

# Authorisations and Delegations

MC/22/83

Date of meeting	17-18 October 2022
Contact name and details	Mrs Joanne Anderton, Conference Officer for Legal and Constitutional Practice: <a href="mailto:lcp@methodistchurch.org.uk">lcp@methodistchurch.org.uk</a>
Action required	For approval/decision
Resolutions	<p>83/1. The Council receives the report.</p> <p>83/2. The Council approves the list of authorisations and delegations with effect from 18 October 2022.</p> <p>83/3. The Council authorises any one or more of the Secretary of the Conference, the Chair of the Council and the Connexional Secretary to act as the appropriate connexional authority under SO 909 or as the appointed Team member under SO 331(1) in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.</p> <p>83/4. The Council authorises the Chair of the Council to appoint a group of between eight and twelve Council members, of whom any three may be called upon at any time to convene and decide upon applications made under Model Trust 20(1).</p>

## Summary of content

Subject and aims	This report contains the regularly updated list of appointments, authorisations and delegations to clarify the discharge of consents required by Standing Orders and the Model Trusts.
Main Points	<ol style="list-style-type: none"> <li>1. SO 331(1) provides that the Methodist Council must appoint a Team member to fulfil the duties assigned in the Model Trusts and Standing Orders to the Property Secretary or General Secretary of the Property Division.</li> <li>2. SO 909 defines 'the appropriate connexional authority' as the Methodist Council or any person(s) to whom it may delegate its powers.</li> <li>3. This report confirms to whom the Council has delegated its duties and responsibilities as the appropriate connexional authority under SO 909 and who has been appointed as the Team member for the purposes of SO 331(1).</li> <li>4. This report also provides for a general delegation in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.</li> <li>5. This report also proposes that the Chair of the Council appoints a group of up to twelve Council members of whom any three can be called upon at any time to consider applications made under Model Trust 20(1) to transfer Methodist Model Trust property to another charity for Methodist Church purposes at below best price.</li> </ol>

# Authorisations and Delegations

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- 1 The Model Trusts and Standing Orders contain many references to the responsibilities and duties of the Property Secretary or the General Secretary of the Property Division. However the roles of Property Secretary and General Secretary of the Property Division ceased to exist a number of years ago. Under SO 331(1) the Methodist Council annually appoints a member of the Connexional Team to fulfil the duties assigned to these roles.
- 2 Part 9 of CPD also provides that ‘the appropriate connexional authority’ will undertake certain duties and responsibilities in respect of property matters. SO 909 defines the appropriate connexional authority as the Methodist Council or any person(s) to whom it may delegate its powers.
- 3 The Council should note that the Trustees for Methodist Church Purposes (TMCP) act on behalf of the Connexional Team in inspecting and approving contracts before they are signed. This has been a long standing arrangement with TMCP, and TMCP are paid from central funds for providing this service to the Connexional Team.
- 4 The Council should also note that, even where TMCP approve a contract, it is still necessary for the Property Secretary or authorised connexional authority to sign a memorandum of consent under Model Trust 26 before any disposition of Model Trust land can be completed.
- 5 The Council is therefore asked to appoint certain personnel under Standing Order 331 to fulfil the duties assigned in the Model Trusts or in Standing Orders to the Property Secretary or to the General Secretary of the Property Division, and to approve the list of authorisations and delegations which relate to the Council’s responsibilities as ‘the appropriate connexional authority’ under Standing Order 909.
- 6 The Council is also asked to approve a general delegation authorising any one or more of the Secretary of the Conference, the Chair of the Council and the Connexional Secretary to act as the appropriate connexional authority or as the appointed Team member under SO 331(1) in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.
- 7 The authorisations and delegations set out in this paper include a requirement that decisions about applications under Model Trust 20(1) (to transfer Model Trust property to another charity for a purpose of the Church either for no consideration or at less consideration than might otherwise have been obtained) are considered and agreed by three Council members. The Council is therefore asked to authorise the Chair of the Council to appoint a group of between eight and twelve Council members, of whom any three may be called upon at any time to convene and consider applications made under Model Trust 20(1).
- 8 The relevant appointments, authorisations and delegations are detailed within the table below. Items marked with an asterisk are new to the list this year.

## List of Authorisations and Delegations

Issue	Model Trust	Standing Order	TMCP Action	Methodist Council/ Connexional Action	Delegated to
Capitalisation of sum in revenue reserve accounts		915(6)	Ensure consent obtained prior to capitalisation	Consent of the appropriate connexional authority	Timothy A Swindell Matthew Tattersall
Application of Capital Money for payment of liabilities		916(1)(ii)	Ensure consent obtained prior to payment	Consent of the appropriate connexional authority	Joanne Anderton Matthew Tattersall
Classification of property as a		922(3B)	Ensure consent obtained	Consent of the appropriate	Sonia M Hicks

conference centre to permit supply, sale or use of alcoholic drinks				connexional authority	Jonathan R Hustler
Consent to scheme referred by appropriate district authority		930(5)(c)		Decision by the appropriate connexional authority	The Strategy and Resources Committee
Consent to scheme concerning district, connexional or general property		930(6)		Consent of the appropriate connexional authority	The Strategy and Resources Committee
Legal Charge – Mortgages	16(1)(a)	931(1)(vi)	Draft Memo of Consent	Consent of the appropriate connexional authority	Joanne Anderton Michaela A Youngson
Sharing Agreements	13(l)	931(1)(viii)	Approve Sharing Agreement	Consent of the appropriate connexional authority	Michaela A Youngson R F Leão-Neto
Shared Projects under Sharing of Church Buildings Act 1969		934(1-2)	Ensure consent obtained	Consent of the appropriate connexional authority	Michaela A Youngson R F Leão-Neto <i>(joint consent required)</i>
Classification of a project as a replacement project		973(1) 931(1)(ix)	Ensure consent obtained prior to CPF levy being refunded	Consent of the appropriate connexional authority	Stephen Hetherington Joanne Anderton
Schedule 14(2A) (use by other congregations)	14(2A)	920(3)	Approve Legal Docs	Consent of appropriate connexional authority	Michaela A Youngson R F Leão-Neto
Authorised Uses of Dwellings		929(4)(iii)	Ensure consent obtained	Consent of appropriate connexional authority	Joanne Anderton Stephen Hetherington
Listed Building Works		931(1)(x)	None normally required	To fulfil responsibilities and functions as set out in SO 980-984	Joanne Balmforth Stephen Hetherington
Listed Buildings Advisory Committee		332(3)	None required	To convene the Listed Buildings Advisory Committee	Joanne Balmforth Stephen Hetherington

*Removal of objects or fixed structures from chapels which are listed buildings or in a conservation area		943(4)((i)	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Building Works – Advice and Consultation		982	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Building Works – Requirements		983	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
*Listed Building Works – Review and Appeal		983A(2) and (4)	None required	Property Secretary function	Joanne Balmforth Stephen Hetherington
Listed Building Works – Review and Appeal		983A(5) & (9)	None required	Appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Buildings – Records		984(3)	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Buildings – Enforcement		985(1) and 985(3)	None required	Consent of the appropriate connexional authority and Property Secretary function	Stephen Hetherington Joanne Anderton
*Custody of Records		125(3)	None required	Custody of all legal opinions on matters of connexional significance	The Secretary of the Conference

## Authorisations under the Methodist Church Act 1976 and Model Trusts

Paragraphs of the Methodist Church Act 1976	Description	Authorised under SO 331(1)	Period
<b>Gifts to Local Churches or Circuits to be held on Model Trusts:</b>			
Section 15(2)	Model Trust Direction	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Designation of category of property:</b>			
Model Trust 3(2)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Appointment of temporary managing trustees:</b>			
Model Trust 4(1)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Declaration of a management issue:</b>			
Model Trust 5(2)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Certificate of category after a management issue has arisen:</b>			
Model Trust 6(1)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Division of management after appropriate consultation when there has been local failure to agree to the terms of management:</b>			
Model Trust 8(3)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Transferring property to another charity for a purpose of the Church either for no consideration or a less consideration than might otherwise have been obtained:</b>			
Model Trust 20(1)	All functions	Joanne Anderton or Stephen Hetherington upon the agreement of three members of the Methodist Council	Until further Resolution
<b>Authority to impose covenants:</b>			
Model Trust 20(2)	All functions	Joanne Anderton Stephen Hetherington	Until further Resolution
<b>Power to take proceedings for enforcement of Model Trusts or breaches of Standing Orders:</b>			

Model Trust 21A(c)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution
<b>Signature to the Memorandum of Consent:</b>			
Model Trust 26(1) and (3)	All functions	Joanne Anderton Michaela A Youngson	Until further Resolution

**\*\*\*RESOLUTIONS**

**83/1. The Council receives the report.**

**83/2. The Council approves the list of authorisations and delegations with effect from 18 October 2022**

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