36. The Keith Davenport Memorial Trust 7578

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1. The Keith Davenport Memorial Trust (KDMT) was created by a trust deed dated 12 March 1963 entered into by the then Principal and other staff and students of Hartley Victoria College in memory of Keith Davenport.

2. The purposes of the KDMT are as follows: "*The Trustees shall out of the income of the Trust Fund or if and whenever such income shall be insufficient then out of the capital thereof in their absolute discretion pay to or for the benefit of any past or present student of the said Hartley Victoria College or any other college for the training of Methodist Ministers who is or has been incapacitated either partially or totally and either temporarily or permanently by illness or disease and is in financial need or to the widow of any such student or his children who is in such need as aforesaid such sum as the Trustees shall from time to time decide whether by way of periodical payments or otherwise.*"

3. The KDMT trust deed also states: "*If the said College [ie Hartley Victoria] should cease to exist or the Trust Fund shall not be required for any of the purposes aforesaid it shall be applied by the Trustees as and when they shall from time to time direct for similar purposes in connection with any other Training College of the Methodist Church.*"

4. Hartley Victoria College closed in 2015 and the future of the KDMT therefore needs to be addressed.

5. The capital value of the KDMT as of 22 April 2022 is £73,262.48 and is invested with the Trustees for Methodist Church Purposes in Trust 7578.

6. The purposes of the KDMT are substantially similar to those of the Methodist Fund for the Support of Presbyters and Deacons (FSPD) which are defined in Standing Order 364(1), namely provision of support for students, probationers, ministers, their spouses and dependants who are in need.

7. For expediency, therefore, it is proposed that all the funds in the KDMT are transferred to the FSPD, and the KDMT be wound up. This requires a resolution by the charity trustees under section 268 of the Charities Act 2011 followed by an application to the Charity Commission.

8. In a pre-application consultation with the Charity Commission, the Commission has confirmed that the Conference may pass the section 268 resolution provided that:

   8.1   the resolution is passed by at least a two-thirds majority;
   8.2   the resolution confirms the reasons why the Conference considers it appropriate to effect the transfer and that the purposes of the receiving trust (ie the FSPD) are compatible with the transferring trust (ie the KDMT); and
   8.3   the resolution is signed by two members of the Conference to support the application to the Charity Commission.

9. The Conference is therefore invited to pass the resolutions proposed in this paper to facilitate the transfer of all the money in the KDMT (Trust 7578) to the FSPD.

***RESOLUTIONS

36/1. **The Conference received the Report.**

36/2. **The Conference:**

      (a) confirmed that it is expedient and appropriate to transfer all the money in the Keith Davenport Memorial Trust (Trust 7578) to the Methodist Fund for the Support of Presbyters and Deacons (FSPD); and

      (b) confirmed that the purposes of the FSPD are compatible with the purposes of the Keith Davenport Memorial Trust; and

      (c) directed pursuant to section 268 of the Charities Act 2011 that all the money in the Keith Davenport Memorial Trust be transferred to the FSPD; and

      (d) authorised the Conference Officer for Legal and Constitutional Practice to oversee the process for effecting the transfer and subsequent winding up of the Keith Davenport Memorial Trust, in conjunction with the Trustees for Methodist Church Purposes.

36/3. **The Conference authorised the Secretary of the Conference and the Conference Officer for Legal and Constitutional Practice formally to sign Resolution 36/2 to support the application to the Charity Commission to effect the transfer.**