

PROPERTY MATTERS

ISSUE 17 – March 2017



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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 and church treasurers.

PROPERTY MATTERS

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Front page photograph: Methodist Central hall, Westminster, London © TimE Photography

INTRODUCTION

Greetings to everyone as we reach into spring and look forward to Easter. This issue brings useful advice on registering and deregistering buildings, the National Churches Trust and their resources, statistics, legal matters such as social investments and some important diary events. It also includes a list of recently updated pages within the *Property Handbook* (www.methodist.org.uk/propertyhandbook).

Easter is a wonderful time of the year and being mid-April, it might just be a very pleasant weekend, weather-wise. As Easter passes, however, the thoughts of many will turn to repairs, maintenance and spring cleaning of buildings. Take a few moments to re-read your last Quinquennial Report. Is it in date? Is there anything identified that needs to be done? Do you need to take some advice from your inspector on any aspects? Now is the time to prepare for these matters so that you can tackle them in the summer, before we get back into autumnal or winter weather.

Finally, Easter is a time for thanks – and as I said in 2015, I feel it is important to thank people. To all those who look after our buildings, often volunteers, unsung and sometime unappreciated I say “THANK YOU”.

Happy Easter.

Richard Farmery, Facilities and Property Coordinator
Tel: 0207 467 5190. Email: fpc@methodistchurch.org.uk

CONNEXIONAL TEAM UPDATE

Online suite of applications

> PROPERTY CONSENTS

Help and guidance documents for all applications of the online portal can be accessed and downloaded via www.methodist.org.uk/onlinesuite.

> STATISTICS FOR MISSION

> PROPERTY RETURNS

Permissions for church, circuit and district Managing Trustees

In order to be able to progress a project on the consents site, it is vital for web portal users to have the correct permissions. Below is a summary of what users can and cannot do depending on the permissions they have.

1. Managing Trustee user

- a. **With read-only Managing Trustee permissions** - User can view projects for the churches they have been given permission to access.
- b. **With 'read and update' Managing Trustee permissions** - As 1A above AND can also create new projects, update existing projects, mark projects as abandoned/finished, input information into the project record, confirm church funds and enter the Church Council authorisation date for projects.

2. Circuit user

- a. **With read-only circuit permissions** - User can view projects for all churches in the circuit they have been given permission to access.
- b. **With 'read and update' circuit permissions** - As 2A above AND can also confirm circuit funds, enter circuit comments and enter the Circuit Meeting authorisation date for projects.
- c. **With 'read, update and manage' circuit permissions** - As 2A & 2B above AND can also see all managing trustee users within the circuit, authorise new managing trustee users and add/remove church permissions to managing trustee users.

3. District user

- a. **With read Only permissions** - User can view projects for all churches in all circuits within the district they have been given permission to access.
- b. **With 'read and update' permissions** - As 3A above AND can also confirm district funds, enter district comments and enter the final consent authorisation date for projects
- c. **With 'read, update and manage' permissions** - As 3A and 3B above AND can also see all Managing Trustee, circuit and district users within the district and add/remove circuit permissions to circuit users.

Please note that unlike the statistics for mission site, the consents system differentiates between circuit Managing Trustee permission and general circuit-level permission.

See also: propertyconsent.methodist.org.uk/guide/1

> PROPERTY CONSENTS

Filter Projects by Status

Filter by status ^
All Active Projects <input type="radio"/>
Proposed <input type="radio"/>
Awaiting Circuit Support <input type="radio"/>
Awaiting Connexion <input type="radio"/>
Awaiting Consent <input type="radio"/>
Consent Given <input checked="" type="radio"/>
Amended <input type="radio"/>
Finished <input type="radio"/>
Abandoned <input type="radio"/>
Clear search filter <input type="radio"/>

Projects go through various stages: from 'Proposed' to 'Awaiting Consent' to 'Consent Given' to 'Finished'.

Depending on their status, they may not be immediately displayed in the list of projects, which appears when you log on.

If you do not know the five-digit project ID number, or would like a quick overview of all project in your circuit or district, it is best to use the 'Filter by status' function accessible via the panel on the left.

A few reminders, especially for those who are new to the returns and consents systems

- **Sale projects**

A sale can be logged at any time and is not dependent on the closure of the church being reported via the 'Report Church Closure' button in the church profile on the statistics for mission site. This is due to the closure being against the society, and the sale against the property.

Also, there may be some instances where the society will remain active, but still wishes to sell their property, or a society ceasing to meet without the building being sold.

Once a project has been given final consent, you will not be able to update it any further. Trustees for Methodist Church Purposes (TMCP) will enter any updates to final sale figures. **Only TMCP is able to update the sale record.**

Step 1: Information Completed	Step 2: Managing Trustee Authorisation - Completed	Step 3: Circuit Level Authorisation - Completed	Step 4: Final Consent - Completed		
Project Summary	Project Purpose	Additional	Payments	Documents	Authorisations

- **Funding**

Enter all funding that you are seeking, not just funds that you have already received. You should enter all the different grants you are applying for and any other fundraising you are planning on doing. It is important that the funding sought and payments received match up, as any major discrepancy will be flagged up and potentially cause a delay.

- **Fund types**

It is vital that you choose the correct fund types, otherwise the Payments tab may not appear.

Model Trust Funds always have to be entered as Church/Circuit/District fund (**TMCP**). District funds for **the Connexion** (“District 40”) need to be recorded as church funds.

- **Finished projects**

If the contracts have been exchanged, you may want to mark the project as finished by logging in as Managing Trustee and using the “Finish Project” button on the left-hand side of the screen when in the project.

- **End of lease**

You will also need to notify TMCP when a lease is coming to an end.

> PROPERTY RETURNS

Updating of property records

Please note that property records must not be updated via the website as this leads to site records being overwritten on the central database. If a society has moved to a new site, either temporarily or permanently, please contact our team so that the required changes can be processed.

When to submit an annual return

Once you have submitted the return, you will not be able to make any changes. If you want to make a change to the return, you will need to wait before submitting it.

Unlike the deadline for submitting statistics – which is 31 January, followed by the lockdown of the statistics site in February – the deadline for returns is set individually by district, so you may need to check with your district property secretary as to when they want your return submitted by.

However, as a general guideline, **you should have finished it by June** the latest as the annual returns property checklist for the following year is available from July, and the full return on 1 September.

> STATISTICS FOR MISSION

Once again, we have had a fantastic response rate of churches filling in their statistics. At the time of writing, only about 1% of all societies had yet to complete their data entries. Thank you!

Questions?

If you have any questions about the functions of the Online Portal, please use the email address that best fits your request. General queries, such as anything to do with user permissions or passwords, may be sent to either address.

- Property Consents: consents@methodistchurch.org.uk
- Property Returns: returns@methodistchurch.org.uk
- Statistics for Mission: statisticsformission@methodistchurch.org.uk
- General queries: any of the above

Heating in churches: A cautionary note on underfloor heating

There have been a number of recent projects to install underfloor heating in our places of worship and there is concern that irreversible damage is being caused to buildings and their historic, heritage and cultural significance as a result. Installations are also often failing to meet user expectations. This article is intended to highlight considerations that might be borne in mind by those contemplating whether or not to install underfloor heating in a church building, especially one with historic or heritage significance.

It is important that our church buildings are used and cared for, and that they survive. This will often result in a need for heating to provide comfortable conditions for users. However, there are many different potential heating systems and careful thought and design will result in an appropriate solution for most situations without significant loss of historic fabric.

We are aware that there is no 'one size fits all' solution to heating our buildings. Many different types of heating are always being rightly considered by church leadership teams. This shows good stewardship and an appreciation of the needs to make efficient use of our (and the planet's) resources. One consideration is the use of underfloor heating.

Underfloor heating uses embedded pipes or cables beneath a finished floor so that heat radiates from floor level. The heating can be powered directly by electricity or through pipes containing heated water. It can be very efficient in smaller spaces such as toilets, and especially useful in areas where people might walk barefoot. It should not be installed under carpets, which would restrict the heat rising. It is best under stone, tile or concrete floors. However, its installation will inevitably involve removal and loss of building fabric and finishes.

The floor in any church is an important element of its structure, one with which its occupants and users are in contact and which can often show subtle patterns of wear and use over generations. Formed from a variety of materials, floors can almost imperceptibly speak of age and the continual passage of others before us. It is only when such floors have been destroyed that the significance of the loss is recognised by many – but by then it is too late.

An underfloor heating system may be concealed from view but it has a major invasive impact on the historic build-up of the floor and on adjacent architectural features – for example, the bases of pillars. Due to the loss or damage caused, the installation of such systems is highly inappropriate in historic floors, or where there are burials and archaeological remains. There are existing publications that make these points, but in spite of this, many historic floors (and archaeological remains under them)

have been destroyed by the insertion of underfloor heating. The reasons for choosing underfloor heating in such situations are not always clear.



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When assessing the appropriateness of any form of heating, you need to consider the following:

- the inherent and collective significance of all elements of the church, including its fittings and archaeology
- the interrelationship of floors with other parts of the church, including its internal fixtures and fittings
- the regularity and frequency of use
- performance required of a heating system
- the physical impact of a heating system on the existing church fabric and fittings
- the appearance of the system and its visual impact
- the cost of installation, including archaeological work and conservation of any elements that will need to be disturbed
- the cost in use, which should include an assessment of the environmental impact of the installation
- future maintenance of the system
- the life expectancy of the new system, and further disruption/damage renewal and repair will cause.



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The arguments for and against installation of underfloor heating need to be weighed up thoroughly prior to a decision to install such a system. The principal advantages are that it can provide warmth

over a long period with gradual warm-up and cool-down, and link well with renewable technology. However, underfloor heating is not appropriate in many historic churches. Its disadvantages include:

- destruction of historic fabric and, potentially, of fittings and of archaeological remains
- high installation and running costs
- the system is not appropriate for churches which are not in daily or frequent use
- slow response times to changes in external conditions
- high repair and eventual replacement costs, with the likelihood that the floor will need to be disturbed again
- systems have a relatively short lifespan - particularly when seen in the context of that of the life of the building
- potential introduction of barriers to the natural evaporation of moisture over the full floor area of the church resulting in concentration of moisture in pillars, walls etc causing damage and decay.

Anyone contemplating installing an underfloor system should firstly recognise and understand the significance of the existing floor(s) – their intrinsic interest, historical importance and the contribution they make to the building overall, as well as considering the potential impact on the remainder of the building structure.

In historic churches or other heritage buildings, underfloor heating should only be considered in exceptional circumstances and where there is clear and completely convincing justification.



© Mumbles Methodist Church

Do not forget that any work of this nature is a structural alteration under Model Trust 16(d) and by Standing Order 930 would require consent through the on-line consents process. If the floor is in a listed building, or the building itself is in a conservation area, then further it would need consent under SO 931 through the Conservation Officer and the processes outlined in Section 98 Listed Building Works.

Further reading

General guidance and advice on the options for heating historic churches may be obtained from one of the following sources:

British Standards Institution (2011). *Conservation of Cultural Property – Indoor Climate. Part 2: Heating Churches, Chapels and Places of Worship*, BS EN 15759-1:2011, London: BSI

ChurchCare (2013). *Choosing the Right Heating System* (guidance note): bit.ly/2maaBZK

Induni, B (2015) 'Sustaining Heating in Places of Worship: Physical, Social, Organisational and Commercial Factors as Determinants of Strategic Decision-Making and Practical Outcomes'. In O Prizeman (ed) *Sustainable Building Conservation: Theory and Practice of Responsive Design in the Heritage Environment* (pp219-245). Newcastle upon Tyne: RIBA Publishing

CONSERVATION UPDATE

This is a reminder to all churches that are listed or unlisted in a conservation area that it is a legal requirement to obtain formal listed building consent and conservation authorisation for any works of alteration, extension or demolition (external works only for unlisted buildings in conservation areas) before works commence. Failure to do this can have serious consequences for the local and wider Church.

Please also note that works of repairs (including those resulting from Quinquennial Inspections) can be considered to be alteration if they impact on the architectural or historic interest of the building or are a material change to the exterior of an unlisted building in a conservation area, and can include works of repainting or re-pointing. We therefore encourage local churches to contact the Conservation Officer at the earliest opportunity if you are considering works to your church and ancillary buildings. We are always happy to give support and guidance.

Please contact Joanne Balmforth, the Conservation Officer, by email (conservation@methodistchurch.org.uk) or telephone (0161 235 6722).

Further Conservation updates

Faith groups and the planning system: Case study – Clay Community Church

There is an interesting blog piece on the Royal Town Planning Institute Scotland website on how faith groups can play an active role in place-making. The piece is illustrated by a case study showing how a church helped a community feel able to feed into the planning system to secure protection and funding for an important green public space. bit.ly/2mdjZ03

£210,000 funding boost to community projects

Minister for Faith and Integration Lord Bourne has announced a £210,000 funding boost to be shared among Near Neighbours community projects in England managed by the Church Urban Fund.

Near Neighbours brings together diverse communities and different faiths, through a range of activities that improve their lives and the local community in which they live. bit.ly/2ma4ZyJ

Germinate: the Arthur Rank Centre new website launched

Since 1972, Germinate: the Arthur Rank Centre (an ecumenical Christian charity) has served both the spiritual and practical needs of the rural community by working alongside local churches across the UK. It provides hundreds of resources for rural churches, including worship resources, guidance on developing community and social projects, and advice on looking after your church building – all with plenty of case studies and training opportunities. Germinate has now launched a new website which provides access to its updated online resources. Please bear in mind that the website is a work in progress; not all updated resources will be available straight away. www.germinate.net

Church Monuments Society photography competition 2017

This year the Church Monuments Society is running a photography competition. Entry forms will be in the society's newsletter and on the website in the autumn, and the closing date is 31 December.

There will be three classes:

- over-18s (prize: £150)
- 13-18s (£100)
- under-13s (£50).

The subject is any funerary monument inside a church or located in a churchyard or a consecrated burial ground (eg Bunhill Fields), commemorating a person or persons. War memorials or subjects from cemeteries, whether private or municipal, are not eligible.

Either an accurate representation or an artistic one will be acceptable, but Photoshop must not be used EXCEPT for level and colour balance, or for local contrast adjustments or minor tweaking. Any effects must be done 'in-camera'. Entries must be unmounted matt prints, size 8"x10". Both colour and black and white photographs are acceptable. Prints will not be returned after the event. We hoped to be able to display a selection of the entries at the 2018 AGM. For more information, follow this link: www.churchmonumentssociety.org/prizes.html

New pilot grant programme for maintenance and repairs

The National Churches Trust's new Maintenance Grant Programme is a pilot programme in partnership with the Pilgrim Trust. It offers awards of between £1,000 and £2,500 to encourage churches to act on small, urgent maintenance issues and repairs, as identified in a recent Quinquennial Inspection Report, condition survey or report by a gutter management contractor. Proposed works must be to the main listed church building. Applicants must be able to show they have already raised 50% of the total repair costs, and they must have obtained two quotes for the works. The deadline for applications is 10 May. For the full guidance and application form, go to bit.ly/2lvjb8k

Climate change adaptation for traditional buildings

This short guide describes the key aspects of the external envelope of a traditional building that provide protection against the elements, and considers how these can be improved or adapted to increase a building's resilience to extreme weather events. It also considers the internal environment within older buildings, and how this can be managed to cope with changing environmental conditions. This guide is aimed at homeowners, building professionals and landlords wishing to maintain and improve the buildings in their care. Further details can be found here: bit.ly/2mKPeRX

Funding for War Memorial Conservation and Protection



Through the centenary of the First World War, an extra £2 million is available to support local

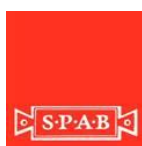
communities repair and conserve war memorials. The War Memorials Trust has advice and information on how to do this, what is eligible for funding and the timeframe for your projects. If you believe that your war memorial needs work, then see www.warmemorials.org/grants



ALLCHURCHES TRUST LIMITED
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Allchurches trust announces £13 million grants for churches and charities

The Allchurches Trust has announced grants from its most recent funding round and invited more local churches and charities to ask for Allchurches' support. Last year it gave grants totalling more than £13 million to charities and church groups all over the UK and Eire, empowering them to tackle homelessness, isolation, poverty, addiction and issues of mental health. It also helped restore historic buildings and develop projects in schools, colleges, hostels and prisons. Find out more at bit.ly/2ma9U2M



SPAB launches guidance note for historic floors

The Society for the Protection of Ancient Buildings (SPAB) has launched a guidance note, developed jointly with ChurchCare, which addresses the issues surrounding the appropriate care of historic floors.

Head of Casework Emma Lawrence says, "The SPAB has become increasingly troubled by the lack of recognition and importance given to historic floors. A great number of schemes are being developed without initial consideration of the beauty and interest of our historic floors resulting in an unnecessary loss of special and unique surfaces. We are pleased to have worked in conjunction with ChurchCare to provide this guidance to raise the profile of historic floors in church buildings as part of our Floors Campaign."

You can find the guidance note at bit.ly/2magSoi

Faith in Maintenance

Don't Forget to Check the Faith in Maintenance Calendar (bit.ly/2mdj00b) for maintenance works that need to be carried out in March!

Caring for God's Acre

Caring for God's Acre is a non-religious charity dedicated to conserving and celebrating burial grounds and encouraging a holistic approach to management. As well as being a place for people, burial grounds can also be a haven for wildlife.

We are working towards:

- **Protecting wildlife:** We encourage and advise burial ground managers from all types of burial ground about site management for nature conservation. In order to protect wildlife we need to know what is there so we encourage volunteers to survey and record.

- **Preserving heritage:** Burial grounds are unrivalled for the wealth of built heritage and social history they contain. We encourage appropriate management of heritage and the appreciation and surveying of monuments. Good management of a site creates a haven for wildlife without losing accessibility to the built heritage.
- **Involving people:** Nestled in communities, great accessibility, full of interest; burial grounds are a fantastic resource for communities to use and enjoy. We encourage the involvement of local volunteers, and the use of sites for events and learning.

We also have a dedicated advice line for help on any aspect of churchyard and burial ground care. This is available from 10am to 4pm every Monday and Tuesday. Call 01588 673041. Further details can be found here: www.caringforgodsacre.org.uk/index.php

Conservation authorisation to projects relating to listed buildings and unlisted buildings in conservation areas

Please note that we are unable to give conservation authorisation to any project relating to a listed building or an unlisted building in a conservation area until consent has been granted by the church and circuit. Please therefore ensure that these consents are recorded on the project before the church requests conservation authorisation to be input.

Historic England’s guidance note on repointing brick and stone walls

Historic England has updated its guidance note on repointing brick and stone walls. You can find it can here: bit.ly/2ms0rpU

For any queries on any of the above, contact the Conservation Officer by email (conservation@methodistchurch.org.uk) or telephone (0161 235 6722).

Property Handbook updates

As noted last time, the *Property Handbook* updates are moving forward – including the new numbering system to make it easier to find the relevant sub-sections.

The following pages of the *Property Handbook* have recently been updated:

Technical Information			
Asbestos	TI	02/01	
Electrical services	TI	02/02	Renamed: Electrical services - general
Electrical services - inspection and checking	TI	02/06	Complete new section
Quinquennial inspections		02/10	
Quinquennial inspectors - appointments		02/11	Complete new section

There has been a complete reorganisation of the section under ‘Methodist Insurance’ bringing all their relevant documents into one place.

There has also been a reorganisation of the ‘Finance and TMCP’ pages with links to the TMCP webpages and other relevant documentation, including information for treasurers on property grants and funding possibilities – with 21 pages of funding and external grant-making bodies.

Finally, we will shortly be removing the pages in the ‘Property’ section regarding the Joint Property Strategy Group, which held its final roadshow in 2015. You might like to take the opportunity to review the pages before they are finally removed.

LEGAL MATTERS

New power to make social investments

The Charities (Protection & Social Investment) Act 2016, which received Royal Assent on 16 March 2016, amends the Charities Act 1992 and the Charities Act 2011 in the following areas:

1. fundraising: by imposing more controls and safeguards around fundraising
2. social investments: by introducing a new statutory power to make social investments
3. disqualification: by extending automatic disqualification and introducing a power to disqualify trustees
4. other protective powers.

Here we examine the second area, the new power to make social investments, which came into force on 31 July 2016. The intention of this provision is to help charities to make social investments so that they can fulfil their mission in new and innovative ways and give charities the confidence and certainty to invest in this growing sector.

What is a “social investment”?

In the Act, a “social investment” means a “relevant act” of a charity, which is carried out “with a view to both directly furthering the charity’s purposes and achieving a financial return for the charity”.

A “relevant act” means one of two things:

- an application or use of funds or other property by the charity, or
- taking on a commitment in relation to a liability of another person which puts the charity’s funds or other property at risk of being applied or used, such as a guarantee.

In this context, an application or use of funds or other property achieves a “financial return” if its outcome is better for the charity in financial terms than expending the whole of the funds or other property in question.

Whether or not a social investment is being made is determined by the motivation of the district, circuit or local church. If the reasons for applying funds in a particular way include both directly furthering the charity’s purposes and making a financial return, then the proposed action will be a social investment. The definition is wide and may include some actions which would not ordinarily be thought of as investments.

Examples of permitted social investments

1. A homelessness charity purchases empty properties to renovate and let out at a low rent to homeless people. This would qualify as a social investment, as the charity achieves its purposes in providing housing for the homeless, and obtains a financial return through the rental income and any increase in the value of the property.

2. A charity established for the relief of unemployment that grants leases of its properties at a low rent to start-up businesses. This would qualify as a social investment because the charity achieves its objectives by securing new jobs and obtains a financial return from the rental income.

Both of these examples would also fall within the exemption on the requirement for charities to obtain valuation advice before disposal under Section 117(3) of the Charities Act 2011.

Districts, Circuits and Local Churches should consider which (if any) of their activities fall within the definition of “social investment”. This is because managing trustees have specific legal duties that apply when making social investment decisions and they should be able to show that they have made these decisions in good faith.

The CPD

The requirements contained in SO 916 and SO 917 of the CPD should be noted before considering a social investment. SO 916(1) sets out the how capital money shall be applied and in what order. Capital money arising in the form of a District Advance Fund under SO 916(2) or a devise or bequest under SO 916(3) is not governed by SO 916(1). Capital money arising in the form of a district Advance Fund shall be applied in accordance with the provisions of SO 963(3).

SO 917(1)(i), (ii) and (iii) set out how money which is model trust property shall be applied subject to SO 916(1). SO 917(2) sets out in a fairly extensive list which purposes any balance may be applied. SO 917(ix) states that the balance may be applied to “any other charitable purpose for the time being of that church organisation”. It should also be noted that under SO 650, a Church Council shall maintain a general church fund, particularly with regard to public collections. If trustees are in any doubt about their charity’s powers then they should take specialist legal advice.

Trustee duties in relation to social investments

The Act imposes new duties that specifically apply to all charity trustees when making decisions about social investments. These duties apply in place of statutory duties which relate specifically to financial investments. Before exercising any power to make social investments, trustees must:

- consider whether in all the circumstances any legal advice about the proposed social investment ought to be obtained,
- obtain and consider any advice which they conclude ought to be obtained, and
- satisfy themselves that it is in the interests of the district, circuit or local church to make the social investment, having regard to the benefit they expect it to achieve for the charity, by directly furthering the charity’s purposes and achieving a financial return.

The Managing Trustees must also review their charity’s social investments from time to time. There is no specific period of time after which a review should be carried out, and the appropriate amount of time will vary depending on the circumstances applying to a particular charity. This should be decided by the trustees in each case.

When reviewing social investments, trustees must:

- consider whether any advice about the social investments (or any particular social investment) ought to be obtained, and
- obtain and consider any advice they conclude ought to be obtained.

These duties apply whenever trustees do anything which meets the definition of social investment, whether or not they are using the statutory power. This means that trustees must always consider whether or not a particular action might constitute the making of a social investment, and comply with the duties if they decide that it does. The Charity Commission has confirmed that it will revise its guidance on investments (known as “CC14”) in light of the new power, though no timetable for this has yet been set.

Residential tenancies – selective licensing

Local housing authorities (LHAs) have the power to designate the whole or any part or parts of their area as subject to “selective licensing” under Part 3 of the **Housing Act 2004** (2004 Act). This means that privately rented properties must be licensed if those properties fall within such an area. Although LHAs have been slow to exercise this power, selective licensing is increasingly becoming an issue that Managing Trustees need to bear in mind when they consider letting residential property.

What are the reasons behind selective licensing?

Advocates of selective licensing claim that it will help LHAs to address specific social and housing problems arising in particular areas. LHAs can designate areas for selective licensing that suffer low housing demand, significant or persistent anti-social behaviour, high levels of crime, migration or deprivation, or poor property standards. Licensing is intended to help raise standards in management of privately rented properties and have a positive effect on the local community and housing stock in general.

How does selective licensing effect Managing Trustees?

The key thing for Managing Trustees to bear in mind is that if they are letting out residential property in an area that their LHA has designated for selective licensing, they must apply for a licence before entering into a tenancy. It is therefore important to ascertain whether the proposed rental property lies in such an area. As there is no central register, Managing Trustees will need to ask their LHA or letting agent or look on their LHA’s website. Note that the areas can be very specific and while the next street may be subject to selective licensing, the street in which the property is located may not. The LHA’s website should include maps showing any designated areas.

Managing Trustees need to be aware that failure to obtain a licence is a criminal offence and fines of up to £20,000 can be imposed. Managing Trustees without a licence would also be unable to regain possession of a property using the quick and relatively easy procedure under Section 21 of the Housing Act 1998.

Managing Trustees with property in a designated area are not only required to obtain a licence but need to comply with the conditions imposed under that licence. These go beyond the general statutory obligations placed on landlords. There are mandatory conditions set out in Section 90 of the 2004 Act including to supply a gas safe certificate annually and produce a copy to the LHA, to keep any landlord supplied electrical appliances and furniture in a safe condition, to install smoke alarms and ensure these are maintained in good working order and to obtain references. In addition, LHAs can elect to impose further appropriate conditions to regulate management of the property. These can change between licences. Such conditions may include:

- providing a 24-hour contact number to deal swiftly with problems

- ensuring there is no overcrowding
- dealing with anti-social behaviour.

Managing Trustees will be anxious to ensure any conditions are met to avoid loss of the licence and a fine up to £5,000. Details of standard conditions imposed in different areas can be found on LHA websites.

How do we obtain a licence for Methodist property?

Each area is slightly different but the general rule is that the licence is obtained by the person who has control over the property, which in the case of Methodist property would usually be the Managing Trustees. We have found that it is often circuit stewards or the superintendent who apply. Please note that licences are non-transferable meaning that if somebody leaves the circuit, a new licence will be required. Unlike the position with Rent Smart Wales, it is the Managing Trustees who need to apply for a selective licence and not TMCP. However, please notify TMCP so that TMCP Legal can provide guidance and keep a record of selective licensing and its impact across the Connexion.

Usually an application is submitted with supporting documents confirming compliance with statutory requirements and good practice such as the Energy Performance Certificate (EPC), Gas Safe certificate, fire risk assessment and electrical check. Applications must also be accompanied by any fee payable. It is highly recommended that you visit your LHA's website which should set out full details of how to apply in your area.

Managing Trustees applying for a selective licence would need to satisfy a "fit and proper" person test. The LHA must be satisfied that the Managing Trustees are fit and proper having regard to any previous convictions including convictions for fraud, dishonesty, violence or drugs. Unlawful discrimination or contravention of housing or landlord and tenant law are also taken into account (Section 89 of the 2004 Act).

How much does a selective licence cost?

Fees vary considerably with, for example, a licence costing £490 per rented property in Oldham and £750 in Croydon. Note that the fee is per property, although some LHAs do offer a reduction for bulk applications. It is recommended that Managing Trustees try to ensure they are not left out of pocket and that any fees are factored into the rent payable.

Do any of the exemptions apply to Methodist property?

Exemptions to selective licensing are very limited and mainly apply to properties that are let by social landlords, business tenancies or are already licensed under other parts of the 2004 Act such as Homes of Multiple Occupation (HMOs). The main exemption applicable to Methodist property is likely to be where the Managing Trustees have already had to obtain a HMO licence.

The Conference Office has confirmed that manses occupied by presbyters and deacons will not be affected. However, it is recommended that Managing Trustees speak to their LHA to check whether it is necessary to seek a specific exemption for manses that lie in affected areas. Managing Trustees have been told to apply for an exemption in some areas such as Croydon.

For properties in Wales, please note that if an area has been designated for selective licensing, some parts of Neath Port-Talbot for example, such a licence would be required in addition to the Rent Smart Wales landlord's licence which TMCP has applied for.

Next steps

Please check whether selective licensing applies in your area. If it does, take all necessary steps to comply with your area-specific licensing requirements before entering into any new tenancies. If you have manses occupied by presbyters or deacons in a selective licensing area, please check whether your LHA requires you to apply for a specific exemption.

Further information

Guidance on selective licensing requirements and procedures for particular designated areas should be available on the LHA's website. The websites below provide good examples of LHA specific guidance and also provide links to general information on selective licensing.

Croydon Council: bit.ly/2ma9Wal

Oldham Council: bit.ly/2mKNjNi

For guidance on residential tenancies, please refer to the residential tenancies page on TMCP's website: bit.ly/2md1bi6

A guidance note and a checklist are available, setting out the charity law and Methodist law, policy and best practice requirements to be fulfilled before granting a residential tenancy of Methodist property. There are also focus notes on statutory requirements, managing and ending tenancies and the Rent Smart Wales scheme.

Registering a building for worship or marriage

Place of worship

Under the provision of the Places of Worship Registration Act 1855, a congregation may apply for a building to be certified as a place of worship by applying to the superintendent registrar in the district where the venue is situated. Those with Anglican LEPs should note that the legislation excludes churches or chapels of the Church of England, unless it shares a church building with another religious denomination.

The person who acts as the minister (or a trustee at the place of worship) will need to send the following to the superintendent registrar at their local Register Office:

- two completed copies of form 76
- a sketch of the floor plan identifying which rooms will be used for worship
- an average weekly timetable of how the building will be used to satisfy the Registrar General that the building is primarily used for religious worship

- a statutory fee of £29.

Registration for marriage

If you decide you would like your place of worship to become a building where marriages can take place, you need to complete two copies of form 78. Please note that you need a safe to hold the marriage registers.

If you want the building be certified as a place of worship and registered for marriage at the same time, forms 76 and 78 can be submitted together. However, the forms for registration of the building for marriage must not be dated before those for worship.

Each form 78 must be signed by 20 separate householders who regard the building as their usual place of worship. The forms must be countersigned by a trustee. You will also need to send a cheque or postal order for the statutory fee of £123 (which covers the cost of the public notices).

What happens to your application

Once the registrar receives the information, it is sent to the General Register Office (GRO) for authorisation. When the GRO certifies a building for worship, it will be recorded in the list of places of meeting for religious worship, maintained at the General Register. One copy of form 76 will returned to you.

When the GRO registers a building for marriage, the Superintendent Registrar is required to send a certificate of the registration to the trustee who countersigned the householders' certificates. Public notice of the registration must be advertised in a local newspaper and in the *London Gazette*.

If a place of worship is no longer in use

If the congregation stops using the building, there is a legal obligation to let the Registrar General know. You will need to complete form 77. It can be signed by any person who can represent the congregation.

It should be noted that Standing Order 943 (page 649 of CPD 2016) should be followed, and that public services may not be discontinued nor the place removed from the preaching plan until permission has been given by the Synod on the recommendation of the managing trustees, the Circuit Meeting and the district Policy Committee.

If the building is demolished and rebuilt on the same foundations within a year and will be used by the same congregation, the certification and registration will not be affected.

Forms

- **Form 76: register a building as a place of worship:** bit.ly/2mFz1e5

- Form 77: declare a building that is no longer in use as a place of worship: bit.ly/2n5AcpC
- Form 78: register a place of worship for marriage: bit.ly/2njwsBH

MaintenanceBooker: New website for maintenance of church buildings

A new website which makes it easy for churches to look after their architectural heritage was launched in February by the National Churches Trust, the UK's church buildings support charity.

Based on the principle that prevention is better than cure, **MaintenanceBooker** www.maintenancebooker.org.uk has been set up to help churches and chapels avoid having to carry out major repairs to their buildings by making it easy to carry out regular maintenance.

MaintenanceBooker is being launched initially in Yorkshire and the Humber, but plans are being developed to extend the service to other parts of England and Wales.

The website provides an online 'one-stop shop' where churches and chapels can book accredited contractors for services including gutter clearance, tree maintenance and inspecting lightning protection systems.

Maintenance is critical to ensuring that historic church buildings are kept in good condition and that they are run in the most efficient manner. However, based on research into the challenges churches face in maintaining their buildings, the National Churches Trust has found that some struggle to identify appropriate contractors, are unsure what maintenance they need and do not have volunteers able to perform maintenance.

MaintenanceBooker is a response to these issues, and is designed to make it simple for churches and chapels to plan, book and pay for essential maintenance. It will also help them save money as it is more cost-effective to look after roofs, masonry and other parts of a building regularly rather than to carry out expensive repairs.

Users of the MaintenanceBooker website can access the following services, with plans to add more in the future:

- rainwater goods maintenance (including gutter clearance)
- lightning protection system Inspection
- tree risk assessments and surveys
- tree surgery maintenance services.

All contractors registered with MaintenanceBooker will provide a fully professional and value for money service. The selection criteria for contractors include experience working with churches and historic buildings, appropriate qualifications, references from completed works and having adequate levels of insurance in place.

If the cost of the service is a problem for churches, the National Churches Trust (with its partner, the Pilgrim Trust) can offer grants to cover 50% of the cost of the first gutter clearance service. Churches with small congregations or limited financial means are eligible to apply for these grants, but as there are only 200 grants available each year, early application is advised.

The Trust is also piloting a maintenance grants programme to help churches with any additional repair works identified through the MaintenanceBooker service. For example, if a gutter clearance report identifies loose roof tiles or flashings, there are grants of £1,000 - £2,500 available to help churches address such small faults before they become expensive repairs.

Even if you are not based in Yorkshire and the Humber, there is much very useful information to be found on the National Churches Trust webpages (www.nationalchurchestrust.org/). The Trust supports church buildings across the UK and their work particularly enables the repair and revitalization of church buildings for the benefit of all the community. They have a number of pages giving good guidance, including names of contractors who are used to working on churches, and information on how to manage buildings and associated projects.



EVENTS AND DATES FOR YOUR DIARY

Mission Fit?

The Resourcing Mission Forum 2017

The Resourcing Mission Forum for 2017 will be held at Kings Park, Northampton, from 9-11 May.

This is an opportunity for district and circuit officers involved in property, including buildings and money, to get hints, tips and guidance pertinent to dealing with property.

Last year we were fortunate to have both the President and the Secretary of the Conference join us. This year, the programme will include the Vice-President and chair of the new Property Development Committee. Although the contents are not yet fully confirmed, we plan to discuss good news stories, ways to engage more effectively in mission and environmental issues. There will also be meetings featuring district property secretaries and district grants officers.

There will, as always, be the chance to speak to others who may have similar circumstances to you, to gain their thoughts and network with them. Members of the Connexional Team and TMCP will also be present.

The President of the Conference, the Revd Dr Roger Walton, will deliver the keynote address (entitled 'Holiness') on the final morning, and will lead the Eucharist to close the Forum.

We do hope that all districts might be represented, and we look forward to welcoming you in May. Registration is via Eventbrite and by booking form for those without access to the Internet. Login instructions and the form will be available shortly.

Listed Buildings Advisory Committee (LBAC) dates (including dates for the receipt of papers)

Please find the dates for the Listed Buildings Advisory Committee below. Please note that we have also included the date for the receipt of papers. It is important that all papers are with us by 5pm on the date shown below; otherwise the project may not be presented to the LBAC and may have to wait until the subsequent meeting to be considered.

Receipt of papers	Meeting date
1 April	21/22 April
19 June	11 July

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 the *Property Matters* email newsletter, please forward this copy and ask them to visit www.methodist.org.uk/signup

The **Methodist Church** 

**Methodist Church House
25 Marylebone Road
London NW1 5JR**

**020 7486 5502 [enquiries]
www.methodist.org.uk
Registered Charity no 1132208**

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