

## REPRESENTATIVE SESSION

### ORDER OF BUSINESS

09:15 Opening Prayers

09:30 Administration

**Agenda Item 46: Appointment of the Secretary and Assistant Secretary of the Conference** (Order Paper pages 20-21, as amended on page 32)  
Resolutions 46/1, 46/2 (Order Paper page 21)

**Agenda Item 13: Unified Statement of Connexional Finances** (Agenda pages 136-146)  
Resolution 13/1 (Agenda page 143)

**Agenda Item 3: Methodist Council part 1** (Agenda pages 29-37)

**Section A: General Report (pages 29-31)**  
Resolution 3/1 (page 31)

Memorial M21: Vocations

**Section B: Connexional Financial Strategy and Connexional Property Strategy**  
(Agenda pages 31-32)  
Resolution 3/2 (Agenda page 32),

**Section C: The Methodist 21<sup>st</sup> Century Development Fund –Funding of Property Developments** (Agenda pages 32-33, Order Paper page 31)  
Resolution 3/3 (Agenda page 33)  
Resolution 3/3A (Order Paper page 31)

Memorial M3: Connexional Priority Fund Levy

11:00 Coffee Break

11:30 **Agenda Item 10: GOD IN LOVE UNITES US: The Report of the Marriage and Relationships Task Group 2019** (Agenda pages 58-124)  
See Order Paper page 30 for further information regarding this session.

13:00 Lunch

14:15 **Session resourced by the President and Vice-President of the Conference**

16:15 Tea Break

16:45 **Agenda Item 24: Faith and Order Committee** (Agenda pages 256-258)  
Resolution 24/1 (Agenda page 258)

Memorial M31: Authorisations to preside at the Lord's Supper

**Agenda Item 31: Committee on Methodist Law and Polity, Section E** (Agenda pages 333-335, Order Paper pages 34-35)  
Resolutions 31/1, 31/2 (Agenda page 335), 31/2A (Order Paper page 35)

**Additional Item: Methodist Independent Schools – Legal Structures** (Order Paper page 33)  
Resolution LP/1 (Order Paper page 33)

**Agenda Item 19: Safeguarding Committee** (Agenda pages 187-190)  
Resolution 19/1 (Agenda page 190)

Memorial M26: Safeguarding training  
Memorial M27: Safeguarding Advanced Module, required attendance list

Evening prayers

18:45      Adjourn

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## **ANNOUNCEMENTS**

To attest the Daily Record:  
Ms Rachel Collins  
Mr Stephen Cooper

To attest the Journal:  
The Revd Philip J Jackson  
Mrs Heather Lovelady

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## **GOD IN LOVE UNITES US: REPORT OF THE MARRIAGE AND RELATIONSHIPS TASK GROUP**

### **Outline programme for the initial conversation**

It is proposed that the Conference engages in conversation about each section of the report in turn, as follows:

- Introduction, and the moving of resolution 10/1 to start the conversation (noting that the vote will not be taken until Wednesday)
- Conversation on Sections 1 and 2  
Response to Conversation
- Conversation on Section 3  
Response to Conversation
- Conversation on Sections 4 and 5  
Response to Conversation
- Conversation on Report in general  
Response to Conversation

Each section will be introduced by a member of the Task Group and following the conversation, members of the Task Group will respond to the comments and questions raised.

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## ADDITIONS AND CORRECTIONS TO THE CONFERENCE AGENDA

### AGENDA ITEM 3: METHODIST COUNCIL, PART 1

Page 33, Section C

*Insert after last paragraph:*

Legal advice obtained on the proposed legal documentation for the loan arrangement has advised that the Methodist Church in Great Britain as a charity may need to accept the loan or loans rather than the Methodist Council as a managing trustee body. Whilst Standing Order 211(1) provides a general delegation for the Council to act on behalf of the Conference between meetings, the legal advice is that a specific resolution authorising the Council is required. Such authorization will delegate to the Council responsibility for and the power to negotiate and agree the value of any such loan or loans from the Central Finance Board and to agree the terms of any legal agreement or legal agreement in respect of such loans on behalf of the members of the Conference as the charity trustees of the Methodist Church in Great Britain. Any legal agreement would be signed by two members of the Methodist Conference as charity trustees on behalf of all members of the Conference.

#### \*\*\*ADDITIONAL RESOLUTION

**3/3A. The Conference authorises the Methodist Council to negotiate and agree the amount or value and terms of a loan or loans to the Methodist Church in Great Britain by the Central Finance Board.**

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### AGENDA ITEM 20: METHODIST COUNCIL, PART 2 (Pages 199-236)

Page 224, Amendment to SO 210(8)(a)

Line 5, *for next Conference read end of the same connexional year*

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### AGENDA ITEM 20: METHODIST COUNCIL, PART 2 (Pages 199-236)

Page 206, Paragraph 4

*Insert at end of first paragraph*

It should be noted that leases are not revocable and to reflect the new possibility of granting a lease it is appropriate to delete proviso (i) in paragraph 14(2A).

Page 206 Paragraph 4, second paragraph line 2

Delete "or licence"

Page 207, Amend paragraph 5 and 14(2A) of Model Trust to read

5. Proposal

In light of this the Council now proposes that the Conference remove the limitation of 12 months and proviso (i) and therefore amends Model Trust 14(2A) as follows:

(2A) Notwithstanding that any of the members of any church or congregation hereinafter mentioned may not subscribe to the doctrinal standards, the managing trustees may with the consent of such person or persons as the Conference may by Standing Order prescribe permit the use of a place of worship or any other premises comprised in the property by members of one or more Christian churches or congregations, either for particular occasions or for a period ~~which shall not in any case exceed twelve months~~ **determined by the managing trustees by way of a licence or a lease**, provided that (i) ~~such permission shall be given only upon terms that it is revocable by the managing trustees and~~ (ii) such consent as aforesaid shall be given only in cases where to grant

such permission would not (having regard to all the circumstances) offend the doctrinal standards.

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## **AGENDA ITEM 31: COMMITTEE ON METHODIST LAW AND POLITY (2) (Pages 333-336)**

### **Page 335, Standing Order 1121**

Line 4, *for before read* between

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## **AGENDA ITEM 46: APPOINTMENT OF THE SECRETARY AND ASSISTANT SECRETARY OF THE CONFERENCE FOR 2019/2020 (Order Paper pages 20-21)**

### **Assistant Secretary of the Conference: The Revd Ruth M Gee**

*Replace first paragraph with:*

Ruth Gee is the Connexional Ecumenical Officer having been appointed to that role from 1 September 2018 and has been stationed by the President as Assistant Secretary until 31 August 2019.

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## **REPORT OF THE LAW AND POLITY CONFERENCE SUB-COMMITTEE**

### **Section A**

#### **Agenda Item 20: Methodist Council, Part 2 Section H: Global Relationships Committee**

The Law and Polity Conference Sub-committee has considered paragraph 8 and resolutions 20/4 and 20/5 of Section H of the Methodist Council report (Agenda page 204). The scheme of arrangement of Standing Orders is that the establishment of connexional-level committees is dealt with in Parts 2 and 3. Moreover some of the responsibilities of the proposed new Global Relationships Committee incorporate the responsibilities of the World Methodist Committee under Standing Order 335. The sub-committee has noted in considering this matter that there has been some inconsistency in the placing of connexional-level committees in parts of CPD that are not Part 2 or 3. The sub-committee shall raise this matter with the Law and Polity Committee and endeavour to bring SO number amendments to a future meeting of the Conference with a view to ensuring greater consistency.

The sub-committee therefore recommends that in place of resolutions 20/4 and 20/5 there be put to the Conference as resolution 20/4:

**20/4. The Conference amends Standing Order 335 to read:**

#### **335 Global Relationships Committee**

***(1) The Methodist Council shall annually appoint a Global Relationships committee consisting of not more than ten members which shall report to the council through its Strategy and Resources Committee.***

***(2) The council shall determine the terms of reference for the committee to ensure that the committee shall advise and support the Connexional Team in the implementation, development and monitoring of global relationships.***

***(3) The council shall provide reports to the Conference on global relationships.***

## Section B

### **Additional Item: Methodist Independent Schools – Legal Structures**

The Law and Polity Conference Sub-Committee has noted that the Conference in 2017 adopted a report from the Methodist Independent Schools Trust to amend the legal structures in respect of the holding of the independent school property. The Methodist Independent Education Trust 1903 was amended to replace the individual holding trustees with a Property Company to be the trustee of the Trust. The amended Trust deed provided for the President of the Conference appointing three individuals as the protectors of the Trust who would oversee the rights of the Conference in respect of these trusts. However the President of the Conference can only appoint the three individuals in pursuance of a resolution of the Conference. In light of names for the individuals not having yet been proposed, it is suggested that the Conference delegate the power to appoint up to three individuals to the Methodist Council for the Connexional year 2019-2020.

#### **\*\*\*RESOLUTION**

**LP/1. The Conference pursuant to clause 7 of the Methodist Independent Education Trust 1903 (as amended) directs the President to appoint three individuals to serve as Protectors of the Trusts therein declared.**

## Section C

### **Agenda Item 10: God in Love Unites Us**

Members of the Conference will have observed that on page 123 of the Agenda it is stated that it may be necessary for the Conference to consider resolutions in addition to resolution 10/8, which applies to England and Wales only, to cover the position in other legal jurisdictions. Members of the Conference will also have noted that memorials 35 and 36 propose a resolution reflecting the law in Scotland and that in the draft reply it is stated that the Law and Polity Conference Sub-Committee will present resolutions which address the concern raised in the memorials.

Having considered the matter, the sub-committee has concluded that the debate within the Conference and, if resolution 10/10 is passed, within the Synods would be helped by inserting a new resolution 10/8 which addresses the principle of the marriage of same-sex couples on Methodist premises and by Methodist ministers, probationers and members and is not confined to a particular jurisdiction. Such a resolution could more appropriately be declared a provisional resolution than one which is confined to England and Wales. The existing resolution 10/8 could then be renumbered 10/8A and a resolution appropriate to Scotland numbered 10/8B could then be introduced. If the new resolution 10/8 is not passed, resolutions 10/8A and 10/8B will not be put.

In the expectation that resolution 10/10 will be passed, the sub-committee also proposes the introduction of a new resolution 10/10A which would ensure that resolutions 10/8A and 10/8B, although not themselves provisional resolutions, will take effect only if resolution 10/8 is confirmed by the Conference of 2020 in the same or substantially the same form and from the date on which the confirmed resolution takes effect. If resolution 10/10 is not passed, resolution 10/10A will not be put.

Resolutions appropriate to the other jurisdictions affected (the Channel Islands, the Isle of Man, Gibraltar and Malta) will be brought to the Conference of 2020 if resolution 10/8 is passed and declared to be a provisional resolution. This will give the Law and Polity Committee

time to obtain the advice of local lawyers in those jurisdictions as to the form which the resolutions should take.

The resolutions which would result from adopting this recommendation are as follows:

**\*\*\*RESOLUTIONS**

- 10/8.** The Conference consents in principle to the marriage of same-sex couples on Methodist premises throughout the Connexion and by Methodist ministers, probationers or members in so far as the law of the relevant jurisdiction permits or requires and subject to compliance with such further requirements, if any, as that law imposes.
- 10/8A.** For the purposes of section 26A of the Marriage Act 1949 (as inserted by section 4(1) of the Marriage (Same Sex Couples) Act 2013) the Conference consents to the marriage of same sex couples and accordingly authorises the managing trustees or, if none, the trustees, of any Methodist building in England and Wales capable of registration under section 43A of the Marriage Act 1949 (as amended by paragraph 1 of Schedule 1 to the Marriage (Same Sex Couples) Act 2013) to register that building under that section.
- 10/8B.** For the purposes of the Marriage (Scotland) Act 1977 as amended by the Marriage and Civil Partnership (Scotland) Act 2014, the Conference resolves that Methodist ministers, probationers or members may be nominated by the Methodist Church in Scotland to the Registrar General in Scotland to be registered to solemnise same sex marriage and that same-sex marriages may be solemnised on Methodist premises in Scotland if the managing trustees so permit and all other relevant legal requirements have been satisfied.
- 10/10A.** Resolutions 10/8A and 10/8B shall have effect conditionally upon the confirmation of resolution 10/8 by the Conference of 2020 in the same or substantially similar form and from the date upon which the confirmed resolution takes effect.

**Section D**

**Agenda Item 31: Committee on Methodist Law and Polity (2) Section E (Page 333)**

Members of the Conference will have observed that paragraph 5 of the Committee's report refers to the potential for conflicts of interest in relation to the proposed amendments to the Model Trusts and Deed of Union and explains that the Law and Polity Conference Sub-Committee will bring a report to the Conference on the point.

The sub-committee reports that it is an established principle of law that a person in a fiduciary position is not in breach of fiduciary duty if the trust instrument expressly authorises the conflict (as the proposed amendments do) or if it impliedly does so. The Conference has previously acted on the footing that by analogy with that principle, the Deed of Union and the Model Trusts impliedly authorise members of the Conference to vote on Conference business in situations in which a very large number of members of the Conference would face an actual or potential conflict, since otherwise the business of the Conference could not effectively be transacted. Business relating to the Methodist Ministers' Pension Scheme is an obvious example of such business, since ministerial members of the Conference are in general members of the Scheme and the lay members are in general members in circuits which pay contributions to the Scheme.

In relation to the present business, the sub-committee has considered whether the potential conflicts could be managed by restricting voting on the amendment to paragraph 2(2) of the Model Trusts to ministerial members of the Conference and voting on the amendment to paragraph 2(3) to the lay members. This solution would, however, be highly artificial and would not assist with the proposed amendment to the Deed of Union. Further, it would not take account of the potential for conflicts arising from the possibility that the amendments would benefit a connected person of a member of the Conference. In those circumstances, the advice of the sub-committee is that members of the Conference in general are impliedly authorised to vote on the business despite the potential for conflicts of interest. Any member who is aware of a particular conflict should declare it privately to the Conference Officer for Legal and Constitutional Practice and should not vote on the business.

Members of the Conference will also note that paragraph 6 of the report recommends that the resolutions are submitted to the Methodist Council for approval. This requires a direction of the Conference and the appropriate resolution is set below. It should also be noted that SO 126(1)(a) already provides for submission to the Channel Islands, the Isle of Man and the Scotland and Shetland Synods.

**\*\*\*RESOLUTION**

**31/2A. The Conference, after considering the advice of the Law and Polity Committee, directs that consultation on Resolution 31/2 shall be with the Methodist Council in accordance with Standing Order 126(1)(c).**