

# Birmingham International Student Homes

MC/22/67

Date of meeting	2-4 April 2022
Contact name and details	Joanne Anderton, Conference Officer for Legal and Constitutional Practice LCP@methodistchurch.org.uk

1. Birmingham International Student Homes (BISH) ([www.bish.org.uk](http://www.bish.org.uk)) is a combination of Asbury House, a former Methodist guest house (classed as connexional property), and Wesley International House, the former Methodist International House in Birmingham (classed as District property).
2. BISH is registered as a charity in England and Wales with charity number 1095730, It was incorporated as a private company limited by guarantee on 30 April 2002, with company number 4428382.
3. The purpose of Asbury House is to provide residential accommodation for overseas students, their spouses and children, and for church workers (lay and ordained) on furlough from overseas or on sabbatical.
4. On 1 September 2002, the Council as the managing trustees of Asbury House entered into a Memorandum of Agreement (**the Agreement**) with BISH, effectively delegating the Council's powers and functions of management of Asbury House (the former overseas guest house) to the trustees of BISH.
5. The Agreement sets out the obligations of BISH in managing Asbury House and reserves certain powers to the Council in relation to oversight of BISH's work. Only the Council may make decisions to sell, mortgage or lease Asbury House (other than residential contracts with overseas students to stay at Asbury House).
6. The Council may revoke BISH's powers if at any time it believes that BISH is not complying with the Agreement and fails to remedy any breach within 30 days of notification by the Council to do so.
7. Clause 4.1.2 of the Agreement also enables the Council to revoke BISH's powers with immediate effect if: *"75% of the directors for the time being of [BISH] do not comprise persons who are also for the time being District Trustees (as defined in paragraph 1 of the Model Trusts of the Methodist Church) for the [Birmingham] District."*
8. In July 2020 BISH's directors amended BISH's Articles of Association to say:  
*"The number of trustees [ie directors] shall be not less than four but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum and the majority of the trustees shall be members of the Methodist Church".*
9. This amendment to BISH's Articles affects the Council's ability to terminate the Agreement and BISH has therefore asked the Council to agree to amend clause 4.1.2 of the Agreement to say:  
*"The powers and functions hereby delegated to [BISH] may at any time be revoked with immediate effect by the Methodist Council if **the number of directors falls below four or the majority of the directors are not members of the Methodist Church.**"*
10. The Council is asked to approve the amendment and to authorise the Connexional Secretary and the Secretary of the Conference on the Council's behalf to sign the Supplemental Agreement giving effect to this.

## \*\*\*RESOLUTIONS

**67/1. The Council receives the report.**

**67/2 The Council approves the amendment to clause 4.1.2 and authorises the Connexional Secretary and the Secretary of the Conference to sign the Supplemental Agreement to give effect to this.**