

The Use of Property for Mission –some next steps

Contact Name and Details	The Revd Gareth J Powell, Secretary of the Conference SOC@methodistchurch.org.uk
Status of Paper	Final
Draft Resolutions	7/1. The Council receives the report. 7/2. The Council endorses the development of a Property Development Committee as set out in paragraph 6 and requests that the Secretary of the Conference bring to the next meeting of the Council firm proposals for the creation of such a body.

1. The Council will be aware that there are now a number of questions, projects and reports about property that require the relatively urgent attention of the Council and the Team. These are:
 - The decisions of the Council (April 2015) in respect of Releasing Property for God’s Mission (MC/15/43).
 - The allocation of £1M from the reserves for the development of a professional property function.
 - The observations I made at the Council in October 2015 about the need to have a more coherent and developed strategy for the use of our property and finances so as to embody more clearly the principles of connexionalism in such a way that we support the development of property across the Connexion, not least when local resources cannot sustain a vital Christian presence.
 - Memorial 22 of the 2015 Conference.

This paper offers the Council an update on some of these areas of work and seeks to test the mind of the Council on future developments.

2. **Memorial 22 (2015) TMCP**

This Memorial is a good place to begin as it touches upon a number of points that are presently under consideration as well as the nature of the relationship between the Council and the Team on the one hand and the Custodian Trustee body on the other.

M22 The Great Harwood (21/3) Circuit Meeting (Present: 23; Voting: unanimous) is aware of the importance of the Trustees for Methodist Church Purposes legal section in ensuring that legal matters executed by solicitors on behalf of churches, Circuits and Districts comply with Methodist and Charity Law legal requirements.

We believe that a good and helpful working relationship between the TMCP and other parts of the Methodist Church is crucial for all of those involved to fulfil their responsibilities efficiently.

Our considerable experience with the TMCP legal section during the last two years has been frustrating, particularly when legal contracts and agreements have been put at risk through the TMCP’s delays and poor communication.

We ask the Conference to instruct the legal section of the TMCP to review their systems, staffing levels, training and procedures to ensure that they become a more efficient,

userfriendly organisation, who offer prompt and meaningful advice to those who seek it from them.

We ask that the TMCP report to the 2016 Conference about their progress made in achieving these aims.

Reply

The Conference thanks the Great Harwood Circuit Meeting for its memorial and the concerns which it raises.

The Conference has no power to direct either the Board or staff of the Trustees for Methodist Church Purposes (TMCP) either in terms of budget provision or operational matters. However, the Methodist Church Fund, through the Central Services Budget, contributes 35% of the staff costs of the legal team. Therefore it is important that the services which TMCP provides on behalf of the Team are kept under consideration and any concerns about the timescales within which TMCP is able to operate are addressed.

Last year it was reported to the Conference that a full internal review was being undertaken. This review has resulted in a restructuring of the legal team and increased investment in the provision of legal services to reflect the growing expectations on the part of many Managing Trustees. It is envisaged that these changes in process and structure will make TMCP more efficient, user-friendly and enable TMCP to offer prompt and meaningful advice.

The Conference appreciates that the changes in process and structure will take time to be fully embedded but it is noted that improvements have already begun to be made. However the Conference recognises that there are ongoing concerns about the service TMCP are able to provide and therefore directs the Methodist Council to enter into discussions with the Board and Chief Executive of TMCP to try and find ways to continue to improve the service provided to the Connexion.

The Conference directs the Methodist Council to report back to the Conference at the earliest practical opportunity, but no later than 2017, on the outcome of the discussions.

3. Work initiated by the reply to M22 (2015)

- 3.1 The role undertaken by TMCP is vital to the support of any work to enhance connexion wide support for property. Any local church will know how crucial it is that the respective staffs of TMCP are involved in the legal and financial processes that enable the development of property. This is as true for seemingly common place leases to full scale multi million pound building projects. In order to address the points raised in the reply to the Memorial in such a way as to link those points to the wider issues listed in paragraph 1 above, a meeting was held in November 2015 between the Secretary of the Conference, the Conference Officer for Legal and Constitutional Practice and the Chair of the TMCP Board and the Chief Executive.
- 3.2 The meeting enabled a full and honest exchange of views and experiences to take place. It is clear that some aspects of the review of the former Resourcing Mission office have not emerged as envisaged. In some cases the absence of a body with responsibility for deciding policy in respect of property is hard felt. In other respects the greater cohesion given to the District Property Secretaries has ensured that the needs of a particular District are given correct prominence and experience shared across the Connexion. However, there remain some gaps in our process and advice is not as readily available as it could be for a church of our scale with such a significant property portfolio. One consequence of there being some gaps is that the staff of the custodian body can sometimes be called up on to offer advice on

policy. Whilst the body of experience as TMCP is considerable, careful boundaries have to be observed between the role of the Custodian and those cases where the staff of TMCP act on behalf of the Connexional Team in terms of inspecting and approving all contracts relating to property, conveyances, leasehold agreements, sharing agreements, deed and declarations as set out in SO 931(3).

- 3.3 The meeting identified a number of areas that would benefit from continued or further work, namely; improved and greater clarity in respect of where advice can be obtained by managing trustees; the development of a panel of solicitors with an understanding of Methodist processes; the redevelopment of the TMCP website; the distinction between the role of the Custodian and the roles undertaken under SO 931(3); the ongoing involvement of the TMCP Board in the development of property services offered by the Connexional Team.

4. **Property Scoping Meeting**

- 4.1 In October 2015 I convened a meeting representative of TMCP Board and staff, the Connexional Team, the Law and Polity Committee, Methodist Insurance Board, and District Property Secretaries. The meeting, chaired by the Chair of the SRC, considered:

- *How we might best enable creative thinking and action about the use of property*
- *What level of professional support could/should be provided to assist the Circuits and Districts in realising the potential of property for mission and ministry*

- 4.2 The meeting was particularly useful in that it enabled a sharing of experiences and an honest assessment of the areas of concern. All those present were clear that there is a need to attend to property issues in a way that focuses us more clearly on the mission of God and for us to see property as a more positive and helpful tool in that mission.

- 4.3 The main themes to emerge from the meeting were that there is a need to clarify:

- Assistance in developing vision
- Technical advice - Legal services - Financial planning
- Identifying what funds are available for a professional property function
- Identifying what funds might be available for property schemes
- The nature and shape of a staff group within the Connexional Team
- Interaction with other Methodist partners (eg the Custodian Trustees, Methodist Insurance, Methodist Chapel Aid)

5. **Resources in the Connexional Team**

- 5.1 What is clear is that a need exists for there to be a post within the Connexional Team that would enable the development of a connexional property strategy. This post would exist alongside and manage the current post of Facilities and Property Coordinator. The new post would replace the vacant post of Mission Resources Manager thereby not adding to the headcount of the Team.

- 5.2 The main duties of the post, the working title of which is Connexional Property Development Adviser, are likely to be:

- Development of coherent support for the whole Connexion as it seeks to make the best missional use of properties.

- Support of the Church's work through the development and implementation of effective strategies in the use of its properties, linking together the relevant governance bodies and oversight/advisory committees.
- Leading on the creation, delivery and regular review of a connexional strategic property advice and guidance service for trustee bodies across the Connexion, including engaging relevant professional advisers and managing the relationships with them .
- Leading in accordance with the Conference decisions and report 'Hope in God's Future' by enabling and facilitating Methodist Trustees in implementing environmentally friendly policies in relation to property.
- Acting as a co-ordinator of the various parts of connexional structures involved in property matters.
- Overseeing the provision of effective and proactive property support and advice at every level of the Connexion.
- Overseeing the effective maintenance of the Church's ecclesiastical exemption from local planning laws for listed buildings and those in conservation areas via line management of the Conservation Officer and support of the Listed Buildings Advisory Committee.
- Overseeing the production and updating of all property guidance resources for Methodist trustee bodies.

5.3 Work to finalise the job description is underway and it is hoped that the post will be advertised shortly.

6. **Structures to support the work: Property Development Committee**

6.1 The creation of a new post within the Connexional Team will not in and of itself deal with all of the issues which churches faces in respect of property, neither are Committees alone the answer to the challenges. However, there does need to be a smaller body than the Council that holds some degree of responsibility for the articulation and testing of policy in respect of property. As will be clear from other items on the Council's agenda, there are before us some exciting projects that will enable us to test various models of partnership and funding. They take us into somewhat uncharted territory and thereby offer the whole Connexion the possibility to think very differently about the use of property and the long term investments of the church. In order to ensure that such projects have robust support it would be prudent to establish a Property Development Committee.

6.2 The terms of reference could include:

The oversight of a property strategy to ensure that it articulates the mission imperative of the Methodist Church.

The development of policies to be approved by the Council. To act as Managing Trustees (under delegation) for connexional properties and those properties for which the Council has trustee responsibility.

Identifying funding sources for development projects.

6.3 The membership, to be appointed by the Methodist Council, could include:

The Conference Officer for Legal and Constitutional Practice

Three District Property Secretaries

One Connexional Treasurer

Two representatives of TMCP (one member of staff and one member of the Board)

The Committee would be convened by the Connexional Property Development Adviser.

Responsible use of God's good gifts

Attending to this work is urgent, however if we are to form a secure and meaningful professional property function that will resource the Church as it seeks to live out *Our Calling* and the *Priorities* it cannot be rushed. It is imperative that the needs of the whole Connexion are considered and the input of the district property secretaries will be vital in this. A clear assessment of what legal services are required in order to support managing trustees in the task of caring for and developing property for the mission of God goes hand in hand with this work, and I am grateful for the commitment of my colleagues on the TMCP Board and the staff of TMCP in this endeavour.

Amongst the structures we have in place is a standing order that I fear is not challenging us as radically as we need to be challenged.

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 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.

The Council has both a duty and an opportunity to re-think how it orders the resources at its disposal particularly if the Districts are to be resourced so as to give expression to this standing order, which is at heart missional. If proper effect is to be given to this standing order, we must be self consciously connexional in the use of God's good gifts and the legacy we are now charged to work with.

***** RESOLUTIONS**

7/1. The Council receives the report.

7/2. The Council endorses the development of a Property Development Committee as set out in paragraph 6 and requests that the Secretary of the Conference bring to the next meeting of the Council firm proposals for the creation of such a body.