



# PROPERTY MATTERS

ISSUE 4 – September 2013

This document is being sent to the following roles within the Connexion who are registered on the Connexional database: district chairs, superintendent ministers, district property secretaries, circuit property secretaries, church property secretaries, district treasurers, circuit treasurers and church treasurers.

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## INTRODUCTION

Welcome to the latest edition of *Property Matters* and a new Connexional year. We look forward to working with you in the coming months.

This edition includes published articles from the Health and Safety Executive and the Historic Religious Buildings Alliance, together with an article from Methodist Insurance, advising of the perils of not having insurance cover for outside user groups.

We are grateful to our subscribers and welcome relevant articles from around the Connexion.

All good wishes



Julie Robinson-Judd  
Connexional property coordinator



FRONT COVER: Photograph of part of the Chapel window at Methodist Church House, London

## 1. 1. Consents

### 1.1 Annual Returns

Over the past few months, we have been working with the district property secretaries to bring you a new online mechanism for completing your Annual Returns (previously known as Schedules 'A', 'C' and 'D'). The new website is now available and you can log in through a new "Online" login screen, found at [online.methodist.org.uk/](http://online.methodist.org.uk/). This login screen will also give you access to the Property Consents, Statistics for Mission and the Annual Returns sites. If you have previously used either the Property Consents or Statistics for Mission site, then you will be able to use these details to log in.

If you haven't used either of these sites before, you will need to register, which can be done through the login page. Your account will need to be authorised by your superintendent before you are able to log in.

It is worth noting that the Property Checklists (formerly known as the Supplement to Schedule A and Supplement to Schedule C) are available to [download](#) on the main Methodist Church website under Annual Schedules in the Property section of the site. They will also be available on the Property tab within the Church or circuit return.

For Property Consents queries, email [consents@methodistchurch.org.uk](mailto:consents@methodistchurch.org.uk). A new email address has been created for all queries regarding the Returns site; this is [returns@methodistchurch.org.uk](mailto:returns@methodistchurch.org.uk).

Contact: Tom Lee, consents web officer

Tel: 020 7486 5502

Email: [returns@methodistchurch.org.uk](mailto:returns@methodistchurch.org.uk).

Property Consent Website: [propertyconsent.methodist.org.uk/](http://propertyconsent.methodist.org.uk/)

## 2. Statistics for Mission

### 2.1 Data Entry

The Statistics for Mission process will soon begin its 2013/2014 cycle.

Unless we experience any delays, you will be able to enter your data on the website from Monday 9 September. As with previous years, the paper forms and guidance notes on filling out the 2013 statistics will be available to download online. From this year the site will be using the single login page introduced with the new Annual Returns site and you can find this at [online.methodist.org.uk](http://online.methodist.org.uk/). Please use the same login details as before; no passwords have changed.

All of last year's reporting is available via the main Church website ([www.methodist.org.uk/statisticsformission](http://www.methodist.org.uk/statisticsformission)), including the interactive online webmap ([www.methodist.org.uk/webmap](http://www.methodist.org.uk/webmap)).

As with previous years, to help save time and energy, a lot of the information asked of our churches in 2012 will be retained in the website for users to confirm or edit, rather than requiring any unnecessary repetition.

If you have any questions about the October count, any comments about the process, or any information which would be useful for managing the process in your district, please don't hesitate to email the statistics mailbox ([StatisticsForMission@MethodistChurch.org.uk](mailto:StatisticsForMission@MethodistChurch.org.uk)) or call the administrator, Kim Medford-Vassell, on 020 7467 5197.

## 3. News from the Connexion

### 3.1 Insurance for outside user groups

Do churches need to worry about insurance for outside users?



The rule of thumb for most outside user groups, clubs and classes on church premises is that they need to have their own public liability insurance.

Methodist Insurance strongly advises that churches check that outsider users such as clubs and playgroups have the necessary insurance of their own. This is an area where churches often have queries and there seems to be quite a bit of confusion. Some trustees think the church's own insurance will cover

groups; others ask their users if they have insurance but don't see the documentation.

As a warning of the consequences of what could happen, a hospital which hired a bouncy castle for a fun day found itself liable when a child was injured and an insurance claim was made. It emerged that the castle's operators did not have any public liability cover so the hospital itself was found to be liable for the money, a scenario that could just as easily apply to a church.

Any group that is formal in nature – meets regularly, has an organiser or a committee or its users pay fees – must have public liability insurance of its own that will cover damage to the church's property and injury to its members or users.

Methodist Insurance's *Church Shield* insurance policy *only* provides limited insurance cover for private hirers and what the policy describes as 'occasional non-commercial use'. This means weddings, birthday parties, social events and one-off events like a local meeting – but only as long as no other insurance is in force.

It is very important that a church actually checks that an outside user does have cover – the church trustees need to see the insurance certificate itself. Methodist Insurance recommends that churches include wording in their letting agreements to stipulate that outside users groups must have their own insurance, and that a copy of the insurance certificate will need to be seen. Also, against the backdrop of high levels of media coverage of abuse cases, it is prudent for churches letting their facilities to playgroups or charities ask to see a copy of that group's safeguarding policy.

For more information on the insurance issues of renting your church or church hall to outside users, contact Methodist Insurance on 0845 606 1331.

Methodist Insurance can also provide insurance for outside users. *Community Shield* is available for smaller groups and clubs, while *Charity Shield* has been designed for charities and not-for-profit organisations.

Mike Hayward, channel marketing manager, Methodist Insurance  
Email: [mike.hayward@micmail.com](mailto:mike.hayward@micmail.com)

Methodist Insurance website: [www.methodistinsurance.co.uk/](http://www.methodistinsurance.co.uk/)

## 4. Connexional Property Grants

### 4.1 Resourcing Mission through property: a year in Grants

The Connexional Grants Committee Property was allocated a budget of £1,250,000 from the Fund for Property. Applications for connexional property grants were received to a total value of £2,379,000, and the Committee was impressed with the quality as well as the quantity of the applications received.

Grants are awarded from the Fund for Property to resource mission in Britain, and the Committee had some hard decisions to make as they applied the criteria for assessing applications. The Committee was able to target the available funds to those mission-focused projects that most clearly met the criteria. 23 grants were awarded to erect new buildings and to comprehensively refurbish and renovate existing ones, to projects located across 15 districts. The value of the grants awarded ranged from £6,000 to the maximum of £200,000. The Connexional Grants Committee is excited about the mission that will be made possible by the new buildings, new extensions and massively improved facilities that are being constructed, and will be evaluating the missional impact of the grants through the work of its evaluation sub-group.

One example of the grants awarded was the grant of £8,000 awarded to Whitley Methodist Church in Wiltshire, whose congregation has grown from 6 to 25 in the past three years, and whose building was inadequate as a resource for mission and outreach to the community they serve. The vision for the £93,000 project was to extend, overhaul and refurbish the buildings in order to enable the church to accommodate a wide variety of community-focused activities and to reach out effectively. The impact will give the church a greater visual presence in the village; it will act as a springboard for the church's mission to the community, and will enable the people to be welcomed in the church effectively and accommodated comfortably. It will also generate income for the church through hiring out the hall for use.

Edmund Glynn, Connexional Grants Team leader  
Email: [glynne@methodistchurch.org.uk](mailto:glynne@methodistchurch.org.uk)

## 5. Conservation

### 5.1 Conservation: Conservation area designation

Many of our church buildings are located in areas of special architectural and historic areas designated as Conservation Areas by the local planning authority. The boundaries of conservation areas are appraised on a five yearly basis and consequently many properties can be incorporated as well as removed from conservation area boundaries during this exercise. The local planning authority should inform the church trustees of any such changes and we ask that you let us know of such changes so we can keep our records up to date. If you have received notification of such changes then please let us know at [conservation@methodistchurch.org.uk](mailto:conservation@methodistchurch.org.uk) or contact Jean Haynes on 0161 235 6722.

### Historic organs in listed buildings\*



We would also like to offer a brief reminder about historic organs and the work of the Methodist Church's Organ Advisory Service (OAS). If the church is a listed building and is considering undertaking repair or refurbishment works to the historic organ then it is likely that the Conservation Officer will ask for a specification of the works to be submitted and approved before works commence. It is always a great help to the Conservation Officer if the specification has been produced following consultation with the Methodist Organ Advisory Service who can provide advice on sympathetic repair, rebuilding and replacement. Enquiries and referrals should be sent to the

OAS coordinator Malcolm Starr at 77 The Pastures, Long Bennington, Newark, NG23 5EG, or you can contact him on 01400 281291.

Furthermore, *A Guide to Grants for Funding Work on Historic Pipe Organs* is available by following this link: [www.bios.org.uk/downloads/biosgran.pdf](http://www.bios.org.uk/downloads/biosgran.pdf).

\*The term 'historic' is usually interpreted to refer to organs over 70 years old which have retained their original character, or are capable of reinstatement.

### Historic Environment Review - Wales

The Welsh government, in its strategic plan for 2011-2016, identified a Heritage Bill as a key means to 'enrich the lives of individuals and communities through culture and heritage'. Consequently, it is carrying out a public consultation on proposals for the historic environment in Wales and is considering improvements to the current systems of protection and sustainable management of the Welsh historic environment. The Methodist Church is engaged with this process and will be compiling a response to the consultation which ends on 11 October 2013. The consultation can be viewed by following this link:

[wales.gov.uk/consultations/cultureandsport/heritage-bill/?lang=en](http://wales.gov.uk/consultations/cultureandsport/heritage-bill/?lang=en)

### Listed Building Advisory Committee (LBAC) – revised dates

Please note the change of dates for submission of schemes to the LBAC:

<b>Deadline for receipt of papers</b>	<b>Date of LBAC meeting</b>
24 September 2013	15 October 2013
24 December 2013	14 January 2014
11 March 2014	1 April 2014

### **Listed Building Legislation in the Channel Islands, Shetland Islands, Isle of Wight, Isle of Man and Isles of Scilly**

We have been asked to try and outline, for the assistance of new chairs, how the legislation relating to listed buildings operates for the areas above. As with anything listed building related this is not straightforward, so please contact me direct if you have any further queries. Please also note that even if formal approval is not required from the Methodist Church for works to historic buildings, we are happy to provide support and guidance on all historic building conservation related issues and can be contacted direct on 0161 235 6739.

Before we consider each of the geographical areas in turn we should provide some context to the Listed Building Legislation, as hopefully this will allow each church to understand the need for permissions and consent. Listed buildings are those which are recognised as being of architectural, historic, artistic and archaeological interest and are included on a list compiled by the government. Listing helps us acknowledge and understand our shared history. It marks and celebrates a building's special architectural and historic interest, and also brings it under the consideration of the planning system so that some thought will be taken about its future. If you wish to demolish a listed building, or to alter or extend it in a way that affects its character or appearance as a building of special architectural or historic interest, you must first apply for listed building consent. As a statutory requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) listed building consent is obtained from the Local Planning Authority, however because the Methodist Church benefits from Ecclesiastical Exemption\*\* it obtains listed building consent from itself, which is administered and processed via the Conservation Team in Manchester. However, the Channel Islands and some parts of the United Kingdom do not recognize or adopt The Act and have their own methods of protection, such as the following:

#### **a. Channel Islands (Including the Bailiwick of Jersey and the Bailiwick of Guernsey)**

##### **Bailiwick of Jersey**

Listed buildings (les bâtisses historiques) are defined as buildings and places of 'public importance', having 'special archaeological, architectural, artistic, historical, scientific or traditional interest' or a combination of these. They are designated under the powers and processes set out in law.

The minister has planning control over proposed works to the whole of the building, including its interior, where that work might adversely affect the special interest of the building. Those responsible for listed churches in Jersey should therefore contact the Historic Environment Team

at the States of Jersey to obtain the necessary consent for works of alteration and repair as the Ecclesiastical Exemption does not apply here.

However, under Standing Order 930 and 980 any work, whether structural or not, which would materially affect the internal or external appearance of a listed building or of a building in a conservation area requires the approval of the Methodist Council (with delegated authority given to the Connexional property coordinator). This includes any works of demolition, alteration or extension. In the case of listed buildings it also includes works to any item fixed to the building, including internal fixtures or fittings, and to any other structure or fixture within the curtilage of the buildings, including tombstones and boundary walls. Thus consent is also required from the Methodist Church and those responsible for listed churches should therefore contact the Conservation Officer to obtain this consent. Consultation with other bodies is not required.

Useful link: [www.gov.je/PlanningBuilding/ListedBuildingPlaces/Pages/index.aspx](http://www.gov.je/PlanningBuilding/ListedBuildingPlaces/Pages/index.aspx)

### **Bailiwick of Guernsey**

Buildings placed on the list of protected buildings by the Environment Department for their 'special historic, architectural, traditional or other interest' are known as protected buildings. A protected building is a building, object or structure that is considered of national historical or architectural interest. Every part of a listed building is protected, including the interior and any later alterations or additions, unless stated otherwise.

The Ecclesiastical Exemption is not recognised in the Bailiwick of Guernsey and therefore permission for works of alteration, extension and demolition should be obtained from Planning Division, Environment Department, Sir Charles Frossard House, St Peter Port, GY1 1FH. Telephone 01481 717200.

However, whilst Ecclesiastical Exemption does not apply, consent is still required from the Methodist Church under Standing Order 930 and 980. Any work, whether structural or not, which would materially affect the internal or external appearance of a listed building or of a building in a conservation area requires the approval of the Methodist Council (with delegated authority given to the Connexional Property Co-ordinator). This includes any works of demolition, alteration or extension. In the case of listed buildings it also includes works to any item fixed to the building, including internal fixtures or fittings, and to any other structure or fixture within the curtilage of the buildings, including tombstones and boundary walls. Thus consent is also required from the Methodist Church and those responsible for listed churches should therefore contact the Conservation Officer to obtain this consent. Consultation with other bodies is not required.

Useful link: [www.gov.gg/planning](http://www.gov.gg/planning).

### **b. Shetland Islands**

The primary legislation governing listed buildings in the Shetland Islands is the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Ecclesiastical Exemption is recognised in Section 54 of the Act but the Scottish system works differently to that in England and Wales.



Listed building control runs under a pilot scheme which affects the exterior of ecclesiastical buildings only. Any church proposing to undertake works to the exterior of a building in ecclesiastical use belonging to one of the exempt denominations will approach the planning authority to ascertain if listed building consent is required. If required the application is submitted for consideration by the planning authority in the normal way. The Local planning authority may choose to consult with Historic Scotland (for category A and B buildings) and the amenity societies as is the normal practice as part of the consent process.

There are two possible outcomes from an application:

- a. the planning authority and the applicant reach an agreement on a proposal, or
- b. the planning authority and the applicant cannot agree a proposal or having agreed a proposal, following notification to Historic Scotland, the Historic Buildings Inspectorate is not content, and no acceptable compromise can be reached between the three parties. If the applicant still wishes to proceed with the work, then the application will be referred to the appropriate 'decision-making body' (DMB) within the denomination, ie the Methodist Council (with delegated powers to the Connexional Property Co-ordinator) through the consent process set out in Section 98 of the Standing Orders. The DMB will determine whether the works can go ahead and attach such conditions as it considers appropriate.

Proposed changes to church interiors are to be dealt with by the denomination under its own scheme of self-regulation.

Useful link: [www.shetland.gov.uk/developmentplans/HistoricBuildingsAreas.asp](http://www.shetland.gov.uk/developmentplans/HistoricBuildingsAreas.asp)

**c. Isle of Wight and the Isles of Scilly**

Both of these operate under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010. The Methodist Church here benefits from the Ecclesiastical Exemption and thus listed building consent is obtained from the Methodist Church and not from the local planning authority. Therefore if those responsible for works to listed buildings are thinking of making alterations or repairs we ask that they speak with the conservation officer on 0161 235 6739 in the first instance.

**d. Isle of Man**

No exemption applies to listed ecclesiastical buildings in the Isle of Man. Therefore listed building consent should be applied for from the local planning authority.

However, under Standing Order 930 and 980 any work, whether structural or not, which would materially affect the internal or external appearance of a listed building or of a building in a conservation area requires the approval of the Methodist Council (with delegated authority given to the Connexional property coordinator). This includes any works of demolition, alteration or extension. In the case of listed buildings it also includes works to any item fixed to the building, including internal fixtures or fittings, and to any other structure or fixture within the curtilage of the buildings, including tombstones and boundary walls. Thus consent is also required from the

Methodist Church and those responsible for listed churches should therefore contact the Conservation Officer to obtain this consent. Consultation with other bodies is not required.

Useful link: [www.gov.im/transport/planning/conservation/registeredbuildings.xml](http://www.gov.im/transport/planning/conservation/registeredbuildings.xml)

\*\*For England: Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010

For Wales: Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994.

Contact: Joanne Balmforth, conservation officer

Tel: 0161 235 6739 Email: [conservation@methodistchurch.org.uk](mailto:conservation@methodistchurch.org.uk)

## 6. Landfill Grants

### 6.1 Landfill Communities Fund

If you're trying to secure external grants towards your property project, one option you may wish to consider is the Landfill Communities Fund.

All landfill operators are required to pay a tax on every ton of waste that they dispose of in a landfill site.

The Government allows a percentage of this tax to be made available as grants to not for profit organisations that deliver benefits to the community and the environment. The principle of the scheme is that it 'offsets' some of the negative impacts of living very close to a landfill site.

Both nationwide and regional landfill operators participate in the scheme and provide grants towards projects that improve or maintain a community building and also in some cases repair and maintain places of worship. Eligibility criteria do vary between the different landfill operators but on the whole a project needs to be located in the vicinity (usually within 10 miles) of an active licensed landfill site, the building must be open and well used by the wider community and the proposed improvements should be based on community need. Numerous Methodist churches have qualified against these criteria.

Harwood Methodist Church, Bolton successfully secured £25,000 funding from Viridor Credits Environmental Company, through the Landfill Communities Fund towards their project. Their Victorian building previously offered no flexibility in terms of use by wider community groups and did not offer fit for purpose toilet and kitchen facilities or appropriate access for disabled users. The building has now been upgraded to offer a flexible, multipurpose space to enable the development of existing community activities and the creation of new ones. Feedback following the Open Day and Dedication Service in February has been extremely positive and they have received lots of interest from the wider community on using the new resource.

Pam Marshall was part of the team at Harwood Methodist Church who secured the funding and her advice to anyone considering applying to the Landfill Communities Fund is to make connections with the local community at the earliest stages and keep them informed (through notice boards and

information sessions) throughout the process. Community engagement adds invaluable support to your project.

For further information on applying to the Landfill Communities Fund and to confirm whether your property is in an eligible area contact Colette Dean, the landfill grants officer, on (0161) 235 6734 or at [landfill@methodistchurch.org.uk](mailto:landfill@methodistchurch.org.uk).

## 7. Fundraising

### 7.1 Farewell to Victoria

At the end of August we said goodbye to Victoria Ireland, the Connexional Team's fundraising manager.

We wish her all the best for the future.

If you do have any fundraising enquiries, please contact Mencey Morera, fundraising officer  
Email: [moreram@methodistchurch.org.uk](mailto:moreram@methodistchurch.org.uk) Tel: 020 7486 5502

## 8. Joint Public Issues Team

### 8.1 Energy-saving benchmarking and the new online Annual Schedules

How does your church building compare to others in terms of its energy use?

There is no such thing as a 'typical' church, but the Methodist Church has teamed up with the Rickaby Thompson Associates, a specialist energy and environmental consultancy with long technical experience in the UK, to offer Methodist churches and circuits the opportunity to measure the energy performance of their buildings.

We have a commitment across the Connexion to reduce our carbon footprint and energy use in Church buildings is a major component of our overall energy use. We expect to see our energy use reduced through better management and the installation of more efficient boilers and other building improvements over time. To begin with it may be helpful to know how your church compares to others of a similar size and usage pattern. The new [Online Annual Schedule](#) has a new Energy tab to support churches, circuits and districts in assessing the energy consumption from buildings. This provides local churches with an energy efficiency rating for their building based on industry (CIBSE) standards.

It is important to note that this exercise requires meter readings to be provided for gas and electricity one year apart and the entry of other data relating to the size and usage of the building. If meter readings are taken from bills actual rather than estimated readings should be used. The data required has been reduced and simplified following a pilot of this scheme. Each church is assigned

its own benchmark or standard for energy consumption, based on its size and how the church is used. If all the data is entered then on provision of the second set of readings an Energy Performance Certificate will be issued. Rickaby Thompson Associates will process the data taking into account variations in weather for the period concerned and provide an energy efficiency rating. A to G bands are worked out for energy and carbon emissions.

When repeated in subsequent years churches can see how alterations to the building and management of energy have impacted their efficiency rating. Circuits can judge how well their church buildings are performing in terms of energy efficiency against the average Methodist church of similar size and usage pattern. With fuel becoming more expensive moving our church buildings up through the efficiency bandings makes good economic sense as well as fulfilling our commitment to be good stewards of God's creation.

For further information contact Steve Hucklesby, policy advisor for the Joint Public Issues Team.  
Email: [hucklesbys@methodistchurch.org.uk](mailto:hucklesbys@methodistchurch.org.uk)

## 9. Renewable Energy

### 9.1 2buy2

***Stewardship in action: a renewable energy contract for your church that won't cost the earth.***



2buy2, working in partnership with our approved supplier Good Energy are looking at the possibility of offering a one year fixed renewable energy contract to Methodist churches. The idea is simple; sign up for one year on a fixed-rate electricity tariff, safe in the knowledge that you're buying green energy. Depending on how much you use, your church can even buy gas through their dual fuel option as well. Some of the proceeds from this go towards helping people who generate their own renewable heat.

We think this is a brilliant way to buy energy, and to potentially save money too! Buying as a group gives Good Energy the possibility to offer competitive pricing to ensure that you get value for money. Plus, it gives you a chance to work together with other Methodist churches across the UK in order to help achieve these savings. The more churches that sign up, the better the Initiative will be, helping to reach that target of reducing the Church's carbon footprint by 80%.

#### ***Who are 2buy2?***

2buy2 are a national buying service for churches and charities throughout the UK. We monitor our contracts with approved suppliers to ensure that you get quality product and great service, at very competitive prices. Our service saves you time and money - not just to put in the bank, but to put back into your mission and ministry.

With 2buy2 you can buy with confidence, enabling you to steward your resources effectively. This is why the Good Energy contract is so great. You are stewarding not just your money, but also helping to build a renewable energy future for the UK.

### **Who are Good Energy?**

Good Energy are a green energy supplier whose electricity [comes from local, natural sources](#) like Cornish sunshine, Scottish wind and Welsh rain. Founded in 1999, it was the first electricity supplier to have a 100% renewable fuel mix. Over a decade later, its mission to create a renewable Britain stands as strong as ever. It supports a growing community of over 52,000 independent generators across the UK and 34,000 people have made the switch to its green electricity.

Not only does Good Energy usually cost less than the Big Six's standard dual fuel tariffs, it has been voted top of the *Which?* customer satisfaction survey three out of the last four years and has consistently topped Ethical Consumer's survey as the [best green electricity supplier](#). So you can be sure switching to their supply is good for the planet as well as your pocket.

### **Interested?**

For more information on this Renewable Energy Group Buying Initiative email Cameron James at [Cameron.james@2buy2.com](mailto:Cameron.james@2buy2.com) or call 03333 201 015. You can also visit our [website](#) for more information on this Initiative and other contracts available to Methodist properties.

## **10. Historic Religious Alliance**

### **10.1 Editorial August 2013**

Historic Religious  
Buildings Alliance  
a group within the Heritage Alliance

### **NEWS**

#### **Listed Places of Worship Grant Scheme**

Following the Comprehensive Spending Review, it has been confirmed that the £42million per annum available for the Listed Places of Worship Grant Scheme will be maintained through to and including financial year 2015-16. Read more here: [www.churchcare.co.uk/about-us/campaigns/news/666-good-news-lpwgs-good-news-lpwgs](http://www.churchcare.co.uk/about-us/campaigns/news/666-good-news-lpwgs-good-news-lpwgs)

**A reminder** that the Listed Places of Worship Grant Scheme [website](#) has now been updated to reflect the new arrangements for refund of VAT incurred on both repairs and alterations to listed places of worship. Under the new arrangements payments are being made monthly instead of quarterly

#### **Heritage Lottery Fund – applications deadline for the third batch of the HLF Grants for Places of Worship programme, and guidance**

Applications are considered once a quarter. The next deadlines for applications fall on the following

dates: **England:** 29 November for March 2014 Committee meetings

**Scotland:** Deadline passed.

**Wales:** 13 December for 20 March 2014

**Northern Ireland** – Please contact the HLF office in Northern Ireland for information about meeting dates.

If you are considering applying, the HLF **strongly recommend** that you first read their guidance for the programme: [www.hlf.org.uk/HowToApply/programmes/Pages/Grants\\_places\\_worship.aspx](http://www.hlf.org.uk/HowToApply/programmes/Pages/Grants_places_worship.aspx)

### **How to: make the business case for your project**

In partnership with the Princes Regeneration Trust, The Churches Conservation Trust's Regeneration task force have developed a toolkit aimed at volunteer and community groups seeking to bring new life to heritage buildings. See more at

[www.visitchurches.org.uk/regenerationtaskforce/Businessplantoolkit/#sthash.6mnTrZod.dpuf](http://www.visitchurches.org.uk/regenerationtaskforce/Businessplantoolkit/#sthash.6mnTrZod.dpuf)

In partnership with the Princes Regeneration Trust, the Churches Conservation Trust's Regeneration task force have developed a toolkit aimed at volunteer and community groups seeking to bring new life to heritage buildings. Called *How to: Make the Business Case for Your Project*, this publication and online resource will provide support to those wanting to save their local heritage. It provides step by step accessible advice on how to build a business plan to ensure that heritage regeneration projects are sustainable and successful. It can be downloaded for free from

[www.visitchurches.org.uk/regenerationtaskforce/Businessplantoolkit/](http://www.visitchurches.org.uk/regenerationtaskforce/Businessplantoolkit/)

## **11. Governance**

### **11.1 The 2013 Conference – Standing Order amendments**



The 2013 Conference made a number of amendments to Standing Orders which will be of important to note when discussing and voting upon managing trustee business at both Circuit Meetings and Church Councils.

#### **Contribution to the district Advance Fund**

Standing Order 955 requires a contribution to be made annually to the district Advance Fund from the Circuit Model Trust funds.

The contribution has previously been payable on money held for replacement projects eg the redevelopment of the chapel following the sale of the church hall.

The Conference resolved that the contribution to the District Advance Fund should not be payable on money resulting from a disposal that has occurred within the last five years and where that money is to be expended in or towards a replacement project. This will therefore ensure that proceeds which are exempt under Standing Order 973 from the Connexional Priority Fund levy will also be eligible for an exemption under Standing Order 955(6).

## **Constitution of Circuit Meetings and Church Councils**

The Conference amended the Standing Orders which constitute Circuit Meetings and Church Councils. It is important to ensure that the membership of Circuit Meetings and Church Councils is amended in light of the resolution of the Conference and to note that all members of Circuit Meetings and Church Councils are managing trustees as well as charity trustees.

Standing Order 510(1)(ii) has been amended so all those persons who are stationed or residing in a Circuit but not appointed to the Circuit will only be a member of the Circuit Meeting if they inform their Superintendent of their intention to be a member of the Circuit Meeting by 1 September of each connexional year.

The amendment will be most relevant to supernumerary ministers.

Standing Order 610(4) has been amended to limit the number of presbyters, deacons and probationers who are members of each Church Council. Previously SO 610(4) required all presbyters, deacons and probationers who were appointed to the Circuit to be members of all Church Councils within the Circuit. The Superintendent will remain a member of every Church Council and the presbyter with pastoral charge will always be a member of the relevant Church Council. It will be for the Circuit Meeting to decide the other presbyters, deacons and probationers who should be on each Church Council under SO 610(4) (i) and (iv).

## **Open and Closed Meetings**

The Conference amended Standing Orders to clarify that Circuit Meetings and Church Councils are open meetings unless a decision is taken to go into a closed session. See Standing Order 513 and 613.

## **Substituting Managing Trustees**

The Conference has amended Standing Order 510(7) which previously enabled Church Councils to appoint up to two substitutes for their representatives on the Circuit Meeting. The Conference received a recommendation from the Methodist Council that SO 510(7) should be amended in light of charity law and the need to maintain a register of all charity trustees with the Charity Commission. The Methodist Council proposed that substitutes be allowed to attend and speak but not to vote at Circuit Meetings. The Methodist Council considered this the most pragmatic way to address the concerns whilst ensuring representation from each Church Council. The Conference amended the Standing Order accordingly.

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## 11.2 Charity Commission

### **Charity Commission opens statutory inquiry into Africa Relief Trust, editorial 25.07.13**

The Charity Commission, the independent regulator of charities in England and Wales, has opened a statutory inquiry into Africa Relief Trust (registered charity (1077946)).

The Commission opened a regulatory compliance case into the charity in September 2011 after concerns were raised regarding its business rates relief arrangements. As the case progressed, the Commission's concerns about the risks to the charity's assets and about the trustees' failure to provide full and complete information mounted. In addition, two other registered charities were recently taken to court regarding business rates relief; one was found liable for business rates costs while the other charity still awaits an outcome on whether it is liable for rates totalling 1.6million<sup>1</sup>. These verdicts added to the concerns of the Commission and the regulator opened its inquiry on 12 July 2013.

Statutory inquiries are opened to investigate regulatory concerns that the Commission considers the most serious and allow the use of legal powers, including powers to direct trustees or others.

The purpose of the inquiry is to examine regulatory concerns including whether the charity trustees have properly discharged their trustee duties when making decisions to enter into tenancy agreements and occupy those properties to further their charitable purposes and whether any benefit to the landlord or other parties is incidental to that.

[The Commission has issued alerts to charities warning them of the risks associated with business rates relief.](#)

It is normal practice for the Commission to publish a report after an investigation has concluded. Reports of previous inquiries by the Commission are available on its website.

#### **Footnote**

1. Two other registered charities are subject to the Commission's investigations relating to business rates relief: the Public Safety Charitable Trust Limited (registered charity number 1138450), found liable for business rates costs, and the Kenya Aid Programme (registered charity number 1137927), still awaiting a verdict on whether it is liable for business rates costs.

Charity Commission website: [www.charitycommission.gov.uk/](http://www.charitycommission.gov.uk/)



## 11.3 Health & Safety Executive

### Health board fined for asbestos failings, editorial 20.06.13

The following article from HSE is included to encourage Trustees to ensure that asbestos is managed within the properties in their care. This will start with asbestos survey and management plan arising from the survey. Where asbestos is identified on the property, regular checks should be taken to ensure that it is free from damage. If damaged, you should seek advice from an asbestos contractor on how to deal with this as soon as it is discovered.

A Scottish health board has been fined for safety failings that led to several workers and contractors being potentially exposed to deadly asbestos fibres.

Glasgow Sheriff Court heard today (20 June) that Greater Glasgow Health Board, known as Greater Glasgow & Clyde NHS, had failed to properly manage the risks of asbestos in a basement plant room of the Royal Hospital for Sick Children (Yorkhill Hospital) in Glasgow.

The court heard that a survey in February 2009 had identified the presence of asbestos containing materials (ACMs) in various locations within the plant room and noted that they were in good condition and presented a low risk. The survey recommended the ACMs should be labelled and their condition monitored so any future deterioration could be managed.

In January 2011, a survey of the plant room was carried out prior to the installation of a new MRI scanner at the hospital. This found that some of the ACMs were in a poor condition and now posed a high risk. It recommended removal and environmental cleaning of the area.

Air and swab samples for asbestos fibres came back positive, the plant room was then sealed off and the matter reported to the Health and Safety Executive (HSE).

An investigation by the HSE found that the health board had taken no action since the 2009 survey to monitor the ACMs within the plant room. No labelling of the ACMs had taken place and nothing had been done over the following two years to maintain the materials in good condition.

The 2011 survey showed their condition had deteriorated, from good and low risk to poor and high risk, but it was not known precisely how or when the ACMs had been damaged.

The court also heard that employees of the health board and outside contractors regularly had to access the plant room and could have potentially been exposed to the harmful asbestos fibres in the plant room when carrying out maintenance work.

Greater Glasgow Health Board, of JB Russell House, Gartnavel Royal Hospital, Great Western Road, Glasgow was fined £6,000 after pleading guilty to a breach of Regulation 4(10) of the Control of Asbestos Regulations 2006.

Following the case, HSE Inspector Eve Macready said:

"The dangers posed by the presence of asbestos are clear. There is no known 'safe limit' and it is often many years after exposure before asbestos-related diseases appear – so it is important that exposure to asbestos fibres is kept to an absolute minimum.

"Glasgow Health Board failed in its duty to properly manage the risks of asbestos in its premises and as a result a number of employees and external contractors have potentially been exposed to harmful fibres."

## 11.4 FSA – Food preparation for volunteers and charity groups

The Food Standards Agency has now published *Community and charity food provision - guidance on the application of EU food hygiene law*. The guidance offers two examples which will be of particular interest to members where the FSA suggests that food provision is unlikely to require registration:

- a one-off event such as a church or school fete, or a street party which is deemed not to have 'continuity'
- daily small-scale provision of low-risk foods by community/charity volunteers.

There is also guidance on preparing and serving food to vulnerable groups such as the elderly.

More information is available on the website at [www.food.gov.uk/multimedia/pdfs/hall-provision.pdf](http://www.food.gov.uk/multimedia/pdfs/hall-provision.pdf) (Thanks to our member [CLAS](#) for this information).

## 12. Trustees for Methodist Church Purposes

### 12. 1 Assured Shorthold Tenancies

Managing Trustees often find that they have residential properties, such as manses or caretakers accommodation, which are temporarily surplus to requirements and in those circumstances the Managing Trustees decide to let out the property. TMCP already provides guidance for Managing Trustees which sets out the steps that must be followed before residential properties can be let.



Essentially the guidance states that:

1. a new project should be logged on the Property Consents Website and District consent obtained
2. charity law must be complied with. This means the Managing Trustees must ensure their letting agent confirms the terms of the tenancy are in the Church's best interests and the rent being paid by the tenant is the market rent, and

3. **TMCP require confirmation of whether or not the proposed tenant is a connected person.**  
The definition of a connected person is found in Section 118 of the Charities Act 2011. If the proposed tenant is a connected person then an Order from the Charity Commission should be obtained and provided to TMCP.

In addition to the requirements set out above Managing Trustees need to instruct a solicitor or letting agent to draft the tenancy agreement. The majority of letting agreements will be assured shorthold tenancies ('AST') and TMCP provides its clauses that must be incorporated into the AST.

These transactions should be straightforward, but there are difficulties often encountered with the letting agent or solicitor acting for the Managing Trustees misunderstanding where our clauses should be incorporated into the AST. Communication to and from the letting agents/solicitors in agreeing the AST can mean that completion is delayed, causing frustration for all the parties involved. TMCP's legal advisors would like to take some time to work with Managing Trustees to try and reduce the time it takes in agreeing and completing ASTs. Most circuits have a letting agent or solicitor that they usually instruct and we believe that it would save time to try and agree the form of AST with the Managing Trustees' professional advisors in advance.

If the form of AST has been agreed in advance with the Managing Trustees' professional advisors, then once a decision was taken by the Managing Trustees to let the property and a tenant is found, it will be as simple as providing TMCP with the following:

- the information set out in points 1-3 above, and
- the pre-agreed AST containing details of the rent and the name and address of the tenant.

On the basis all the information is provided as soon as a tenant had been identified then it should be a case of TMCP giving its approval under Standing Order 930(3) to the grant of the letting.

Please note, however, that we do update our precedent clauses when necessary and the Managing Trustees professional advisors will need to bear this mind. Also, even though the form of AST may be agreed in advance this does not mean that the Managing Trustees do not have to contact TMCP before entering into letting arrangements with Methodist property – our approval will not be deemed to be given - and if the Managing Trustees do not seek the approval of TMCP then they will find themselves in breach of trust as TMCP will be unable to concur with the letting.

Therefore, through acting in advance and communicating with TMCP early on, the administration can be dealt with quickly and with as little fuss as possible.

If you have any questions or need more information, please do not hesitate to contact Laura Carnall, TMCP's senior legal officer.

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This document is being sent to the following roles within the Connexion who are registered on the connexional database:

- ✓ District chairs
- ✓ Superintendent ministers
- ✓ District property secretaries
- ✓ Circuit property secretaries
- ✓ Church property secretaries
- ✓ District treasurers
- ✓ Circuit treasurers
- ✓ Church treasurers

If you are aware of other people who may not have access to the Internet, email or a computer, could you please provide them with a copy of this document.

If you know of people who would like to subscribe to *Property Matters* email newsletter, please forward this copy and ask them to visit [www.methodist.org.uk/signup](http://www.methodist.org.uk/signup)

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