money.

(2) The committee shall carry out the functions in relation to circuit Advance Funds **model trust money** prescribed by Standing Order 955, assessing needs and resources of property, personnel and money as aspects of one totality.

497 Joint Circuits.

(5) The Circuit Meeting shall decide, after consultation with the Chairs of the two Synods, which Synod **District** shall have jurisdiction over approval of property schemes **projects** under Section 93, oversight of manses and ~~use of circuit Advance Funds~~ **review of circuit model trust money** and any other matters which require allocation to one District only.

532 Circuit Fund.

(3) The circuit account shall be closed annually on the 31st August and an annual report shall be made to the Circuit Meeting. The accounts shall clearly indicate the financial position of the fund at the 31st August each year, including all investments, and loans due to and from the fund. ~~As well as other capital funds the balance sheet or statement of funds shall show the state of the circuit Advance Fund (if any):~~

650 General Church Fund.

(6) The purposes of the Local Church include (without excluding or restricting any which would subsist apart from this clause):

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- (i) those appearing from Standing Orders 600, 604 and 651 and Section 66;
(iA) any purpose for which model trust money which is local property of the church may be applied under Standing Order 917(1) or (2);
(ii) the support of any connexional, district, circuit or local fund of the Methodist Church;
(iii) the support of any ecumenical work in which the Local Church is engaged;
(iv) the support of the Leaders of Worship and Preachers Trust;
(v) subject to (i), (ii) and (iii) above, the support from the general church fund of any other charitable fund or body, except in so far as such support would be contrary to any purpose of the Methodist Church or to Methodist discipline.

Guidance: In the Guidance on the Stationing of Ministers and Deacons, A2, line 17, for “Resourcing Mission” substitute “connexional Grants”.

E. Clean text of Part 9 as amended, with suggested footnotes

(See the important disclaimer at paragraph A.8 above.)

Part 9 Property

Section 90 Introduction and Interpretation

900 Trusts and Standing Orders. (1) In their application to property these Standing Orders are supplementary to the trusts and other legal powers and obligations arising under the trust instruments relating to the property or under the general law; in the event of any conflict between these Standing Orders and any such trust or legal obligation the latter prevails.

(2) Where, by virtue of the provisions of the Model Trusts or otherwise, the Conference has power to regulate by Standing Order the exercise by trustees of any power, duty or discretion vested in them as such trustees, compliance with such Standing Orders is a requirement both of law and of Methodist polity.

(3) Subject to clauses (1) and (2) above these Standing Orders have the same force and authority, as part of the polity and discipline of the Methodist Church, in relation to property as to other subjects.

(4) Where church property is not held on the Model Trusts any provisions of these Standing Orders of general application but framed by reference to the terms of the Model Trusts shall take effect and be applied as nearly as the circumstances admit.

(5) The provisions of clauses (1) to (4) above apply to all Standing Orders affecting property, whether or not contained in this Part.

901 Vesting of New Property. All land acquired for use as local, circuit or district property or otherwise on behalf of any Local Church, Circuit or District shall be vested in the custodian trustees on the trusts of the Model Trusts or, if a project under the Sharing

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of Church Buildings Act 1969 has received consent in accordance with Section 93, in the trustees and on the trusts provided for by that project, and no person or church court shall permit the acquisition, or any step towards the acquisition, of any such land unless satisfied that it will be so vested.

As to who are the custodian trustees see S.O. 006(3)(b)

902 Model Trusts – Consultation. The power of the Conference to prescribe what shall be ‘appropriate consultation’ for the purposes of paragraphs 3(2), 6(1), 8(1), 8(3) and 9 of the Model Trusts shall be exercised by the adoption of regulations, which shall be published in accordance with Standing Order 124(9).

See Book VI, Part 6.

903 Care and Custody of Deeds. (1) A fire-proof safe or safes may be provided in each Circuit for documents of title relating to local and circuit property and in any District or by any connexional organisation for those relating to district or connexional property respectively.

(2) All documents of title in the possession or under the control of any managing trustees shall be kept in a safe provided in accordance with clause (1) above or shall be deposited with a clearing bank.

(3) A register of all documents of title and other documents relating to local or circuit property shall be kept in each Circuit and of those relating to district or connexional property in each District and by each connexional organisation respectively. Every such register shall be made and preserved in a book and the documents shall be compared annually with the register, in the case of those relating to local and circuit property by the Superintendent and the senior circuit steward or by some other person or persons appointed for the purpose by the Circuit Meeting, and in the case of district and connexional property by some person or persons appointed by the trustees.

(4) This Standing Order does not apply to documents of title relating to land in the Isle of Man or the Channel Islands.

In the Isle of Man and the Channel Islands the custodian trustees, as defined in S.O. 006(3)(b), will need to deal with the documents of title in accordance with the relevant law in force in the respective jurisdictions.

904 Connexional Trustees. Unless otherwise provided in the Standing Orders relating to the connexional organisation concerned the connexional trustees for any connexional property or part or category of such property shall be the persons, being church members, annually appointed as such by the parent body.

See the definition of ‘connexional trustees’ in para. 1 of the Model Trusts (Book II, Part 2).

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For the meaning of 'connexional organisation' and 'parent body' see S.O.s 906, 907.

Only persons of full age may be managing trustees of model trust property (s. 9 (3) of the 1976 Act. Vol. 1 p. 13). In Great Britain persons of 18 years and over (16 years and over in Scotland) are of full age for the purposes of Charity Law.

905 Interpretation – Projects. In this Part references to 'projects' are to any of the matters requiring consent under Standing Order 930 and any other dealing with or action relating to property for which the trustees of that property require approval or consent under the Model Trusts or these Standing Orders, except capitalisation of revenue reserves under Standing Order 915(6) and (for the avoidance of doubt) schemes within Standing Order 942.

906 Interpretation – Connexional Organisations. In this Part, unless the context otherwise requires, 'connexional organisation' has the meaning assigned to it by paragraph 1 of the Model Trusts.

907 Interpretation – Parent Bodies. In this Part, unless the context otherwise requires, 'parent body' means in relation to district property or district trustees the relevant Synod or Synods, in relation to conference property the Conference and in relation to connexional property or connexional trustees the council, board, general committee or other body administering the affairs of the relevant connexional organisation.

908 Interpretation – Investment Property. In this Part 'land held as an investment' means land which is church property but which either is let or for other reasons is not used for any of the purposes specified in heads (b) to (m) of paragraph 13 of the Model Trusts (in this Part called 'Methodist trust purposes') and which in either event has not at any time while it has been church property been used for Methodist trust purposes.

For the purposes of this definition 'land' includes buildings (see the note to S.O. 006(1)).

909 Interpretation - Appropriate Connexional Authority. In this Part 'appropriate connexional authority' means the Methodist Council or any person, persons or body to whom it may delegate its powers in relation to applications under this Part generally or in relation to the relevant application or class of applications.

This definition applies, in particular, wherever in this Part the consent of the 'appropriate connexional authority' is required for any step.

Section 91 Administration of Trusts

910 Proceedings of Trustees. (1) The proceedings of Circuit Meetings and Church Councils while acting as managing trustees shall be governed by the Standing Orders affecting the proceedings of those bodies generally

(2) The proceedings of conference trustees, connexional trustees and district trustees shall be governed by the regulations (if any) in that behalf made by the parent body. Any such regulations may include provisions authorising the chair of such trustees to take action between meetings of the trustees in such circumstances, to such extent and on such conditions as the parent body may think fit.

For the meaning of 'parent body' see S.O. 907.

(3) Subject to clauses (1) and (2) above the determination of what is necessary or expedient for the purposes of the Model Trusts and of all other questions falling to be decided by managing trustees shall be by the vote of the majority of the managing trustees present at the relevant meeting and voting, and if the votes are equal the chair shall have a casting vote, whether or not he or she has already voted.

(4) Subject to clauses (1), (2) and (3) above managing trustees may regulate their own procedure.

(5)(a) The regulations made by the Conference under clause (2) above as parent body to govern the proceedings of conference trustees are as follows.

(b) The trustees may fix the time and place of their next meeting, and if they do so no further consultation or consent is required for the calling of that meeting as so fixed.

(c) Subject to (b) above a meeting of the trustees shall be called only by or with the consent of the chair, except that if the chair refuses to call or consent to the calling of a meeting requested in writing by not less than one third of the trustees then the meeting may be called by the secretary or by any three other members.

(d) Fourteen days' written notice shall be given of every meeting, except that in case of emergency, as judged by the chair, a meeting may be called on such notice as is practicable.

(e) In the absence of the chair from a properly convened meeting the trustees present shall elect a chair from among themselves.

(f) The rules comprising clauses (5) to (7) and (10) to (25) of Standing Order 413 shall apply to the conduct of meetings, with the necessary substitutions.

(g) In cases of urgency, if it is impracticable to call a meeting of the trustees, even on short notice, the chair may take, after such consultation with other trustees as is practicable, any action which he or she considers necessary for the protection of the trust property or in furtherance of the responsibilities of the trustees, provided that such action is not contrary to the provisions of the Model Trusts or of any Standing Order made thereunder or to any subsisting resolution of the Conference or of the trustees.

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911 Delegation.

[This Standing Order is now omitted. It regulated the exercise by managing trustees of their power, under paragraph 16(k) of the Model Trusts, to delegate their powers and duties to other church bodies, which is now unqualified (see also S.O. 903(1).]

912 Committees and Officers. (1) The appointment and dismissal of committees, stewards, treasurers or other officers or servants by connexional trustees or district trustees shall be governed by the regulations (if any) in that behalf made by the parent body.

(2) Subject to clause (1) above and to the Standing Orders affecting appointments by Circuit Meetings and Church Councils any managing trustees may at any time exercise the powers specified in paragraph 16(l) of the Model Trusts.

For para. 16(l) of the Model Trusts see Book II, Part 2.

As to appointments by Circuit Meetings and Church Councils see in particular S.O.s 504, 550, 551, 641 and 642.

913 Accounts. (1) All managing trustees shall ensure that provision is made for accounts to be kept so that all receipts and payments and all debits and credits relating to property are promptly and accurately recorded and sufficiently explained. The accounts relating to local and circuit property shall be open to inspection at any time by the Superintendent and by the auditor or independent examiner, as the case may be.

This and the next clause are authorised by para. 19(f) of the Model Trusts (Book II, Part 2).

For the auditor or independent examiner see S.O. 012(3).

*Detailed guidance as to accounts is provided in the booklet *Managing Trustees and Methodist Money* available from the Methodist Publishing House.*

(2) All such accounts shall be audited or examined annually. Subject to clause (3) below the auditors or examiners for general property shall be appointed by the Methodist Council. The auditors or examiners for conference property shall be appointed by the relevant conference trustees. The auditors or examiners for connexional property and district property shall be appointed by the relevant parent bodies. The auditors or examiners for circuit property shall be appointed by the Circuit Meeting. In accordance with Standing Order 636 the auditor or examiner for the local property account shall be appointed by the Church Council.

For the meaning of 'parent body' see S.O. 907.

For the provision relating to funds consisting of Model Trust moneys see S.O. 652.

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(3) (a) Where new model trust property is general property under paragraph 3(1) of the Model Trusts the provisions of this clause as to audit or independent examination shall apply.

(b) If the property ceases to be general property before the expiration of its first accounting period and no earlier audit or examination has been required the auditor or examiner for the period during which it was general property shall be appointed by reference to the category of model trust property into which it next falls.

(c) If sub-clause (b) does not apply and it becomes necessary to appoint auditors or examiners in respect of an accounting period ending within twelve months of the property's becoming model trust property then:

(i) if the managing trustee has delegated his or her powers and duties in relation to that property to a body or committee under paragraph 16(k) of the Model Trusts, either generally or for purposes which include those of this Standing Order, the auditors or examiners shall be appointed by that body or committee;

(ii) if not, the auditors or examiners shall be appointed by the custodian trustees.

(d) If neither sub-clause (b) nor sub-clause (c) applies then any auditors or examiners required shall be appointed by the Methodist Council in accordance with clause (2) above.

(4) The provisions of clauses (1) to (3) above are in addition to and not in place of those of Standing Order O12.

(5) The financial year for all Methodist properties shall close on the 31st August.

914 Investments. All moneys subject to the Model Trusts and requiring investment shall be invested through and in the name of the custodian trustees.

As to these trustees see S.O. 006 (3)(b).

As to what investments are authorised see para. 17 of the Model Trusts (Book II, Part 2).

915 Capital and Income. (1) The following clauses of this Standing Order shall have effect by virtue of paragraph 19(1)(c) of the Model Trusts and subject to the provisions of that paragraph.

Para. 19(1)(c) of the Model Trusts (Book II, Part 2) empowers the Conference to prescribe by Standing Order what shall be deemed to be capital and what income for the purposes of the administration of the Model Trusts.

(2) The following shall be deemed to be capital for the purposes of the administration of the Model Trusts and shall be paid to and held by the custodian trustees and applied in accordance with the provisions of Standing Order 916:

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- (i) the proceeds of any sale of model trust property, including any premium received on the creation or disposal of a leasehold interest or an easement, but excluding the proceeds of sale of investments representing revenue reserves or other income;
- (ii) money raised by any appeal specifically for the acquisition of land or the erection or alteration of any building;
- (iii) *[now omitted]*
- (iv) money paid into a district Advance Fund under any Standing Order requiring such a payment;
- (v) legacies, bequests and devises received in kind and, to the extent of any excess over £20,000 from any one estate, those received as money.

For para. 16(b) of the Model Trusts see Book II, Part 2.

(3) Subject to clauses (5) and (6) below the following shall be deemed to be income for the purposes of the administration of the Model Trusts and and may, so far as allowed by the custodian trustees, be received by the managing trustees and paid into a bank to their credit:

- (i) charges and rents from licences or lettings of Model Trust property;
- (ii) dividends and interest on the investment or deposit of money;
- (iii) in the case of local property, allocations and contributions to the property fund from Sunday collections, stewardship or envelope schemes, or from other income of the general church fund, or from Sunday School or other church departments or groups and all other moneys raised in the Local Church for the upkeep and maintenance of the property;
- (iv) in the case of circuit property, allocations from the circuit assessment and all other moneys raised in the Circuit for the upkeep and maintenance of the property;
- (v) in the case of district property, allocations from the district assessment, charges to residents in student hostels, recurring grants for the work of such hostels and all other moneys raised in the District for the upkeep and maintenance of the property;
- (vi) in the case of connexional property, allocations from the general income administered by the parent body;
- (vii) proceeds of sale excluded from clause (2)(i) above;
- (viii) the first £20,000 of the legacies, bequests and devises received as money from any one estate.

As to the words "so far as allowed by the custodian trustees", the Trustees for Methodist Church Purposes, as custodian trustees of all model trust property in Great Britain, have by resolution dated 27 April 1977, in exercise of their

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powers under section 4(2) of the Public Trustee Act 1906, permitted and directed all income of model trust property within their jurisdiction to be received by managing trustees and paid into a bank to their (the managing trustees') credit, subject to certain conditions.

(4) Subject to clauses (5) and (6) below the recommendations for the time being of the Charities Statement of Recommended Practice, or any successor to that statement, shall be followed for the purpose of determining whether any other moneys coming to the hands of trustees of model trust property shall be deemed to be capital or income for the purposes of the administration of the Model Trusts, provided that no change in such recommendations shall affect the category of moneys already duly allocated to income or capital.

(5) Nothing in this Standing Order shall require any money to be deemed to be income which cannot in law be allowed to be held by managing trustees or in a bank account to the credit of managing trustees.

(6) Notwithstanding any other provision in these Standing Orders managing trustees may at any time, with the consent of the appropriate connexional authority, capitalise any sum or sums forming the whole or part of one or more revenue reserve accounts in their books. Any such consent may be particular or may relate generally to sums identified by reference to the nature or origin of the reserve or in some other way.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

916 Application of Capital Money. (1) Subject to clauses (2) and (3) below, capital money shall be applied to or for the following purposes and in the following order:

- (i) in payment of the expenses, if any, of or connected with the sale or other transaction giving rise to the receipt of the money;
- (ii) unless the parent body (in the case of connexional property) or the appropriate connexional authority (in any other case) otherwise permits, in the discharge of all or any encumbrances or liabilities on the trust property or on the trustees, whether personal or otherwise, lawfully incurred or assumed in the execution of the Model Trusts or by virtue of section 11 of the 1976 Act;
- (iii) unless the treasurer or treasurers of the fund in question otherwise permit, in repayment of any grant at any time received in connection with the trust property from any connexional fund;
- (iv) in making such payment, if any, to the connexional Priority Fund as may be required by the provisions of Standing Order 972;
- (v) where the money arises from any sale, letting or other disposition of model trust property which has received consent under Standing Order 930 as part of a project involving the application of the proceeds to particular purposes, in applying the proceeds accordingly;

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- (vi) where Standing Order 945 applies, in paying the balance to the custodian trustees in accordance with the provisions of that Standing Order;
- (vii) subject to the above, for the purposes specified in Standing Order 917.

For the authority to make this Standing Order see paras. 18, 19(1)(d) and (e) of the Model Trusts (Book II Part 2).

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

For s. 11 of the 1976 Act see Vol. 1. p. 16.

As to (ii) and (iii) see clause (3) below.

(2) Clause (1) of this Standing Order shall not govern the application of capital money in a district Advance Fund, which shall be applied in accordance with the provisions of Standing Order 963(3).

(3) Capital money received by way of legacy, or arising from the sale, letting or other disposition of property which has been received by way of devise or bequest and is not required for Methodist purposes, need not be applied for the purposes specified in clause (1)(ii) or (iii) above unless the managing trustees so decide.

917 Application of Model Trust Money generally. (1) Subject to Standing Order 916 and to clause (5) below money which is model trust property shall be applied in the first place to or for the following purposes:

(i) the payment of all taxes, assessments, rates and other outgoings lawfully payable in respect of the trust property and of all rents, hire charges and similar payments due in respect of any part of the trust property held on lease, hire, licence or similar terms;

(ii) the payment of insurance premiums adequately to insure the trust property against destruction or damage by fire and other such perils as require to be insured against and to insure the trustees against such other risks and liabilities as they may be likely to incur;

(iii) the payment of interest due on all moneys borrowed by the managing trustees in the execution of the Model Trusts or due from them by virtue of section 11 of the 1976 Act or otherwise charged upon the trust property.

(2) Subject to clauses (1) above and (5) below and to any consents required by the Model Trusts or Standing Orders the balance may be applied for such of the following purposes and in such amounts as the managing trustees may from time to time decide:

(i) the repair, maintenance and decoration of the trust property;

(ii) the replacement of lost, worn out, damaged or unserviceable chattels comprised in the trust property;

(iii) the cleaning, lighting, heating and caretaking of the trust property and the supply of water and other services;

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- (iv) the reimbursement of the managing trustees, their stewards, treasurers or other officers or any other person for any expenses incurred in the execution of the Model Trusts;
- (v) the support of personnel serving in the District or any of its Circuits;
- (vi) subscriptions or other payments to the funds of any other model trust property or of any of the organisations, societies, institutions or charities specified in section 4 of the 1976 Act;
- (vii) those of paragraph 13(a) of the Model Trusts;
- (viii) the promotion of the work of God in the relevant church organisation, as specified in clause (4) below;
- (ix) any other charitable purpose for the time being of that church organisation;
- (x) the establishment of or payments to any district Advance Fund, or payments to the connexional Priority Fund;
- (xi) any charitable purpose of a Housing Association if either the Housing Association is subsidiary or ancillary to the Church or the application of the capital money is made in furtherance of ecumenical work or activity within the purposes of the relevant church body;
- (xii) the exercise of any power conferred on the managing trustees by paragraph 16 of the Model Trusts;
- (xiii) any other purpose specifically authorised by the Conference, provided it is one of the purposes of the Church.

(3) Subject as in (2) above model trust money which is local property may also be applied to any purpose for which the relevant general church fund may be applied under Standing Order 650(4) or (5).

(4) For the purposes of heads (viii) and (ix) of clause (2) above the relevant church organisation is the Methodist Council or other connexional organisation, the District, the Circuit, the Local Church, or other the church body in connection with which the relevant model trust property is held.

(5) This Standing Order shall not govern the application of income of a district Advance Fund, which shall be applied in accordance with the provisions of Standing Order 963(3).

For the authority to make this Standing Order see para. 19(1)(d) of the Model Trusts (Book II, Part 2).

For ss. 11 and 4 of the 1976 Act see Vol. 1, pp. 16 and 10.

For paras. 13(a) and 16 of the Model Trusts see Book II, Part 2.

For the conditions upon which money can be granted to a Housing Association see S.O. 935.

For the purposes of the Church see s. 4 of the Methodist Church Act 1976 (Vol. 1, p. 10).

For district Advance Funds see S.O. 963(3).

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918 Overriding Power of Sale. (1) If at any time any managing trustees of model trust property are unable to discharge the interest on moneys properly borrowed and due from them as such trustees or any other current expenses involved in the due execution of the Model Trusts by reason of lack of income or other moneys available for the discharge of such interest or other expenses then subject to clauses (2) and (3) below but notwithstanding any other provision of these Standing Orders those managing trustees shall be entitled to exercise the power of sale conferred by paragraph 16(b) of the Model Trusts without obtaining the consent of any other person or body.

For para. 16(b) of the Model Trusts see Book II, Part 2.

(2) No sale shall be made or contracted under clause (1) above unless the managing trustees have at least three months before an annual meeting of the Conference given notice in writing to the Secretary of the Conference and the connexional Property Secretary of their intention to act under clause (1) above and their reasons for so intending, and have supplied to the Secretary of the Conference and the Property Secretary such particulars of their financial position and of the state of the model trust property as either of those persons may require.

(3) No such sale shall be made or contracted until six months after the opening of the meeting of the Conference referred to in clause (2) above and no such sale shall be made or contracted if within that period of six months the Conference or some other church court has provided or procured the provision to the managing trustees of such financial or other assistance or relief as will enable them to continue in the due execution of the Model Trusts.

919 Conflicts of Interest. (1) A managing trustee of model trust property who has a financial interest in any question falling to be considered by the managing trustees as such shall, if present, disclose that interest to the other trustees present before the discussion of that question opens, if it is on the agenda or, if not, as soon as it is raised, and shall not preside over any discussion or vote on any resolution relating to that question. Such a trustee shall withdraw from the meeting while the question is discussed and any resolutions voted upon unless, after disclosure of interest:

- (i) a majority of the other managing trustees present approves that trustee's remaining and contributing to the discussion; or
- (ii) a majority of the other managing trustees present approves that trustee's remaining on terms that he or she shall not contribute to the discussion unless asked by the person presiding over the discussion to comment on a particular point or points, in which event his or her contribution shall be limited accordingly.

This Standing Order applies in relation to the conduct of managing trustees of model trust property. For the similar provision applying more generally to the transaction of business by other trustees and by church courts, see S.O. 019A.

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(2) For the purposes of this Standing Order a managing trustee has a financial interest in a question if it involves or may involve a decision whether or not the managing trustees as such shall:

- (i) enter into any contract with that trustee; or
- (ii) do anything which will or may lead to the receipt of any remuneration or other benefit in money or money's worth or the incurring of any liability by that trustee or to the loss of or a release from or a change in any such remuneration, benefit or liability; or
- (iii) sell trust property to or buy property from that trustee;

whether, in any of those cases, the trustee in question acts alone or jointly with one or more other persons.

Head (ii) includes, for example, questions in a Circuit Meeting or Church Council as to the entry into a contract with e.g. a building firm to do work on local church property or a manse where a member of the meeting is a partner of that firm.

(3) A managing trustee shall not be liable to account to the trust for any benefit received (whether directly or indirectly) from such a financial interest if the liability would have arisen solely from the existence of that interest and he or she:

- (i) is not present at the meeting of the managing trustees at which the relevant decision is made and has not sought to influence that decision; or
- (ii) is present at the relevant meeting and has complied with clause (1) above.

For the authority to make this Standing Order see para. 19(g) of the Model Trusts (Book II, Part 2).

919A Amendment of Model Trusts. (1) Any committee or other body or person considering business which may involve proposals to amend the Model Trusts shall inform the Connexional Team of the nature of the proposals.

(2) The Team shall ensure that whenever such proposals are under consideration there are consultations with appropriate officers, bodies and persons in the home Districts and Circuits outside England and Wales in order to establish whether any proposed amendments will have the intended effect under the law there applicable or, if not, what modifications are needed to that end or (as the case may be) what corresponding amendments are required to any trust instrument taking the place of the Model Trusts in that jurisdiction.

(3) Every report to the Conference proposing any such amendments shall include an account of all such consultations and of their outcome.

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Section 92 Use of Methodist Premises

This Section contains the Standing Orders on the topic. Certain resolutions dealing with the use of Methodist premises by persons of other faiths were adopted by the Conference in 1972 but not promulgated as Standing Orders (see 1972 Minutes, pp. 81-2). A further report, with suggested guidelines, was brought by the Faith and Order Committee to the Conference in 1997 and adopted with one amendment (see 1997 Agenda pp. 236-248, Daily Record 7/5). As to restrictions on the use of chapels after sale or lease see S.O. 943(3).

- 920 Religious Meetings.** (1) The managing trustees and (in the case of local or circuit property) the Superintendent in his or her capacity as such shall:
- (i) keep under review as they think fit the teaching given at all non-Methodist public religious meetings held on model trust property by the members of a church or congregation to whom permission has been granted to use such property for a period pursuant to paragraph 14 (2A) of the Model Trusts and
 - (ii) accept general responsibility for the teaching given at all other non-Methodist public religious meetings held on Methodist premises.
- (2) The consent required under paragraph 14(2) of the Model Trusts shall be that of the Superintendent.
- (3) The consents required under paragraph 14(2A) of the Model Trusts shall be those of the Superintendent and the appropriate connexional authority.

Para. 14 of the Model Trusts (Book II, Part 2) deals with services and meetings for religious worship in any place of worship or other premises comprised in the property which is subject to the Model Trusts. Para 14(2) deals with services and meetings held, with consent (for which see cl. (2) above), jointly by members of the Methodist Church and those of another Christian communion or body. Para. 14(2A) lays down the requirements to be fulfilled if the managing trustees wish to grant permission (for particular occasions or for up to 12 months) to members of another church or congregation to use the property; these include the consents referred to in cl. (3) above. Cl. (1)(i) above then imposes the duty to keep the teaching given in this situation under review.

For the position in relation to persons of other faiths, see the note at the head of this Section.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

- 921 Political Matters.** (1) Managing trustees may not sponsor meetings in support of political parties, nor may such meetings be held in the name of any other Methodist body. Nonetheless managing trustees may permit occasional use of Methodist property for political meetings by non-Methodist bodies and may sponsor meetings designed to

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promote informed discussion of public issues in the context of Christian theology and ethics. Before agreeing to such use the managing trustees shall consider, in the light of any advice which the Connexional Team may issue from time to time, the extent, if any, to which the granting of such permission would have a detrimental effect on the peace and unity of the Church and its witness.

(2) It is not permitted to submit resolutions, or take votes, on political matters during any Methodist meeting for public religious worship, or while the congregation is assembling or dispersing.

(3) It is not permitted to invite signatures for petitions on political matters during any Methodist meeting for public religious worship, or while the congregation is assembling or dispersing, except with the consent of the Church Council or of some person or persons to whom the council has delegated authority for that purpose.

922 Intoxicants. (1) Subject to clauses (3) and (4) below the supply, sale or use of intoxicants on Methodist premises is not permitted in any circumstances, nor may Methodist premises be used in such a way as to advertise or promote, whether directly or by means of sponsored events, the sale or use of intoxicants.

Activities forbidden on Methodist premises by this Standing Order may not take place elsewhere in the name of the Church, with certain exceptions (S.O. 014(3)). For those recommendations of the 1987 report upon responsible attitudes to alcohol (Through a Glass Darkly) directed to be printed in this volume by the Conference of 2000, see Book VI, Part 2, Section 11, below.

(2) In the sacrament of the Lord's Supper the wine used shall be non-alcoholic.

(3) Clause (1) shall not preclude the use of alcoholic drinks on domestic occasions in private homes, nor the lawful supply, sale or use of such drinks in other residential premises with the consent of the trustees and subject to such conditions as they may prescribe.

(3A) Clause (1) above shall not preclude the lawful supply, sale or use of alcoholic drinks on Methodist premises (other than any part of the relevant premises in which worship has been identified by the trustees as the primary use) if:

(i) a significant part of the mission and activity of the Methodist Church carried out on the relevant premises involves use of the premises as a conference centre;

(ii) such supply, sale or use is solely in connection with an event taking place on those premises as part of such use; and

(iii) such supply, sale or use is with the consent of the trustees given for the specific event and subject to such conditions as they may prescribe.

(3B) Where the relevant premises are local, circuit or district property, the trustees may treat the condition specified in clause (3A)(i) above as satisfied only if the appropriate district authority so determines. In all other cases, the trustees may treat

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that condition as satisfied only if the appropriate connexional authority so determines.

The 'appropriate district authority' is the district Policy Committee or its delegates (S.O. 960(1)).

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(3C) The trustees may delegate their power to grant consent under clause (3A)(iii) above to such person or body as they think fit upon terms that any exercise of the delegated power shall be in accordance with a policy agreed by the trustees.

(4) Clauses (1) and (2) above shall not preclude the use of alcoholic wine at communion by a non-Methodist congregation worshipping on Methodist premises, provided that such use is not contrary to any sharing agreement that may apply, is authorised by the trustees and permitted by the rules that apply to that congregation.

This clause is designed primarily to deal with the situation of a non-Methodist congregation worshipping on Methodist premises without the benefit of a formal sharing agreement under the Sharing of Church Buildings Act 1969. Where, however, such a sharing agreement exists, the rule is that the provisions of that Act and the agreement prevail in the case of a conflict with the provisions in the Model Trusts and these Standing Orders. This rule applies both where, as would be more usual, the Act or sharing agreement permits activities which would otherwise be forbidden and where (as the wording of the clause makes explicit) it forbids activities otherwise permitted by the clause.

923 Smoking. (1) All managing trustees shall comply with the requirements of Part 1 of the Health Act 2006, where it applies, or of any corresponding legislation applying to the relevant Model Trust property.

(2) If any part of the premises for which a Church Council is responsible is not subject to a ban on smoking required under clause (1) above, the Council may, as to that part, decide from time to time whether some or all of it, other than residential accommodation, shall nevertheless be subject to such a ban. In reaching its decision the Council shall have regard to such aspects as: any policy statement of the Methodist Conference, the health and comfort of those using the premises, fire and other safety hazards, the use to which particular rooms are put, and public policy generally.

924 Gambling. (1) Except as provided in clause (2), no form of gambling is permitted on Methodist premises.

Funds may not be raised for Church purposes by any form of gambling which could not be permitted on Methodist premises under this Standing Order (S.O. 014(1)).

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(2) Subject to clause (3) below and to any specific resolution of the Conference those forms of gambling allowed by law at exempt and non-commercial entertainments may at the discretion of the trustees take place at such entertainments held on Methodist premises.

See the guidance as to permitted gambling in Book VI, Part 2, Section 6.

(3) Notwithstanding clause (2) above the use of gaming machines, including Amusements with Prizes machines, and the offer or payment of cash prizes in connection with Amusements with Prizes, are prohibited in any event.

(4) Methodist premises may not be used in such a way as to advertise or promote, whether directly or by means of sponsored events, any form of gambling which would not be permitted on such premises under this Standing Order.

925 Dances. Dances arranged as social functions for the members, and friends of members, of organisations meeting on Methodist premises may be held on Methodist premises. Where the organisation and conduct of a dance are directly under the control of the trustees public advertisement is permitted, subject to strict compliance with Standing Orders 922, 924 and 927; otherwise public dances are not permitted.

Managing trustees will need to ascertain and observe the various statutory and local authority requirements applicable to such events.

Activities forbidden on Methodist premises by this Standing Order or S.O. 927 may not be held elsewhere in the name of the Church (S.O. 014(2)).

926 Drama. *[Now deleted]*

927 Entertainments generally. The primary purpose for which Methodist premises exist necessarily excludes every kind of entertainment or amusement which is inconsistent with the standards of the Church. Types of entertainment which are inimical to the spiritual life and purpose of the Church may not be allowed on Methodist premises.

See second note to S.O. 925. No entertainment inconsistent with this clause may be arranged by any Methodist organisation (S.O. 014(2)).

S.O. 014 deals with the carrying on elsewhere in the name of the Methodist Church or the arranging by Methodist organisations of activities forbidden on Methodist premises by S.O. 922, 924, 925 or 927.

928 Masonic Services and Meetings. (1) Meetings of Freemasons' Lodges or other meetings for masonic purposes may not be held on Methodist premises.

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(2) Services exclusively for Freemasons may not be held on Methodist premises.

(3) If a Freemasons' Lodge requests that a service be held on Methodist premises, the trustees may at their discretion either withhold permission or grant permission on the following conditions:

- (i) the service shall be one of public Christian worship held in accordance with Methodist practice and complying with the Model Trusts;
- (ii) the contents of the service shall first be seen and approved by the Superintendent;
- (iii) it shall be conducted by a person appointed by the Superintendent.

929 Authorised Uses of Dwellings. (1) In accordance with paragraph 13(g) of the Model Trusts any house or other dwelling which is model trust property may with the appropriate consents, as prescribed by clause (3) or (4) below, and subject to clause (5) below, be put by the managing trustees to any of the uses specified in clause (2) below.

It is important to appreciate that this Standing Order has a different function and effect from those of the others in this Section, which are concerned to regulate, and for the most part to restrict, the activities which may be carried out on Methodist premises, on whatever trusts they are held (see S.O. 900(3), (4)). This Standing Order applies only to model trust property and clauses (1) to (4) exercise the power given by para. 13(g) of the Model Trusts (Book II, Part 2) to declare the primary trust purposes for which residential property is held. When not required for such purposes the property can be turned to account by letting, licence or otherwise within the general powers of the managing trustees under para. 16 of the Model Trusts, with any necessary consents, and this Standing Order in no way restricts or excludes those powers, except by cl. (5), which should be carefully noted.

(2) The uses referred to are:

- (i) as a manse or connexional dwelling under paragraph 13(g) of the Model Trusts and Standing Order 803(1);
- (ii) as the residence of a caretaker of Methodist property, of a person employed under Standing Order 570 or of a supernumerary under an appointment of the Circuit Meeting and residing in the property as a term of that appointment;
- (iii) use in connection with youth and community service under a project approved by the Connexional Team or its divisional predecessors or use by a residential community established by a Circuit or Local Church in furtherance of its purposes;
- (iv) any other use in furtherance of or incidental to a purpose of the Church.

(3) In the case of connexional property the appropriate consent for any use is that of the parent body or any person or persons to whom that body may delegate its authority in this behalf.

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For the meaning of 'parent body' see S.O. 907.

(4) In the case of district, circuit or local property the appropriate consents under each head of clause (2) above are as follows:

- (i) no consent is required for any use by the managing trustees within head (i) or (ii) or of circuit or district property within head (iii);
- (ii) the appropriate consent for the use of local property within head (iii) is that of the Circuit Meeting;
- (iii) the appropriate consents for a use within head (iv) are those of the appropriate connexional authority and, in the case of local property, of the Circuit Meeting.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(5) Whether or not the above clauses apply and whether or not any consent is required under clause (3) or (4) above, no person shall be admitted into occupation of or allowed to reside in any house or other dwelling which is model trust property, except under head (i) of clause (2) above, unless that person has entered into and signed a binding agreement in writing with the managing trustees in terms approved by the Connexional Team.

See also S.O. 438A(6)(iv).

Section 93 Projects

930 Consents generally. (1) No consent is required under this Standing Order for the exercise by managing trustees of their powers under heads (c), (g), (i) (j), (k), (l), (m), (n) or (o) of paragraph 16 of the Model Trusts, nor for the execution of non-structural repair under head (d) of that paragraph, but this provision does not remove the need to comply with any other Standing Orders regulating the exercise of those powers and does not apply to listed building works, as defined in clause (8)(a) below, or to any other works, whether structural or not, which would materially affect the internal or external appearance of a listed building or the external appearance of a building in a conservation area.

The heads of para. 16 of the Model Trusts referred to relate to the following matters:

- (c) licences for the use of the property;*
- (d) repairs and alterations;*
- (g) providing facilities for tenants or occupants;*
- (i) bringing or defending actions;*
- (j) arbitrations;*

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- (k) delegation;*
- (l) appointment and dismissal of committees and officers;*
- (m) general management.*
- (n) (applies only in Scotland);*
- (o) trustee indemnity insurance.*

For details see para. 16 itself in Book II, Part 2. Heads (i), (j), and (l), although not requiring consent under this Standing Order, are regulated by S.O. 931(5), (6) and 912 respectively.

(2) Subject to clause (1) above the consent of the appropriate bodies, as specified below, shall be obtained before managing trustees take any of the steps specified in this Standing Order.

(3) Consent under this Standing Order is consent to the substance of the transaction. It does not exempt managing trustees from complying with any proper requirements as to form or procedure imposed by the law or the custodian trustees, or arising under other Standing Orders or the Model Trusts, whether those requirements arise before or after consent is given under this Standing Order.

*The custodian trustees are, for example, entitled and bound to refuse to participate in any transaction which would be in breach of trust.
As to requirements under Standing Orders see, for example, S.O.s 912, 929(4), 931, 935, 936, 942,*

(4) The following steps require, in the case of local property, the consent of the Circuit Meeting and, in the case of local, circuit and conference property, that of the appropriate district authority:

- (i) the acquisition, or any contract for the acquisition, of land for Methodist use;
- (ii) the exercise of any power conferred by paragraph 15 or 16 of the Model Trusts, except as provided in clause (1) above.

The 'appropriate district authority' is the district Policy Committee or its delegates (S.O. 960(1)).

(5)(a) Where any application to the appropriate district authority for consent under clause (4) above requires the authorisation of the Methodist Council under paragraph 20 of the Model Trusts, or in the opinion of the appropriate district authority gives rise to the question whether such authorisation should be sought, it shall be referred to the Methodist Council for consideration of that aspect.

(b) Where some aspect of such an application requires the consent of the appropriate connexional authority under Standing Order 931(1) it shall be referred to the appropriate connexional authority for consideration of that aspect.

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The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(c) The appropriate district authority may also refer to the appropriate connexional authority any other such application, or any part or element of it, which it considers for any reason would better be decided there.

(6) In the case of district, connexional and general property, any of the steps specified in clause (4) above requires the consent of the appropriate connexional authority.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(7) In the exercise of the general powers of the Methodist Council under Standing Order 212(9) it shall prescribe an electronic process, compliant with Standing Orders, by which the appropriate district and connexional authorities shall deal with all applications for consent under this Standing Order.

(8)(a) In this and the next Standing Order 'listed building works' has the meaning given to it by Standing Order 980.

(b) In relation to listed building works in England and Wales the provisions of Section 98 shall apply in addition to those of this Standing Order, and in case of any conflict the provisions of Section 98 shall prevail.

931 Connexional Consent, Approval and Guidance. (1) The consent of the appropriate connexional authority shall be required for the following matters:

(i) to (v) *[now omitted]*

(vi) any mortgage or charge of all or any part of the trust property, other than a mortgage or charge to secure a loan from Methodist Chapel Aid, or

(vii) *[now omitted]*

(viii) the application of the Sharing of Church Buildings Act 1969, or

(ix) *[now omitted]*

(x) listed building works, as defined in Standing Order 930(8)(a), and any other works, whether structural or not, which would materially affect the internal or external appearance of a listed building or the external appearance of a building in a conservation area.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

As to the Sharing of Church Buildings Act see also S.O. 934.

(2) *[Now dealt with in 932(1A)]*

(3) All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind shall be forwarded in draft to the

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Connexional Team for inspection and approval before being signed.

(4) Before any application is made to the Charity Commissioners (or to any court or other authority having jurisdiction in relation to charities) for any order affecting Methodist property the guidance of the Team shall be obtained, and all drafts of proposed orders of the Charity Commissioners, court or other authority shall be submitted to the Team before they are accepted.

(5) Except by direction of the Conference trustees shall not, without the written consent of the Team:

(i) bring any action or refer or join in a reference to arbitration in respect of any Methodist property, or any matter relating thereto;

(ii) make any application for consent to demolish a listed building or a building in a conservation area nor any other application in relation to a building which is listed or is in a conservation area which could result in an official inquiry (whether public or by written submission);

(iii) make any application to a statutory tribunal or similar body.

(6) If any action is brought against trustees, or any dispute or difference between them and another party is submitted to a statutory tribunal or similar body or to arbitration, or becomes the subject of an appeal or official inquiry or if any public authority takes any step which may lead to the making of an order or the holding of an inquiry affecting Methodist property, the trustees shall at once inform the Team.

932 Requirements. (1) Before giving consent under Standing Order 930 to any project the appropriate bodies must be satisfied that:

(i) the church court which constitutes the managing trustees or is their parent body has adopted a mission policy statement with which the project accords;

(ii) the plans take into account any guidance supplied by the Connexional Team or the district officers;

(iii) the trustees will have sufficient funds at their disposal to meet the cost of the project as it proceeds and any loans will be repaid in accordance with Standing Order 933 or 934(2), as the case may be.

(1A) Before considering any project requiring its consent and affecting a building on which there is or should be a current quinquennial report the appropriate district or connexional authority may, if it thinks fit, require such a report to be produced to it.

For quinquennial reports see S.O. 934(3), 952 and 966(2).

(2) In considering any project affecting the activities of a Local Church the appropriate bodies shall have regard to the role of the Local Church as a centre of worship and mission and shall make every effort to give effect to proper pastoral concerns.

933 Time Limits. Before giving consent to any project the appropriate bodies shall be satisfied that it can be completed and the entire outlay defrayed within five years after

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the date of consent unless they specifically approve a defined longer period. They shall not approve such a longer period unless (i) there are exceptional circumstances making it appropriate, and (ii) a satisfactory scheme for the liquidation of debt has been submitted.

934 Shared Projects. (1) Where a new building, alteration or extension is to be the subject of a sharing agreement under the Sharing of Church Buildings Act 1969 the decision of the appropriate connexional authority upon any application for consent shall have regard to the property regulations and practices of the other participating denominations.

All such schemes require the approval of the committee (S.O. 931).

(2) In the case of such a shared project all reasonable measures shall be taken to complete it and clear all debt within five years of the date of consent. Any debt beyond that period shall be sanctioned only if proposals for its early liquidation are accepted by the other participating denominations and by the appropriate connexional authority.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(3) Where, under such a shared project, the property is model trust property responsibility for quinquennial inspections shall fall upon the Circuit Meeting. Where the building is in joint ownership an arrangement shall be made by the joint council whereby the regulations of one of the participating denominations for quinquennial or comparable periodic inspections and reports are complied with and the reports are made to or shared with the Circuit Meeting. Where the property is held on the trusts of another participating denomination that denomination's regulations shall be complied with and the report shared with the Circuit Meeting.

For quinquennial inspections generally see S.O. 952.

(4) In such shared projects, the Methodist Church Council shall be responsible for making annual returns of local property as required by Standing Order 941(iii) and (vii).

935 Housing Associations. (1) Before authorising any disposition of model trust property to a Housing Association under paragraph 20(1) of the Model Trusts Methodist Council shall:

- (i) satisfy itself that the purposes of the Housing Association are wholly charitable and that either the Association is subsidiary or ancillary to the Church or the disposition or grant is made in furtherance of ecumenical work or activity within the purposes of the relevant church body;
- (ii) consider whether the money to be granted, the property to be disposed

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of, or any additional proceeds which might be obtained from some other disposition of such property, are likely to be required by the managing trustees for property purposes (and to that end the committee shall be provided with any quinquennial inspection reports, district manse inspection reports and other information which it may deem requisite);

(iii) obtain the judgment of the District in which the model trust property is situated or managed and also of the District (if different) in which the housing project is to proceed as to the nature and urgency of the housing need intended to be met.

*For para. 20(1) of the Model Trusts see Book II, Part 2.
For quinquennial reports see S.O. 952.*

(2) A Housing Association may at any time, notwithstanding that no specific disposition or project is before the council under clause (1) above, obtain the opinion of the council as to whether the purposes of that Association are wholly charitable and whether the Association is subsidiary or ancillary to the Methodist Church.

936 Historic Artefacts. (1) The consent of the Methodist Council shall be obtained before managing trustees sell, lease, lend or otherwise dispose of or part with any artefact, publication or record on the list provided for by Standing Order 212(11) and any dealing with such property shall be on such terms only as may be approved by the council.

(2) Applications for consent under this Standing Order or for grants for the care and safety of such property shall be made through the Archives and History Committee.

For the committee see S.O. 337(2).

Section 94 The Local Church

940 Church Council. The Church Council shall transact all business required of it as managing trustees of the local property.

See para. 2 of the Model Trusts (Book II, Part 2) and the definition of 'local property' in para. 1.

Only persons of full age may act as managing trustees.

941 Particular Responsibilities. It shall be the responsibility of the Church Council to ensure that either the council itself or officers or committees appointed for that purpose:

(i) obtain regular reports on the state of the local property and undertake renovations and repairs as necessary;

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- (ii) after every quinquennial inspection consider the findings and recommendations of the inspectors and take any action required in consequence;
- (iii) prepare and consider the annual property schedules, both of accounts and investments and of the state of the property, and take any action required in consequence;
- (iv) consider such matters as the purchase, sale, extension or alteration of the property and take appropriate action;
- (v) appoint or employ a caretaker of the premises, if required, and supervise his or her work;
- (vi) open and maintain a log book for retention of the annual schedules of property, quinquennial inspection reports and other relevant material, and periodically examine the log book and ensure that records are up to date;
- (vii) present an annual report on the local property to the Circuit Meeting and after every quinquennial inspection include in that report details of all action taken or to be taken by the Church Council to implement the recommendations of the inspectors.

For quinquennial inspections see S.O. 952.

As to (v), if the caretaker is employed see S.O. 018 and 438A.

942 Local Churches and Chapels. (1) There may be more than one chapel used by or in connection with one Local Church, but only (i) where Standing Order 605(4) is in operation, or (ii) under a scheme adopted by the Church Council and the Circuit Meeting.

Normally a single chapel is used in connection with a single Local Church – see the definition of ‘Local Church’ in cl. 1 of the Deed of Union (Book II, Part 1).

(2) More Local Churches than one may share the use of a chapel or other local property, but only under a scheme adopted by the Church Councils and the Circuit Meeting or Meetings involved. Every such scheme shall (unless an appropriate Memorandum of Terms of Management has already been signed under paragraph 3(2)(b) of the Model Trusts, and the scheme includes a copy) include a draft Memorandum or amended Memorandum of Terms of Management under paragraph 8 or 9 of the Model Trusts, agreed between the Church Councils involved, and that Memorandum or amended Memorandum shall be signed on their behalf as soon as the scheme has been adopted.

For paragraphs 3, 8 and 9 of the Model Trusts see Book II, Part 2.

943 Closure of Chapels. (1) Public services may not be discontinued in any chapel or preaching-place, nor any preaching-place removed from the circuit plan, until permission has been given by the Synod on the recommendation of the managing trustees, the

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Circuit Meeting and the district Policy Committee. The Circuit Meeting shall submit any such recommendation to the district committee before any steps are taken to carry the intention into effect.

As to the closure of redundant chapels see para. 23 of the Model Trusts in Book II, Part 2.

(2) No steps are to be taken by trustees towards the sale of a chapel until it has been decided that services shall be discontinued in accordance with the provisions of clause (1) above.

(3) When offering any chapel or former chapel for sale, lease or other disposition the trustees shall have regard to any authority from the Methodist Council under paragraph 20(2) of the Model Trusts and shall, if so authorised by the council under the said paragraph, take all possible steps, by the exaction of suitable covenants and otherwise as they may be advised, to secure that the premises shall not be used for the manufacture, distribution, sale or supply of intoxicating liquors, nor for any purpose in connection with the organisation or practice of gambling in any of its forms, nor as a public dance-hall, nor (subject to the proviso to paragraph 23(2) of the Model Trusts) for such religious purposes as may be specified in any such authority, nor for any trade for gain on Sundays.

For para. 20(2) of the Model Trusts, see Book II, Part 2.

(4) Before offering by auction or entering into a contract for the sale of a building for secular use (and in the case of head (i) below before worship ceases) the trustees shall:

- (i) if the building is a listed building or a building in a conservation area which in either event is a chapel, obtain the prior consent of the appropriate connexional authority to the removal of any object or structure fixed to the building or within its curtilage;
- (ii) consider the appropriate time for the removal of notice boards associated with the Methodist use of the building, and make arrangements accordingly;
- (iii) give attention to the preservation in situ of external foundation stones and other public indications of the Methodist history of the building;
- (iv) seek guidance from the Connexional Team as to whether internal memorials and other internal items (whether or not part of the structure of the building) should for historical or aesthetic reasons be preserved in situ, in other places of worship or elsewhere, and make decisions and arrangements in those matters in the light of that advice;
- (v) identify any sanctuary furniture or other structural or non-structural items (not to be preserved under (iv) above) which they wish to exclude from the sale of the building and which are to be sold separately or transferred to other places of worship, and make arrangements accordingly.

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S.O. 332(4) provides for the Connexional Team to keep a register of listed chapels, manses, etc.

There are legal constraints on the removal of certain items from a listed building once worship has ceased; hence the requirement to consult the committee.

944 Proceeds of City Centre Premises. Where capital money arises from the sale, letting or other disposition of the whole or substantially the whole of the land held in connection with a Local Church, Circuit or project on the official list kept under Standing Order 440(1) the project for the disposition shall provide for the capital money to be appropriated to district purposes under Standing Order 440(6).

945 Other Proceeds. (1) Capital money arising from any other disposition of land to which this Standing Order applies shall be paid to the custodian trustees, to be held and applied as capital money held for the circuit purposes of the relevant Circuit.

(2) This Standing Order applies to the sale, letting or other disposition of any land which is local property except:

- (i) land held as an investment, and
- (ii) land received within the last five years by way of bequest or devise and not required or no longer required for use for Methodist trust purposes, and
- (iii) Local Church caretakers' accommodation.

Section 95 The Circuit

950 Circuit Meeting. (1) The Circuit Meeting shall transact all business required of it as managing trustees of the circuit property.

See para. 2 of the Model Trusts (Book II, Part 2) and the definition of 'circuit property' in para. 1.

Only persons of full age may act as managing trustees.

(2) The Circuit Meeting shall ensure that the matters within this Section are dealt with and appropriate action taken, either by the meeting or by officers or committees appointed for that purpose.

(3) The Circuit Meeting shall ensure that if property in the Circuit shared under the Sharing of Church Buildings Act 1969 is model trust property the provisions of Standing Orders 951 and 953 are followed. If property so shared is not model trust property the Circuit Meeting shall co-operate with the joint council to ensure that the requirements of charity law are met.

951 Projects. (1) All projects affecting local or circuit property shall be considered,

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giving particular attention in the case of new projects to their relation to existing properties in the Circuit or to the opportunities they present for shared projects with other denominations. Careful enquiry shall be made as to:

- (i) the adequacy of insurance cover for each property, and the current quinquennial inspection where applicable;
- (ii) compliance with Standing Order 901 in relation to the acquisition of new land;
- (iii) the measures being taken to reduce and extinguish capital debts where they exist;
- (iv) the irregular cases referred to in Standing Order 961(5).

As to the liquidation of debts see S.O. 933.

For quinquennial inspections see S.O. 952.

(2) After such consideration and enquiry the Circuit Meeting shall in the case of local property give or withhold its consent, or in the case of circuit property reach its decision as managing trustees.

952 Quinquennial Inspections. (1) In relation to all local property the Circuit Meeting shall arrange for an inspection, which shall include an inspection for timber decay, at least once every five years by professionally qualified persons, who shall report to the Church Council and the Circuit Meeting with recommendations as to any work required. The Circuit Meeting shall ensure that any further investigatory inspections shown to be necessary in the initial inspection report are carried out if the managing trustees have not acted.

(2) In relation to all circuit property the Circuit Meeting shall arrange for an inspection, which shall include an inspection for timber decay, at least once every five years by professionally qualified persons, who shall report to the Circuit Meeting, the circuit stewards and, in the case of manses, the district Manses Committee, with recommendations as to any work required. The district Manses Committee shall ensure that any further investigatory inspections shown to be necessary in the initial inspection report are carried out if the managing trustees have not acted.

(3) The Circuit Meeting shall ensure that every inspector engaged to carry out an inspection under this Standing Order is an architect or building surveyor or has some other appropriate professional qualification and is adequately covered by professional indemnity insurance against any liability arising out of the inspection or report.

953 Local Property. In relation to local property the Circuit Meeting shall also:

- (i) arrange for the annual local property schedules on the state of the property to be examined, especially in relation to work recommended by quinquennial inspections, and obtain a report on the general condition of each property in the Circuit;

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- (ii) arrange for the annual local schedules of accounts and returns of investments to be examined and review the enquiries made of each Local Church, satisfying itself that the Church Council has officially accepted, as presented, the schedule relating to its own accounts;
- (iii) send to the district property secretaries such originals, copies or summaries of the above schedules as may be directed by the Connexional Team, together with a report on matters requiring special attention, especially where work recommended by the quinquennial inspections has not been undertaken.

The schedules referred to are A and B issued annually by the Connexional Team.

954 Circuit Property. In relation to circuit property the Circuit Meeting shall also ensure that either the meeting itself or officers or committees appointed for the purpose:

- (i) appoint visitors to visit and inspect each manse each year, except when the quinquennial inspection or the district Manses Committee visitation has taken place within the last twelve months, the duties of the visitors being to visit at a mutually agreed time, to consult with the occupants (including wife or husband, where appropriate) and to report to the meeting;
- (ii) consider the latest quinquennial inspection report and put in hand such work as needs to be done to the structure of any circuit property and such external painting as requires attention and (as to manses) decide what internal decoration and refurnishing shall be carried out by the circuit stewards;
- (iii) receive the reports of the district Manses Committee and report back what action the Circuit has taken;
- (iv) consider what is the state of the manses, take into account what the reports of the district Manses Committee and quinquennial inspectors recommend and decide what action should be taken;
- (v) prepare a budget of expenditure necessary for each dwelling to be brought up to and maintained at the connexional standard;
- (vi) review at intervals of not more than four years whether the buildings are in the right places, whether they are economic to maintain, whether a new dwelling or dwellings should be obtained and whether a proposed new dwelling or a former manse to be reinstated is suitable;
- (vii) obtain and consider a financial report at least annually;
- (viii) ensure that a record of all decisions and action taken under (ii) or (iii) above is sent to the Superintendent (who shall make it available to the minister, deacon or probationer occupying the accommodation), that a copy is sent to the senior circuit steward and that a further copy is preserved in the relevant log book;
- (ix) open and maintain for each circuit property a log book for retention of the annual schedules of property, quinquennial inspection reports, manse visitation reports and other relevant material.

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For connexional standards see S.O. 803.

For the district committee see S.O. 472 and 965.

955 Model Trust Money. (1) to (5) *[Now deleted]*

(6)(a) Subject to sub-clause (b) below a contribution shall be made annually to the relevant district Advance Fund from the model trust capital money held in each Circuit, as follows:

- | | |
|--|------|
| (i) up to £100,000 or the first £100,000 | 2½%; |
| (ii) on any excess over £100,000 | 5% |

(b) Sub-clause (a) above does not apply to capital money held for long-term investment to yield income used for the work and mission of the Circuit in accordance with a circuit policy approved by the district Synod, nor to money raised by any appeal specifically for the acquisition of land or the erection or alteration of any building.

All capital money must be held by the custodian trustees. As to who are the custodian trustees see S.O. 006(3)(b).

As to what is capital money for the purposes of this clause see S.O. 915.

S.O. 945 provides that most local proceeds of sale become circuit model trust capital money.

This effect of this clause is to make the 2½% or 5% contribution a mandatory requirement; it does not preclude contributions being made over and above this minimum.

(7) The district Policy Committee shall from time to time (and at least once every three years) review the state of circuit model trust funds and their distribution throughout the District and may propose to the relevant Circuit Meeting projects for the application or use anywhere within the District of the capital money of or income from any such fund. The outcome of any review shall be reported to the Synod.

(8) A careful and responsible balance shall be held in the application of capital money as between property projects, ministry projects and other purposes.

Section 96 The District

960 Interpretation - Appropriate District Authority. (1) In this Part 'appropriate district authority' means, subject to clause (2) below, the relevant district Policy Committee or any person, persons or body to whom it may delegate its powers in relation to applications under this Part generally or in relation to the relevant application or class of applications.

This definition applies, in particular, wherever in this Part the consent of the 'appropriate district authority' is required for any step.

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(2) The Synods of two or more Districts may by agreement appoint a joint body to take the place, in those Districts, of the district Policy Committee for the purposes of clause (1) above.

961 Projects. (1) In reaching a judgment on projects submitted to the appropriate district authority for consent particular attention shall be given to the requirements of Standing Order 932:

(2) In cases where the appropriate district authority has given its consent under Standing Order 930(4) the district property secretaries shall send to the Connexional Team such financial details, plans and other information as the Team may require for purposes of record and the appropriate district authority shall be responsible for ensuring that the scheme is completed and the entire outlay defrayed within five years after the date of consent or within such longer period (if any) as was then specified.

As to time limits see S.O. 933, 934(2).

(3) In all projects for the acquisition of sites the appropriate district authority shall have regard to current town planning proposals, the needs of the Church, the extent of local and circuit resources and those matters which are the responsibility of the district Policy Committee.

For district redevelopment responsibilities see S.O. 962.

For ecumenical relationships see S.O. 434(3)(iii).

See also S.O. 901

(4) At the Synod next following the expiry of five years from the date of consent a return shall be made showing that any conditions attaching to the consent have been fulfilled.

See S.O.933, 934(2) and cl. (2) above.

(5) The Synod shall call the attention of the trustees to any cases in which the proportion of debt is excessively heavy or the proceedings irregular and shall communicate its judgment to the trustees through the Superintendent.

For the duty of the Circuit Meeting in such cases see S.O. 951(1)(iv).

962 Development Plan. The district Policy Committee shall formulate and keep under annual review a development master-plan for the Methodist church buildings and circuit staffing of the District, taking into account Planning Authority proposals (e.g. new residential areas, new road proposals, and urban centre redevelopment). Existing and

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proposed church buildings of other denominations shall be noted, particularly with a view to ecumenical co-operation or the formation of local ecumenical partnerships and the consideration of projects under the Sharing of Church Buildings Act 1969. In Synod Cymru and the Wales Synod the master-plan shall take account of and give effect to any action of Y Cyngor under Standing Order 491(3). Any such project may be referred for detailed consideration to a group appointed by the committee for that purpose. The committee shall report annually to the Synod upon any such projects and upon the content and implementation of the development master-plan generally.

As to the second and third sentences see also S.O. 334, 412(2), (3) and 434(3).

963 Advance Funds. (1) and (2) [*already revoked*]

(3) Each Synod shall establish a district Advance Fund for the purpose of making grants out of capital or income for the support of personnel serving in the District or any of its Circuits, for property projects within Standing Order 930 and for ecumenical work. The Synod shall establish a process and criteria for dealing with such grants. An annual report shall be sent to the connexional Grants Committee by the end of October each year, covering the previous connexional year. A copy of the report shall be presented to Synod.

For the connexional Grants Committee see S.O. 213B.

(4) Money in a district Advance Fund, whether arising from the disposition of model trust property or otherwise, shall be held upon the Model Trusts and is accordingly model trust property.

964 Supervision of Circuit Meetings. (1) The district property secretaries shall satisfy themselves that each Circuit Meeting has been fully notified as to the structural condition of all chapels and ancillary premises and that the quinquennial inspection of property required by Standing Order 952 has been duly carried out.

(2) The annual property schedules from the Circuits shall be examined in preparation for the district secretaries' report to the Synod.

(3) Any case of serious financial deficiency or under-insurance or questions relating to trust investments revealed by the circuit schedules shall be reported to the Connexional Team.

(4) The district property secretaries shall not only examine the annual property schedules but also enquire what other properties and funds are held for the benefit of any Circuit, Local Church, chapel, manse, school or other organisation or building in the District and shall investigate and where necessary make recommendations as to the oversight given to the investment and management of all such funds, whether or not reported in the annual property schedule.

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965 Manses. (1) The district Manses Committee shall appoint a panel of visitors (at least half of whom shall be women) sufficient in number to ensure that every manse, including that of the Chair and of any connexional officer, college tutor or school chaplain, in the District, is visited by two members of the panel (not being members in the Circuit concerned) every five years. In addition to making their own general inspection the visitors shall ask the occupant whether he or she has any reason to suspect anything wrong with the drains or sanitary fittings or any serious or general dampness likely to be prejudicial to health and shall include the answers in their report to the committee. The visitors shall use the form of questionnaire and report obtainable from the Connexional Team.

For the constitution of the committee see S.O. 472.

It is desirable that there should be as short an interval as possible between the inspections and the meetings of the committee which deal with the reports. To secure this it is recommended that the committee should meet early in the connexional year and that the inspections for that year should be made as soon as the committee can complete the necessary arrangements, i.e., in the period October to January.

(2) In preparation for each visit the committee shall obtain from the circuit stewards (in the case of circuit property) or the responsible officers (in other cases) a copy of the latest quinquennial inspection report for the property (unless already received pursuant to Standing Order 952(2)) and details of the work carried out as a result of that report and invite the circuit stewards or other responsible officers to share information about any other works carried out or proposed.

(3) The committee shall prepare a report on the manses visited and present it to the Synod in the Synod Agenda. A copy of the whole report shall be sent by the secretary of the committee to the Chair and of the relevant parts (in the case of circuit property) to the Superintendent (who shall make it available to the occupants of the premises inspected) and the senior circuit steward or (in other cases) to the occupants of the premises inspected and the responsible officers. The circuit stewards or other responsible officers shall report, through the committee, to the Synod in the following year what has been done to carry out the recommendations of the committee.

For minimum requirements see S.O. 803.

For the duties of the circuit committee see S.O. 954.

(4) If an inspection reveals what the committee adjudges to be inadequacy of accommodation, the facts shall immediately be communicated to the circuit stewards or other responsible officers and also to the Connexional Team, so that their advice may be available to the Circuit Meeting or other responsible body.

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966 District Property. (1) The district trustees for any district property or part or category of such property shall be the persons, being church members and members or eligible to be members of the Synod, annually appointed as such by the Synod. They shall report to the Synod through the district Policy Committee.

As to this and the next clause see the definition of 'district trustees' in para. 1 of the Model Trusts (Book II, Part 2).

Only persons of full age may be managing trustees of model trust property (s. 9(3) of the 1976 Act, Vol. 1, p. 13). In Great Britain as a whole persons of 18 years and over (16 years and over in Scotland) are of full age.

(2) All district trustees shall arrange for an inspection, which shall include an inspection for timber decay, at least once every five years of all district property by professionally qualified persons, who shall report on their inspection to the district trustees, the district property secretaries and Policy Committee and (in the case of manses) the district Manses Committee. The trustees shall ensure that every inspector engaged to carry out an inspection under this clause complies with the requirements set out in Standing Order 952(3). The district Policy Committee shall ensure that any further investigatory inspections shown to be necessary in the initial inspection report are carried out.

(3) All district trustees shall arrange for a log book to be opened and maintained for each district property, in which shall be retained the annual schedules of property, quinquennial inspection reports, manse visitation reports and other relevant material.

(4) In relation to any District in which there is for the time being a Methodist International House or other international student hostel which is model trust property the purposes of such a hostel shall be district purposes of that District.

Each M.I.H. held on the Model Trusts is therefore district property; see the definitions of 'district property' and 'district purposes' in para. 1 of the Model Trusts (Book II, Part 2), by virtue of which district manses are also district property.

Section 97 Connexional Priority Fund

970 Scope. (1) Subject to the following provisions of this Section a levy for the connexiona Priority Fund shall be charged on all capital money arising from the sale, letting or other disposition of land held for local, circuit or district purposes.

For the authority to make this Standing Order see paras. 18 and 19(1)(e) of the Model Trusts (Book II, Part 2).

(2) The levy shall not apply:

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(i) *[already deleted]*

(ii) to properties on the official city centre list kept under Standing Order 440(1);

(iii) and (iv) *[already deleted]*

(v) to property compulsorily purchased where compensation by the acquiring authority is on the basis of equivalent reinstatement;

(vi) to dispositions of land held as an investment;

(vii) to dispositions of property received within the last five years by way of devise or bequest and not required or no longer required for Methodist trust purposes.

As to (vi) and (vii) note the definitions of 'land held as an investment' and 'Methodist trust purposes' in S.O. 908, and the fact that 'land' includes buildings.

(3) Money in this fund shall be held upon the Model Trusts and is accordingly model trust property.

971 The Committee. The fund shall be administered by the Connexional Grants Committee.

For this committee see S.O. 213B.

972 Contributions. (1) When trustees dispose of property on which a levy is chargeable under Standing Order 970 they shall, subject to Standing Order 973, contribute part of the proceeds to the fund as follows:

(i) up to £100,000 or the first £100,000: 15%

(ii) on any excess over £100,000: 25%

(2) The sum upon which the levy is calculated shall be the balance remaining after making the payments required under heads (i), (ii) and (iii) of Standing Order 916(1).

973 Replacement Projects. (1) This Standing Order applies when the proceeds of one or more dispositions are to be employed in or towards a replacement project and consent to the disposition or dispositions has been granted under Section 93 on that basis.

(2) If the replacement project costs not less than the net proceeds, arrived at in accordance with Standing Order 972(2), and is implemented forthwith, then no levy shall be required.

(3) If the replacement project costs less than such net proceeds and is implemented forthwith then the levy shall be calculated on the unused balance or balances, as if they were the net proceeds.

(4) If the replacement project is not implemented forthwith then the levy shall initially be paid as if there were no such project, but if the project is implemented within five years of the disposition the levy shall be cancelled or recalculated in accordance with clause (2) or clause (3) above, as appropriate, and the overpayment refunded with interest at the rate earned by the Central Finance Board's Trustees Interest Fund.

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974 Purposes. (1) The purposes of the fund are

(i) to distribute annually to some or all of the district Advance Funds a sum equal to 50% of the balance between the total received and the total refunded in the previous year through the levy charged under Standing Order 970(1), the amount (if any) payable to each such fund being determined by the Connexional Grants Committee;

(ii) subject to (i) above, to make grants out of income or capital to Local Churches, Circuits and Districts in cases which are within one or more of the following categories and are beyond the normal resources of the Circuit and District, namely when:

- ∞ new work is to be undertaken which will constitute an advance and be of connexional significance;
- ∞ *[already deleted]*
- ∞ an urgent and essential property scheme is to be carried out.

(iii) subject to (i) above, to make payments out of capital to the Fund for Home Mission when so directed by resolution of the Conference to support the payment of grants from that fund to Local Churches and Circuits for the furtherance of the Church's mission in cases which are beyond the normal resources of the Local Church or Circuit and are judged to be a priority.

For the connexional Grants Committee see S.O. 213B.

(1A) If the requirements of clause (1) are satisfied a grant may be made for ecumenical work within the purposes of the relevant Local Church, Circuit or District or for the Mission Alongside the Poor Programme.

As to ecumenical work see S.O. 604, 650(6)(iii) (Local Churches), 500, 532(1)(iv) (Circuits) and 434(4) (Districts). For the meaning of the phrase see S.O. 008(viii). For the Mission Alongside the Poor Programme see S.O. 351.

(2) A grant under category (iii) of clause (1) shall consist of a single amount payable in a lump sum or by instalments, and any other grant shall consist either of such an amount, or of an annual sum for a limited period, or of both.

(3) All grants shall be at the discretion of the committee.

The committee referred to is the connexional Grants Committee (see S.O. 971 and clause (1) above).

975 Applications. (1) Subject to the following clauses of this Standing Order all applications shall be submitted to the committee by the relevant district Policy Committee

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or Synod with a statement of facts in support and the advice of the district Policy Committee, given in the light of the district redevelopment plan. Every application shall require the support of the Synod or in urgent cases (if not considered by the Synod) of the district Policy Committee.

The committee first referred to in line 2 is the connexional Grants Committee (see S.O. 971 and clause (1) above).

(2) The Connexional Team may sponsor an application falling within the purposes of Standing Order 974(1) or (1A), and in that event clause (1) above shall not apply.

(3) An application within category (ii) of Standing Order 974(1) shall be presented to and considered by the committee whether or not it has the support of the Synod or district Policy Committee, but the advice or judgment of the relevant district bodies shall be among the considerations weighed by the committee.

The committee referred to in lines 2 and 4 is the connexional Grants Committee (see S.O. 971 and clause (1) above).

976 Administration. (1) The Team shall provide the administrative services required by the committee and ensure that all applications including those made under Standing Order 975(1) are investigated and presented to the committee by an appropriate Team member.

The committee referred to is the connexional Grants Committee (see S.O. 971).

(2) The committee shall appoint a treasurer of the fund to receive all moneys payable by way of levy, to invest them through and in the name of the Trustees for Methodist Church Purposes and to arrange for all necessary accounts and balance sheets to be prepared.

977 Payments. Upon the committee's desiring to make a payment out of the fund the treasurer of the fund shall instruct the Trustees for Methodist Church Purposes to make that payment.

The committee referred to is the connexional Grants Committee (see S.O. 971).

978 Reports. The accounts of the fund and a report of payments promised shall be included within the consolidated accounts of the Methodist Church Fund.

Section 98 Listed Building Works

980 Scope of Section. (1) The buildings to which this Section applies are those for the time being exempted from the provisions of sections 3, 4, 7 to 9, 47, 54, 59 and 74

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of the Planning (Listed Buildings and Conservation Areas) Act 1990, or of any enactment amending or replacing those provisions, by virtue of sections 60 and 75 of that Act (in this Section called 'the Act of 1990'), or any enactment amending or replacing the last mentioned sections, and of any Order made under them.

(2) The works to which this Section applies are:

- (i) internal or external works for the demolition, alteration or extension of a listed building to which this Section applies or of any item fixed to such a building, including any internal fixtures or fittings, or of any other structure or fixture within the curtilage of such a building, including any tombstone or boundary wall, being works which would affect the character of the building as a building of special architectural or historic interest; and
- (ii) works of demolition affecting the exterior of a building to which this Section applies in a conservation area.

(3) Works to which this Section applies are in Section 93 and this Section referred to as 'listed building works'.

(4) This Section extends to England and Wales only.

981 Interpretation. In this Section, unless the context otherwise requires:

- (i) 'Local Planning Authority' means in relation to any building or area the body exercising the functions of a local planning authority under the Act of 1990 in respect of that building or area;
- (ii) 'National Amenity Societies' means the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Society for the Protection of Ancient Buildings, the Victorian Society and the Twentieth Century Society;
- (iii) 'Heritage Authority' means in relation to England English Heritage and in relation to Wales Cadw;
- (iv) 'Royal Commission' means in relation to England the Royal Commission on the Historical Monuments of England and in relation to Wales the Royal Commission on Ancient and Historical Monuments in Wales.

982 Advice and Consultation. Before considering whether to consent to a project for listed building works the appropriate connexional authority shall:

- (i) obtain the advice of the Listed Buildings Advisory Committee, which shall include advice on the factors specified in Standing Order 983(iii);
- (ii) consult each of the following bodies, namely the Local Planning Authority, the Heritage Authority and the National Amenity Societies, and (except in case of emergency) ensure that each such body has 28 days in which to comment upon the proposed works;
- (iii) ensure (except in case of emergency) that a notice describing the proposed works and inviting comments from interested persons is or has been displayed for 28 days outside the building affected in a prominent position visible to

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the general public and that a similar notice is or has been published in a local newspaper circulating in the locality; and
(iv) where works of demolition are proposed, ensure that notice of the proposal is or has been given to the Royal Commission.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

For the Listed Buildings Advisory Committee see S.O. 332.

983 Requirements. When considering whether to consent to a scheme for listed building works the appropriate connexional authority shall take into account:

- (i) the advice obtained under item (i) of Standing Order 982 and any comment or representation made in the course of or in response to any consultation or notice under item (ii) or (iii) of that Standing Order;
- (ii) the provisions of Standing Order 932; and
- (iii) in addition to any other relevant factors the desirability of preserving historic church buildings, the importance of protecting features of architectural merit and historic interest and the archaeological implications of the scheme.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

983A Reviews and Appeals. (1) Trustees who have applied for consent to listed building works may seek, in accordance with the provisions of this Standing Order, to have a refusal, or the imposition of one or more conditions, reversed.

(2) In order to do so they must within three months of receiving the decision lodge an appeal in writing with the Property Secretary, stating what new decision they seek and the grounds on which they do so.

(3) For the purposes of this Standing Order the Listed Buildings Advisory Committee shall appoint and maintain a review sub-committee, with a convener, and the Methodist Council shall annually appoint a chair and four other members of an appeals panel.

(4) Upon receipt of an appeal the Property Secretary shall send copies to the convener of that review sub-committee and the chair of that appeals panel.

(5) The review sub-committee shall consider the appeal and within 40 days report to the appropriate connexional authority, which shall review its decision in the light of that report and within 28 days inform the trustees whether it is maintained, reversed or varied.

(6) Unless the decision, as reviewed, is that which the trustees seek they shall within 28 days inform the chair of the appeals panel whether they wish to pursue their appeal.

(7) If the trustees inform the chair of the appeals panel that they wish to pursue their appeal the chair shall convene an appeal hearing as soon as possible, but so that the date shall in any event (i) allow for not less than 28 days' notice, which shall be given to

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those entitled to attend or be represented, and (ii) be not more than six months after the lodging of the appeal under clause (2) above.

(8) The appeal shall be heard by three members of the appeal panel, appointed by and if possible including the chair, who shall ensure that no-one is appointed who has been involved at any earlier stage, or has any personal interest in the outcome, or might or might reasonably be supposed for any other reason to be open to partiality or embarrassment in acting.

(9) The parties entitled to attend or be represented shall be the trustees and the appropriate connexional authority.

(10) Either party may rely on written submissions, but otherwise there may attend one or more of the following:

(i) on behalf of the trustees: one trustee, one minister, one professional adviser and one legal representative;

(ii) on behalf of the appropriate connexional authority: the person, or one of the persons, who made the decision, as reviewed, one member of the Listed Buildings Advisory Committee and, if the trustees are legally represented, a legal representative (who may if so desired be a legal officer of the Trustees for Methodist Church Purposes).

(11) (a) The appeal body shall give each party the opportunity of making representations and of knowing the substance of, and dealing with, any representations or other material before the appeal body adverse to its case, and shall not, in the course of its deliberations, take into account any point which the party affected has not had an opportunity of meeting.

(b) Each party shall be responsible for its own costs.

(c) Subject to sub-clauses (a) and (b) above the appeal body shall determine its own procedure.

(12) The connexional Team shall provide a clerk to the hearing, who shall take notes and provide support to the chair in the preparation of the latter's report, which shall include the reasoned decision of the appeal body. That decision shall be final. The report shall be communicated to the parties and to any other interested persons or bodies specified in guidelines issued by the Methodist Council

984 Records. (1) The connexional Team shall maintain properly arranged and indexed records of all projects for listed building works in such form as to show the action taken to comply with Standing Orders 982, 983 and 983A, the response to such action and the decision taken.

(2) The record of the decision taken shall show what account was taken of any comments made under Standing Order 982.

(3) The records maintained under this Standing Order shall be open to public inspection during reasonable hours as prescribed from time to time by the appropriate connexional authority.

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The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

985 Enforcement. (1) In this Standing Order 'unapproved listed building works' means listed building works which have not received consent in accordance with Section 93 and this Section from all the appropriate bodies, including the appropriate connexional authority.

The 'appropriate connexional authority' is the Methodist Council or its delegates (S.O. 909).

(2) Without prejudice to the generality of Standing Order 1130 it shall be a breach of the discipline of the Church to carry out or authorise, alone or jointly with others, any works which the person concerned knows or should have known to be unapproved listed buildings works.

(3) It shall be the right and duty of the custodian trustees and of the connexional Property Secretary to take such steps as they or either of them may deem necessary or expedient for preventing the commencement or continuation of unapproved listed building works, and if thought fit to invoke disciplinary action in respect of any such acts, including:

- (i) an application to any court having jurisdiction in that behalf for an injunction or other appropriate relief; and
- (ii) the initiation of a charge under Part 11 against any person subject to the discipline of the Church who is involved as a managing trustee or in any other capacity in carrying out or authorising unapproved listed building works, and of an application for the suspension under Standing Order 1105 of any such person.

(3A) A complaint within the meaning of Standing Order 1101(1) which is made against any person by a person performing a duty under clause (3) above with a view to the initiation of a charge under Part 11 may be referred directly to the relevant connexional Team member as defined in Standing Order 1101(1) for it to be dealt with by a connexional complaints team appointed under Standing Order 1122.

(4) The Methodist Council shall have power to require managing trustees to restore and reinstate, in accordance with a specification recommended by the Listed Buildings Advisory Committee after consultation with the Local Planning Authority and the Heritage Authority, any buildings altered or demolished in whole or in part by unapproved listed building works and, in default of compliance, shall have power to carry out the required works of restoration and reinstatement and to charge the cost to the managing trustees.

(5) For the purposes of this Standing Order a managing trustee does not carry out or authorise unapproved listed building works, or join in doing so, who:

- (i) votes against the resolution or other form of proposal or decision for the execution of the works; or

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(ii) is absent when the decision to execute the works is taken, either having received no notice of the meeting or having received no notice of any proposal for such a decision or other indication that the subject would be considered; or
(iii) is absent for good cause when the decision to execute the works is taken, and has taken reasonable steps to dissuade the managing trustees from taking that decision;

and such a managing trustee shall be entitled to the benefit of clause (6) below in respect of those works.

See also S.O. 517(3) and 615(3).

(6) Nothing in this Standing Order shall render a managing trustee who is entitled to the benefit of this clause personally liable for any expense incurred by or charged against the managing trustees under clause (4) above in consequence of the relevant works or deprive such a trustee of the protection afforded by paragraph 24(2) of the Model Trusts in respect of any such expense or any other loss or expense, including legal costs, arising under this Standing Order in relation to those works.

***RESOLUTIONS

39/8. The Conference received the Report.

39/9. (*Special resolution*) The Conference amended the Model Trusts as in D above.

39/10. The Conference amended Standing Orders, as from 1 September 2009, as in B, C and D above, but so that:

- (a) before 1 January 2010, the Standing Orders in operation until 31 August 2009 (“the previous Standing Orders”) shall be deemed still to be in force in respect of local and circuit property unless the district Policy Committee of the relevant District has resolved to apply the Standing Orders as amended from a date specified in the resolution (not being later than 1 January 2010) and has notified the Connexional Team and the Trustees for Methodist Church Purposes of that resolution and of the date from which it is take effect;
- (b) for the purposes of paragraph (a) above, references in the previous Standing Orders to the connexional Property Committee shall have effect as references to the appropriate connexional authority as defined in Standing Order 909;
- (c) from (i) the date notified in accordance with paragraph (a) above or (ii) 1

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January 2010 (if no such notification is given), applications for approval under the previous Standing Orders shall be treated as applications for consent under the Standing Orders as amended;

- (d) in cases where paragraph (c) applies and consent is not required under the Standing Orders as amended, the relevant application shall be treated as granted on the date notified or 1 January 2010 (as the case may require).

39/11. The Conference amended its guidance on the Stationing of Ministers and Deacons as in D above.

39/12. The Conference adopted the proposal in A.21 above, so far as not given effect by resolution 10 above.