

Authorisations and Delegations

Basic Information

Contact Name and Details	The Revd Dr Martyn Atkins 020 7467 5185 AtkinsM@methodistchurch.org.uk
Status of Paper	Final
Action Required	Decision
Resolution	<p>17/1. The Council receives this report.</p> <p>17/2. The Council appoints Andrew J Maxfield under SO 331(1) 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.</p> <p>17/3. The Council approves the list of authorisations and delegations with effect from 31 January 2014.</p>
Alternative Options to Consider, if Any	None

Summary of Content

Subject and Aims	This is a regular updated list of authorisations and delegations to clarify the discharge of consents required by Standing Orders and Model Trusts.
Main Points	<p>SO 331(1) provides that the Methodist Council must appoint a Team Member to fulfil the duties assigned in the Model Trust and Standing Orders to the Property Secretary or General Secretary of the Property Division.</p> <p>SO 909 defines the appropriate connexional authority as the Methodist Council or any persons to whom it may delegate its powers.</p> <p>This report seeks to confirm who the Council has delegated their duties and responsibilities as the appropriate connexional authority to and who has been appointed as the Team Member for the purposes of SO 331(1).</p>
Background Context	MC/12/25, MC/12/91 and MC/13/17
Consultations	Trustees for Methodist Church Purposes

Authorisations and Delegations

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 appoint 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 persons to whom it may delegate its powers. This report therefore seeks to confirm to whom the Council have delegated their responsibilities as the appropriate connexional authority.
3. Since the last report to the Methodist Council in January 2013 with a list of authorisation and delegations the Law and Polity Committee has clarified that the Council do not have the power to appoint more than one member of the Team for the purposes of SO 331(1). The Council are therefore obliged to appoint one person to fulfil all the duties of the Property Secretary and General Secretary of the Property Division.
4. The Council has also previously been asked to delegate responsibility for approving different types of contract that fall under SO 931(3) to particular members of the Team. SO 931(3) does not require the Council to make such a delegation.

931 Connexional Consent, Approval and Guidance (3) *All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind shall be forwarded in draft to the Connexional Team for inspection and approval before being signed.*

5. The Council will however want to note that it is the Trustees for Methodist Church Purposes who 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.
6. The Council will also want to note that even where TMCP approve a contract, it is still necessary for the Property Secretary or authorised connexional authority to sign a memorandum of before any disposition of Model Trust land can be completed.
7. The Council is asked to appoint Andrew Maxfield for the purposes of SO 331(1). The Council are also asked to approve the list of authorisation and delegations which relate to the Council's responsibilities as the appropriate connexional authority.

Note – Mrs Louise Wilkins, Conference Officer for Legal and Constitutional Practice will be on maternity leave from 31 January 2014 and therefore her maternity cover, Mr Andrew J Maxfield, is listed in the authorisation and delegations.

List of Authorisations and Delegations

<u>Issue</u>	<u>Model Trust</u>	<u>Standing Order</u>	<u>TMCP Action</u>	<u>Methodist Council/Connexional Action</u>	<u>Delegated to</u>
Capitalisation of sum in revenue reserve accounts		915(6)	Ensure consent obtained prior to capitalisation	Consent of the appropriate connexional authority	Andrew M Gibbs and Edward Awty being the Connexional Treasurers
Application of Capital Money for payment of liabilities		916(1)(ii)	Ensure consent obtained prior to payment	Consent of the appropriate connexional authority	Gareth J Powell Andrew J Maxfield
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	David Gamble and Gareth J Powell being respectively the Chair and Secretary of the Council.
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		SO 930(6)		Consent of the appropriate connexional authority	The Strategy and Resources Committee.
Legal Charge - Mortgages	16(a)	931(1)(vi)	Draft Memo of Consent	Consent of the appropriate connexional authority	Gareth J Powell Andrew J Maxfield
Sharing Agreements	13(l)	931(1)(viii)	Approve Sharing Agreement	Consent of the appropriate connexional authority	Neil A Stubbens Gareth J Powell
Shared Projects under Sharing of Church Buildings Act 1969		934(1-2)	Ensure consent obtained	Consent of the appropriate connexional authority	Gareth J Powell Neil A Stubbens – joint consent required
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	Gareth J Powell Andrew J Maxfield

Schedule 14(2A) (use by other congregations)	14(2A)	920(3)	Approve Legal Docs	Consent of appropriate connexional authority	Gareth J Powell Neil A Stubbens
Authorised Uses of Dwellings		929(4)(iii)	Ensure consent obtained	Consent of appropriate connexional authority	Gareth J Powell Andrew J Maxfield
Listed Buildings Works		931(1)(x)	None normally required	To fulfil responsibilities and functions as set out in SO 980-984.	Julie Robinson-Judd
Listed Buildings Advisory Committee		332(3)	None required	To convene the Listed Buildings Advisory Committee	Joanne Balmforth
Listed Buildings Works – Advice and Consultation		982	None required	Consent of the appropriate connexional authority	Julie Robinson-Judd
Listed Buildings Works – Requirements		983	None required	Consent of the appropriate connexional authority	Julie Robinson-Judd
Listed Buildings Works – Review and Appeal		983(5) & (9)	None Required	Appropriate connexional authority	Julie Robinson-Judd and Joanne Balmforth
Listed Buildings – Records		984(3)	None Required	Consent of the appropriate connexional authority	Julie Robinson-Judd
Listed Buildings – Enforcement		985(1)	None Required	Appropriate connexional authority	Julie Robinson-Judd

Methodist Council
Authorisations under the Methodist Church Act 1976

1	2	3	4
Paragraphs of the Methodist Church Act	Description	Authorised	Period
15(2)	Model Trust Direction	Gareth J Powell Andrew J Maxfield	Until further Resolution
3(2)	All functions	Andrew Maxfield under SO 331(1) or Gareth J Powell	Until further Resolution
Designation of category of property			
4(1)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Appointment of temporary managing trustees)			
5(2)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Declaration of a management issue)			
6(l)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Certificate of category after a management issue has arisen)			
8(3)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Division of management after appropriate consultation when there has been local failure to agree to the terms of management)			
20	All functions	Andrew J Maxfield under SO 331(1) or Gareth Powell – upon the agreement of two members of the Methodist Council	Until further Resolution
(Transferring property within the Methodist Church, for a purpose of the Church either for no consideration or a less consideration than might otherwise have been obtained)			
20(2)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution

(Authority to Impose covenants)			
21 A(c)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Power to take proceedings for enforcement of Model Trusts or breaches of Standing Orders)			
26(1) and (3)	All functions	Andrew J Maxfield under SO 331(1) Gareth J Powell	Until further Resolution
(Signature to the Memorandum of Consent)			

*****RESOLUTIONS**

17/1. The Council receives this report.

17/2. The Council appoints Andrew J Maxfield under SO 331(1) 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.

17/3. The Council approves the list of authorisations and delegations with effect from 31 January 2014.