

Authorisations and Delegations

Basic Information

Contact Name and Details	Gareth Powell powellg@methodistchurch.org.uk 020 7467 5140
Status of Paper	Final
Action Required	Decision
Draft Resolution	The Council makes the authorisations and delegations as set out in the report.
Alternative Options to Consider, if Any	None

Summary of Content

Subject and Aims	Following the retirement of Alan Pimlott as connexional Property Secretary it is now necessary to bring before the Council for approval a new list of authorisations and delegations which will enable the discharge of various consent giving process.
Main Points	The Model Trusts (a schedule of the Methodist Church Act 1976) gives various authority to the office of the Property Secretary. This office is defined as being the person appointed in accordance with Standing Orders to fulfil the duties assigned in the Model Trust to such an officer or to the General Secretary of the board of the Property Division. Over a number of years the Council has approved a series of resolutions by which it has both delegated its own authority in relation to property matters to the Connexional Property Secretary, and defined which officer should undertake certain tasks which the Model Trust previously assigned to the General Secretary of the board of the Property Division.
Background Context	
Consultations	Resourcing Mission office; Governance Support; TMCP

Summary of Impact

Standing Orders	N/a
Faith and Order	N/a
Financial	N/a
Personnel	N/a
Legal	N/a
Wider Connexional	N/a
External (e.g. ecumenical)	N/a
Risk	Failure to comply with Model Trusts and Standing Orders

<u>Issue</u>	<u>Model Trust</u>	<u>Standing Order</u>	<u>TMCP Action</u>	<u>Methodist Council/Connexional Action</u>	<u>Suggested appropriate Conn Auth</u>
Sales	16	931(3)	Approval of Legal Docs, draft Consent	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Sales under market value	20	930(5)(a) 935	Approve Legal Docs	Issue must be put to Methodist Council for ruling	Methodist Council
Legal Charge - Mortgages	16a	931(1)(vi)	Draft Memo of Consent	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Commercial, Residential, Premium Leases (TMCP Landlord)	16m(e)	930(1) 930(4)	Approve Legal Docs, draft Consent	Signature of person authorised by Methodist Council	Robin Garrido
Imposition of Covenants	16m/2 6		Draft Memo of Consent	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Release of Covenants	16		Draft Memo of Consent	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Model Trust Directions			Preparation of Model Trust Direction	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Residential ASTs (TMCP Landlord)	16(e)	930(1) 930(4)(ii)	Approve Legal Docs		Robin Garrido
Lease Surrender (TMCP Tenant)	16m	930(1)	Approve Legal Docs, [draft Consent?]		Robin Garrido
Sharing Agreements	13(l)	931(1)viii	<i>Draft Sharing Agreement</i>	Signature of "appropriate connexional authority"	Kenneth Howcroft

Purchases (replacements)	---	931(1)ix	Indirect – levy refunds	“Consent” of the “appropriate connexional authority” to classify a project as “replacement” and therefore refund levy	Robin Garrido
Schedule 14a (use by other congregations)	14(2A)	920(3)	As above	Signature of “appropriate connexional authority” on Schedule 14a	Superintendent Gareth Powell
Legal Disputes/Litigation	16(i)(j)	931 (5-6)	None usually taken, depending on action	Permission to commence proceedings	Robin Garrido Ian Serjeant Martin Attfield
Policy/Governance			None usually taken, referred to Connexion	Impose policy, set precedents	Gareth Powell
Granting of Easements	16(b)	930(1) 930(4)	Approve Legal Docs, draft Consent	Signature of person authorised by Methodist Council	Robin Garrido Ian Serjeant Martin Attfield
Licences to Use	16(c)	930(1)	Review Licence Agreement on behalf of the Connexion*	None required as such	

Methodist Council

Authorisations under the Methodist Church Act 1976

1	2	3	4
Paragraph of Model Trusts	Description	Authorised	Period
3(2)	All functions	Robin Garrido Ian Serjeant Martin Attfield	Until further Resolution
Designation of category of property			
4(1)	All functions	Robin Garrido Ian Serjeant Martin Attfield	Until further Resolution
(Appointment of temporary managing trustees)			
5(2)	All functions	Robin Garrido Ian Serjeant Martin Attfield	Until further Resolution
(Declaration of a management issue)			
6(l)	All functions	Robin Garrido Ian Serjeant Martin Attfield	Until further Resolution
(Certificate of category after a management issue has arisen)			
8(3)	All functions	Robin Garrido Ian Serjeant Martin Attfield	Until further Resolution
Division of management after appropriate consultation when there has been local failure to agree to the terms of management)			
20	All functions	Robin Garrido	Until further Resolution
Transferring property within the Methodist Church, for a purpose of the Church either for no consideration or a less consideration than might otherwise have been obtained)			
20(2)	All functions	Robin Garrido (if needed)	Until further Resolution
(Authority to Impose covenants)			
21 A(c)	All functions	Gareth Powell	Until further Resolution
(Power to take proceedings for enforcement of Model Trusts or breaches of Standing Orders)			
26(l)	All functions	It has been agreed by Law and Polity in March that this is not now needed but may need a change to the Model Trusts	Until further Resolution
(Signature to the Memorandum of Consent)			