

Authorisations and Delegations

MC/23/73

Date of meeting	19-20 October 2023
Contact name and details	Mrs Joanne Anderton, Conference Officer for Legal and Constitutional Practice: lcp@methodistchurch.org.uk
Action required	For approval/decision
Resolutions	<p>73/1. The Council receives the report.</p> <p>73/2. The Council approves the list of authorisations and delegations with effect from 20 October 2023.</p> <p>73/3. The Council authorises any one or more of the Secretary of the Conference, the Chair of the Council and the Connexional Secretary to act as the appropriate connexional authority under SO 909 or as the appointed Team member under SO 331(1) in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.</p> <p>73/4. The Council authorises the Chair of the Council to appoint a group of between eight and twelve Council members, of whom any three may be called upon at any time to convene and decide upon applications made under Model Trust 20(1).</p> <p>73/5. The Council delegates its powers as set out in SO 365(7) to the Secretary of the Conference, or in the Secretary's absence, to the Assistant Secretary of the Conference.</p> <p>73/6. The Council resolves that any of the following members of the Methodist Council be authorised to approve, sign and execute any document to which the Methodist Council is from time to time required to be a party with the intention that any document executed under this authority will have the same effect as if executed by all of the members of the Methodist Council:</p> <ul style="list-style-type: none"> (a) The Chair of the Council (b) The Connexional Secretary (c) The Secretary of the Conference <p>73/7. The Council resolves that either of the following personnel be authorised to approve, sign and execute any document to which the Methodist Council is from time to time required to be a party in its capacity as employer of the members of the Connexional Team under Standing Order 212(12), with the intention that any document executed under this authority will have the same effect as if executed by all of the members of the Methodist Council:</p> <ul style="list-style-type: none"> (a) The Connexional Secretary (b) The Director of HR in the Connexional Team <p>73/8. The Council confirms that, for property transactions involving the members of the Council as managing trustees, where it is not practicable to convene an emergency meeting of the Council to pass specific resolutions conferring authority on named individuals to sign all documents necessary to effect the transaction, the general delegated authority in Resolution 73/6 may be relied upon in emergency and such action reported back to the Council for retrospective ratification at its next meeting.</p>

Summary of content

Subject and aims	<p>This report contains the regularly updated list of appointments, authorisations and delegations to clarify the discharge of consents required by Standing Orders and the Model Trusts.</p> <p>This report also reconfirms the delegation to make discretionary payments under Standing Order 365(7) originally granted in October 2020, and the general authority to sign documents on behalf of the Council, originally granted in April 2022.</p>
Main Points	<ol style="list-style-type: none"> 1. SO 331(1) provides that the Methodist Council must appoint a Team member to fulfil the duties assigned in the Model Trusts and Standing Orders to the Property Secretary or General Secretary of the Property Division. 2. SO 909 defines ‘the appropriate connexional authority’ as the Methodist Council or any person(s) to whom it may delegate its powers. 3. This report confirms to whom the Council has delegated its duties and responsibilities as the appropriate connexional authority under SO 909 and who has been appointed as the Team member for the purposes of SO 331(1). 4. This report also: <ul style="list-style-type: none"> • provides for a general delegation in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available. • proposes that the Chair of the Council appoints a group of up to twelve Council members of whom any three can be called upon at any time to consider applications made under Model Trust 20(1) to transfer or grant a lease of Methodist Model Trust property to another charity for Methodist Church purposes at below best price. • asks the Council to reconfirm the delegation under SO 365(7) granted by the Council in October 2020 [see MC/20/113 for background] • asks the Council to reconfirm the general authority to sign documents granted by the Council in April 2022 [see MC/22/62 for background]

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- 1 The Model Trusts and Standing Orders contain many references to the responsibilities and duties of the Property Secretary or the General Secretary of the Property Division. However the roles of Property Secretary and General Secretary of the Property Division ceased to exist a number of years ago. Under SO 331(1) the Methodist Council annually appoints a member of the Connexional Team to fulfil the duties assigned to these roles.
- 2 Part 9 of CPD also provides that 'the appropriate connexional authority' will undertake certain duties and responsibilities in respect of property matters. SO 909 defines the appropriate connexional authority as the Methodist Council or any person(s) to whom it may delegate its powers.
- 3 The Council should note that the Trustees for Methodist Church Purposes (TMCP) act on behalf of the Connexional Team in inspecting and approving contracts before they are signed. This has been a long standing arrangement with TMCP, and TMCP are paid from central funds for providing this service to the Connexional Team.
- 4 The Council should also note that, until Special Resolution 42/5 of the 2023 Conference is confirmed (see MC/23/68), even where TMCP approve a contract it is still necessary for the Property Secretary or authorised connexional authority to sign a memorandum of consent under Model Trust 26 before any disposition of Model Trust land can be completed.
- 5 The Council is therefore asked to appoint certain personnel under Standing Order 331 to fulfil the duties assigned in the Model Trusts or in Standing Orders to the Property Secretary or to the General Secretary of the Property Division, and to approve the list of authorisations and delegations which relate to the Council's responsibilities as 'the appropriate connexional authority' under Standing Order 909.
- 6 The Council is also asked to approve a general delegation authorising any one or more of the Secretary of the Conference, the Chair of the Council and the Connexional Secretary to act as the appropriate connexional authority or as the appointed Team member under SO 331(1) in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.
- 7 The authorisations and delegations set out in this paper include a requirement that decisions about applications under Model Trust 20(1) (to transfer or grant a lease of Model Trust property to another charity for a purpose of the Church either for no consideration or at less consideration than might otherwise have been obtained) are considered and agreed by three Council members. The Council is therefore asked to authorise the Chair of the Council to appoint a group of between eight and twelve Council members, of whom any three may be called upon at any time to convene and consider applications made under Model Trust 20(1).
- 8 The relevant appointments, authorisations and delegations are detailed within the table below.
- 9 In October 2020 the Council passed Resolution 113/1 to enable discretionary payments to be made on its behalf under Standing Order 365(7) at short notice by the Secretary of the Conference, or the Assistant Secretary in the Secretary's absence. Report [MC/20/113](#) refers. The Council is asked to re-confirm this delegation by passing a resolution in the same form again.
- 10 In April 2022 the Council passed Resolutions 62/1, 62/2 and 62/3 authorising certain members of the Council to sign documents on behalf of the Council in certain circumstances. Report [MC/22/62](#) refers. The Council is asked to re-confirm this delegation by passing a resolution in the same form again.

List of Authorisations and Delegations

Issue	Model Trust	Standing Order	TMCP Action	Methodist Council/ Connexional Action	Delegated to
Capitalisation of sum in revenue reserve		915(6)	Ensure consent obtained prior to capitalisation	Consent of the appropriate connexional	Anne Bolton Matthew Tattersall

accounts				authority	
Application of Capital Money for payment of liabilities		916(1)(ii)	Ensure consent obtained prior to payment	Consent of the appropriate connexional authority	Joanne Anderton Matthew Tattersall
Classification of property as a conference centre to permit supply, sale or use of alcoholic drinks		922(3B)	Ensure consent obtained	Consent of the appropriate connexional authority	Sonia M Hicks Jonathan R Hustler
Consent to scheme referred by appropriate district authority		930(5)(c)		Decision by the appropriate connexional authority	The Strategy and Resources Committee
Consent to scheme concerning district, connexional or general property		930(6)		Consent of the appropriate connexional authority	The Strategy and Resources Committee
Legal Charge – Mortgages	16(1)(a)	931(1)(vi)	Draft Memo of Consent	Consent of the appropriate connexional authority	Joanne Anderton Michaela A Youngson
Sharing Agreements	13(l)	931(1)(viii)	Approve Sharing Agreement	Consent of the appropriate connexional authority	Michaela A Youngson Paul Dimmock
Shared Projects under Sharing of Church Buildings Act 1969		934(1-2)	Ensure consent obtained	Consent of the appropriate connexional authority	Michaela A Youngson Paul Dimmock <i>(joint consent required)</i>
Classification of a project as a replacement project		973(1) 931(1)(ix)	Ensure consent obtained prior to CPF levy being refunded	Consent of the appropriate connexional authority	Stephen Hetherington Joanne Anderton
Schedule 14(2A) (use by other congregations)	14(2A)	920(3)	Approve Legal Docs	Consent of appropriate connexional authority	Michaela A Youngson Paul Dimmock
Authorised Uses of Dwellings		929(4)(iii)	Ensure consent obtained	Consent of appropriate connexional authority	Joanne Anderton Stephen Hetherington
Listed Building Works		931(1)(x)	None normally required	To fulfil responsibilities	Joanne Balmforth

				and functions as set out in SO 980-984	Stephen Hetherington
Listed Buildings Advisory Committee		332(3)	None required	To convene the Listed Buildings Advisory Committee	Joanne Balmforth Stephen Hetherington
Removal of objects or fixed structures from chapels which are listed buildings or in a conservation area		943(4)((i))	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Building Works – Advice and Consultation		982	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Building Works – Requirements		983	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Building Works – Review and Appeal		983A(2) and (4)	None required	Property Secretary function	Joanne Balmforth Stephen Hetherington
Listed Building Works – Review and Appeal		983A(5) and (9)	None required	Appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Buildings – Records		984(3)	None required	Consent of the appropriate connexional authority	Joanne Balmforth Stephen Hetherington
Listed Buildings – Enforcement		985(1) and 985(3)	None required	Consent of the appropriate connexional authority and Property Secretary function	Stephen Hetherington Joanne Anderton
Custody of Records		125(3)	None required	Custody of all legal opinions on matters of connexional significance	Jonathan R Hustler

Authorisations under the Methodist Church Act 1976 and Model Trusts

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

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

*****RESOLUTIONS**

- 73/1. The Council receives the report.**
- 73/2. The Council approves the list of authorisations and delegations with effect from 20 October 2023.**
- 73/3. The Council authorises any one or more of the Secretary of the Conference, the Chair of the Council and the Connexional Secretary to act as the appropriate connexional authority under SO 909 or as the appointed Team member under SO 331(1) in cases of emergency or where the nominated person(s) to whom a particular appointment, authority or delegation has been assigned is/are not available.**
- 73/4. The Council authorises the Chair of the Council to appoint a group of between eight and twelve Council members, of whom any three may be called upon at any time to convene and consider applications made under Model Trust 20(1).**
- 73/5. The Council delegates its powers under Standing Order 365(7) to the Secretary of the Conference, or in the Secretary's absence, the Assistant Secretary of the Conference.**
- 73/6. The Council resolves that any of the following members of the Methodist Council be authorised to approve, sign and execute any document to which the Methodist Council is from time to time required to be a party with the intention that any document executed under this authority will have the same effect as if executed by all of the members of the Methodist Council:**
- a. The Chair of the Council**
 - b. The Connexional Secretary**
 - c. The Secretary of the Conference**
- 73/7. The Council resolves that either of the following personnel be authorised to approve, sign and execute any document to which the Methodist Council is from time to time required to be a party in its capacity as employer of the members of the Connexional Team under Standing Order 212(12), with the intention that any document executed under this authority will have the same effect as if executed by all of the members of the Methodist Council:**
- a. The Connexional Secretary**
 - b. The Director of HR in the Connexional Team**
- 73/8. The Council confirms that, for property transactions involving the members of the Council as managing trustees, where it is not practicable to convene an emergency meeting of the Council to pass specific resolutions conferring authority on named individuals to sign all documents necessary to effect the transaction, the general delegated authority in Resolution 73/6 may be relied upon in emergency and such action reported back to the Council for retrospective ratification at its next meeting.**