

PROPERTY MATTERS

ISSUE 18 – June 2017



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This document is being sent to the following roles within the Connexion who are registered on the Connexional database: district chairs, superintendent ministers, district property secretaries, circuit property secretaries, church property secretaries, district treasurers, circuit treasurers and church treasurers.

PROPERTY MATTERS

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INDEX

Introduction	Page 2
Connexional Team update:	
Online suite of applications	Page 3
Statistics for Mission	Page 5
Property Handbook	Page 6
The Resourcing Mission Forum	Page 7
Charity Commission warning on ransomware threat	Page 9
OSCR guidance on completing online annual returns	Page 9
Legal matters:	
Purchase of a new build property	Page 10
TMCP website update	Page 11
Events and dates for your diary:	
Listed Buildings Advisory Committee diary dates	Page 12

Front page photograph: Methodist Central Hall, Westminster (© TimE Photography)

INTRODUCTION

As I write these words, I am aware that it has been a tough time for many – especially for those in the North West, following the terrorist attack in Manchester. I know your thoughts and prayers will be with all those who have been affected: the victims and their families, the emergency services and the local community. Members of the Church community have been heavily involved through the work of the Response Pastors and the Methodist City Centre missionary, the Revd Ian Rutherford. All of this work is based at our own Central Buildings in Manchester (response pastors have received special training from the emergency services to provide help and support at major incidents).

You may also have seen the story of Chris Parker, a homeless man begging in the vicinity who rushed to help. Chris had fallen out with his family sometime previously, but the events of 22 May brought his plight to the notice of his family, with whom he has now been reconciled.

As usual, this issue of *Property Matters* has reports and guidance for those of us helping to keep our buildings safe and usable. This is vital work as we provide a base for our mission, but that mission (and supporting vulnerable people in the community, such as homeless people) must remain our most important focus.

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CONNEXIONAL TEAM UPDATE

Online suite of applications

> PROPERTY CONSENTS

Help and guidance documents for all applications of the online portal can be accessed and downloaded via www.methodist.org.uk/onlinesuite.

> STATISTICS FOR MISSION

> PROPERTY RETURNS

> PROPERTY CONSENTS

Updates to the Consents site

From around May to August each year, the Web Applications team works on maintenance and updates to the Methodist Online Suite. This is when user-friendliness is reviewed and minor issues that require more involved technical work are tackled (major bugs that prevent the system from working properly are fixed as soon as we become aware of them).

This year, there won't be any major changes to the site. However, the updates will include:

- streamlining the project creation process
- reviewing the authorisations flow
- adding a "project last edited by" field
- making tick boxes and hyperlinks more visible
- improving the "Help and Guidance" page.

Reminder: filter projects by status

Filter by status ^
All Active Projects <input type="radio"/>
Proposed <input type="radio"/>
Awaiting Circuit Support <input type="radio"/>
Awaiting Connexion <input type="radio"/>
Awaiting Consent <input type="radio"/>
Consent Given <input checked="" type="radio"/>
Amended <input type="radio"/>
Finished <input type="radio"/>

Projects go through various stages: from "proposed" to "awaiting consent" to "consent given" to "finished".

Depending on their status, they may not be immediately displayed in the list of projects which appears when you log on.

If you do not know the five-digit project ID number, or would like a quick overview of all projects in your circuit or district, it is therefore best to use the "filter by status" function accessible via the left-hand panel.

> PROPERTY RETURNS

Keeping Methodist property records up to date is not only a requirement under Section 9 of the Constitutional Practice and Discipline of the Methodist Church (CPD); it also helps us to gain an informed picture of the buildings and land that can be used for mission. Mainly due to historic reasons, the properties listed under district and circuit trusteeship are not always up to date. Sometimes they contain incomplete or duplicate records.

How to view and edit district or circuit properties, including manses

In order to access these, the web user needs to have district or circuit managing trustee permission. When prompted after logging onto the online suite, it is important to pick “Managing Trustee” as role. Circuit users would next come to a page which lists all churches in the circuit. This page also contains a purple button which leads to the circuit properties.

> CIRCUIT RETURN (INCOMPLETE)

Churches within Liverpool (North)

If you wish to complete the circuit return for circuit property, including the *manses*, please click on the purple button in the top left of your screen that says "Circuit Return" (if applicable)

CHURCH	OVERDUE/MISSING QUINQUENNIALS	POTENTIAL ISSUES	RETURN COMPLETED?	OPTIONS
Fazakerley		Yes ?	Yes	VIEW RETURN
Linacre Mission		Yes ?	Yes	VIEW RETURN
Longmoor Lane		Yes ?	Yes	VIEW RETURN
Maghull		Yes ?	Yes	VIEW RETURN
Old Roan		Yes ?	Yes	VIEW RETURN

Displaying returns 1-5 of 5

The circuit return can only be submitted when all property returns have been completed.

District properties can be accessed in a similar way.

> DISTRICT RETURN (INCOMPLETE)

Circuits within Liverpool District

If you wish to complete the District return for District property, including the *manses*, please click on the purple button in the top left of your screen that says "District Return"

CIRCUIT	CHURCH RETURNS	CIRCUIT RETURN COMPLETED?	OPTIONS
Crosby	3 out of 5 complete	No	VIEW CHURCHES VIEW CIRCUIT RETURN
Lancashire West	5 out of 11 complete	Yes	VIEW CHURCHES VIEW CIRCUIT RETURN
Liverpool (City Centre Ministry)	0 out of 1 complete	No	VIEW CHURCHES VIEW CIRCUIT RETURN
Liverpool (North Central)	3 out of 3 complete	No	VIEW CHURCHES VIEW CIRCUIT RETURN
Liverpool (North)	5 out of 5 complete	No	VIEW CHURCHES VIEW CIRCUIT RETURN

Please note the properties can usually only be removed by TMCP. If you have spotted a mistake, for example a sold property that is still listed as “property managed by the circuit”, it is best to contact TMCP directly with as many details relating to the property in question that you have:

legal@tmcp.methodist.org.uk

> STATISTICS FOR MISSION

2016 statistical data

Regular collection of Methodist statistics began in 1766, when membership numbers were reported for the first time. The present system of data collection and statistical reporting, based on an online annual returns round, is known as *Statistics for Mission* and dates back to 2002. From this information, a connexional-level statistical report is prepared for the Methodist Conference every three years. The latest report in this series will be presented at the 2017 Conference.

Statistics collected in 2016 and referred to in the Conference report are now accessible via the Methodist website:

www.methodist.org.uk/mission/statistics-for-mission/district-circuit-church-reports

User feedback

Many thanks to those who have responded to the feedback request with regards to the time spent on statistics and the user-friendliness of the site. All comments have been read, and the respondents who have not yet received a personal reply will do so shortly.

> CONTACT US

Questions?

If you have any questions with regards to the functions of the Online Portal, please use the email address which best fits your request. General queries, such as anything to do with user permissions or passwords, may be sent to any of these addresses.

- Property Consents: consents@methodistchurch.org.uk
- Property Returns: returns@methodistchurch.org.uk
- Statistics for Mission: statisticsformission@methodistchurch.org.uk

The Property Handbook

I was contacted after the last issue of *Property Matters* with a question of what (and where) the “property handbook” which I had mentioned in my foreword was. It was said that many property stewards did not know of this handbook; hence this article to introduce the handbook to those who are unaware of its existence.

As many of you will know, the Connexional Team has a responsibility to produce and update guidance to all those with responsibilities for the care and maintenance of Methodist property. This was formerly done via a series of technical documents and other pieces of guidance in the form of Technical Leaflets. These were last updated in 2011 and should not be regarded as current.

Many of these documents were revised in 2013 and produced into hard form as a “property handbook” which was issued to a number of people, mainly DPSs, for comment.

It remains the intention that this hard copy will not be issued again, but the items in it will be consolidated on the Methodist Church website: www.methodist.org.uk. Much has changed since the original issue, including the rationalisation of the offices and various functions assigned to connexional officers. The updated version is available here: www.methodist.org.uk/ministers-and-office-holders/property/handbook

Property (after people) remains a valuable asset to the Church, and Managing Trustees have a responsibility and duty of care to look after it, to maintain it, and to alter and adapt it from time to time, so that it remains in good condition and appropriate for the requirements of the Church and the community.

The electronic Property Handbook is produced for use by district and circuit officers and others with responsibility for property. It is intended that it will be used as a reference document to assist with day-to-day operational matters. The first electronic version was put online in October 2014.

Please note that the guidance should be read in conjunction with the current edition of the Constitutional Practice and Discipline of the Methodist Church (CPD). If there is any conflict, ambiguity, or discrepancy between the two documents, then CPD must be followed.

The Handbook is specifically aimed at connexional committees responsible for property and of district and circuit officers who act on behalf of Synod and who give agreement to the substance of property projects (refer to Standing Order 930 (3)). It does not remove the responsibility of the users to ensure that any legislation, good practice and technical data referred to remain current. In particular, local legislation enacted by devolved Parliaments and Assemblies should be considered.

The responsibility for keeping the Handbook maintained is the Facilities and Property Coordinator, currently Richard Farmery. Contact may be made on fpc@methodistchurch.org.uk. Any suggestions for amendments or additions should be sent to that address.

As the hard copy will not be issued again, the webpages will be maintained, and will be available for downloading and, if required, local printing. Bear in mind that if a copy is printed, it may go out of date. Regular checks should be made to ensure it is up to date.

This publication, *Property Matters*, will contain a list of those sections that have been updated since the previous edition of that publication.

Recent updates

Two documents have been updated since the last issue of *Property Matters*. These are “New to Property” and “Property Log Book”, both of which can be found via the “Manses/Church Buildings/Property” tab.

The Resourcing Mission Forum

Each year a “resourcing mission forum” is held to give people who are concerned with the upkeep of Methodist property useful advice and uplifting stories to inform, inspire and enthuse.

Details about any events can be found on the main Methodist web pages here:

www.methodist.org.uk/ministers-and-office-holders/property/events

This year, attendees came mostly from circuits and districts that are working primarily on helping to use financial and property resources for mission. Seventy-six people in total attended the forum, which was held from 9-11 May at Kings Park Conference Centre in Kingsthorpe, Northampton. It had the title *Mission Fit?* with a focus on resourcing those who resource churches and circuits.

Speakers included the Revd Dr Stuart Burgess, who talked about the new Property Development Committee (which he chairs) and gave his thoughts on the use of our property. Matt Bird, from the Cinnamon Network, spoke on working with the community. Catherine Townsend and Janet Edmond spoke about work being done by the National Churches Trust on their grants. The Revd Nigel Hopper of A Rocha spoke about Eco-Church and caring for God’s earth. Other speakers included Lloyd Cooke (CEO of Saltbox in the Potteries) and the Revd Peggy Heim. The Vice-President, Rachel Lampard, spoke about Methodist Action on Poverty and Justice, and the President of the Conference, the Revd Dr Roger Walton, spoke on holiness.

As well as being able to network, participants had access to surgeries on the consents system, the website, TMCP, grants, Methodist Insurance, fundraising and heritage. There were also opportunities to talk more with A Rocha and the National Churches Trust. The District Property Secretaries held a meeting and were able to bounce ideas off each other.

There were devotions at the start and finish of each day (I don’t think anyone present will forget David Pickles leading devotions featuring Ed Balls!), great singing, fine food and great hospitality with fellowship. The whole event ended with a eucharist, led by the President of the Conference.

If this has whet your appetite for more, keep an eye on the web address above for announcements about the 2018 event – or email Richard Farmery, who will keep your details and let you know when the next event is publicised. The event is for anyone concerned with the upkeep, maintenance or development of any of our properties, at church, circuit or district level.

As always, some people work tirelessly in the background and deserve mention: Connexional Team colleagues, TMCP, and the staff of Kings Park. I must make special mention to Ralph Dransfield for playing the piano with his usual gusto (I have promised him an organ to play if we get to 100 delegates!) and to Methodist Insurance for their continued support and sponsorship.

We look forward to welcoming you next year.

(All pictures on the next page taken by Richard Farmery © Trustees for Methodist Church Purposes)



The Vice-President reminds us about justice, Sophie Scholl and the White Rose

Stuart Burgess takes questions



The President leads by example on holiness



David Pickles, closing devotions featuring smokin' Ed Balls!



Charity Commission warning on ransomware threat



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The Charity Commission has published an [alert](#) to charities following the recent Ransomware cyber-attack, which affected over 200,000 organisations in 150 countries, including the NHS. The vulnerabilities exploited by the hackers are the same for charities as they are for individuals, public or private sector organisations.

In particular, the Commission has suggested the following steps:

- install system updates on all devices as soon as they become available
- install anti-virus software on all devices and keep it updated
- create regular backups of your important/business critical files to a device that is not left connected to your network, as any malware infection could be spread to that too
- do not meet any stated demands and pay a ransom; this may be requested in Bitcoins (a form of digital or 'crypto' currency).

If a charity thinks it has fallen victim to cyber-attack, it should report it to [Action Fraud](#) by calling 0300 123 2040. Trustees are advised to also report suspected or known fraud incidents to the Commission. Serious incident reporting helps the Commission to gauge the volume and impact of incidents within charities and to understand the risks facing the sector as a whole.

(Source: Charity Commission – 15 May 2017)

Office of the Scottish Charity Regulator (OSCR) guidance on completing online annual returns

OSCR has published [guidance](#) on completing the online annual return. It is a legal requirement for Scottish charities to send OSCR their reports and accounts. Scottish charities have nine months to submit their full documentation after their accounting year ends using OSCR Online.



© OSCR 2017

The guidance covers:

- logging in to OSCR online;
- the information you need to provide for each question, and
- how to upload your required documentation.

More information can be found on the OSCR on their website here: www.oscr.org.uk/

(Source: OSCR – 11 May 2017)

LEGAL MATTERS

Purchase of a new build property

When Managing Trustees are looking for a new manse property that meets the requirements set out in Part 2 of Section A of Book VII of CPD, they are increasingly looking at new build properties.

Purchasing a new build property can present additional challenges that Managing Trustees need to be aware of. However being aware of these challenges and how to overcome them will help Managing Trustees to complete such purchases successfully.

Before paying the reservation fee

As a first step, before paying any non-refundable “reservation fees”, Managing Trustees will want to ensure that they can show that charitable money is being used appropriately and that they have negotiated a good deal for the charity. Instructing a surveyor to value the property will help achieve this. This valuation should refer to similar properties in the vicinity (if not agreed sales on the same development) and the plans and specifications of the property being built. In terms of the agreed price, Managing Trustees will want to ensure they are benefitting from the same incentives etc as other buyers. If Managing Trustees are paying more than market value they should consider the guidance in Section B2.2 of the [Purchase Guidance for Managing Trustees](#), which sets out the steps Managing Trustees should take to ensure that they have complied with their duties as charity trustees.

If, having obtained a purchase survey, the Managing Trustees decide that they do wish to purchase the property, the next step would be to pay the reservation fee. At this point developers/house builders often impose a strict deadline for exchange of contracts. Managing Trustees should not be deterred by this. TMCP are aware of these time constraints and will work with Managing Trustees to meet them. It is of great assistance to TMCP if the Managing Trustees can contact us before the reservation fee is paid. We can then ensure that the project is dealt with as quickly as possible.

Sale documentation

Once the offer has been accepted and the reservation fee is paid, the legal process will start and the developer/house builder’s solicitors will contact the Managing Trustees’ solicitors. When you first instruct your solicitors please refer them to the [Purchase of a New Build Focus Note](#). This gives solicitors the information they need to conduct the transaction as smoothly as possible:

- Developers often state that all the plots on the estate must have identical documents and that amendments cannot be agreed. Your solicitors will need to make it clear to them that as the property is being purchased by a charity the documentation must include the same template clauses as any other purchase. If the developer/house builder wants to sell to the charity they will have to accommodate this requirement.
- The “standard documentation” will impose covenants and obligations on the owners of the plots and usually create Management Companies. There is often a clause requiring the owner of the property to become a shareholder in the company and (in some situations) an officer of the company. Although TMCP cannot do this, alternative options are available as explained in the [Purchase of a New Build Focus Note](#).
- New build properties are often subject to a requirement that the property is only to be used as a “residential dwelling” or “for occupation by one single family unit”. It will therefore be necessary to ensure that a specific clause is incorporated to make it clear that use as a

Manse does not breach any such provision. Guidance to help Managing Trustees' solicitors to do this is in the [Purchase of a New Build Focus Note](#).

Exchange and completion

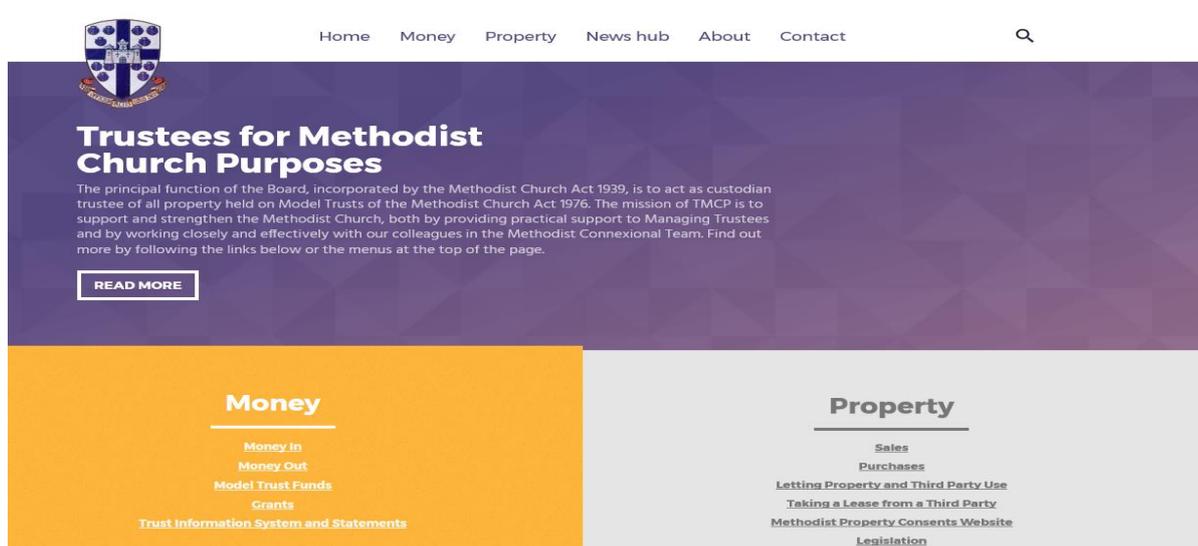
Once TMCP have confirmed that all the requirements in the [Purchase of a New Build Focus Note](#) and the standard purchase requirements have been dealt with then authority to exchange is given in the usual way.

At this point, Managing Trustee should bear in mind that it can take up to 10 working days for TMCP to seal documents as Board Members are not based in the office and if the contract provides that the completion date is not fixed and is instead triggered by service of completion notices or otherwise, the notice periods will need to accommodate the practicalities of dealing with execution of documents by Managing Trustees and the custodian trustee body. Again, accommodating this should not prove problematic provided that Managing Trustees' solicitors are aware of the position and follow the guidance provided.

For further information, please refer to the [Purchase of a New Build Focus Note](#), which is part of the guidance on purchasing property available on TMCP's website (tmcp.org.uk/property/purchases). Alternatively, you can send an email to legal@tmcp.methodist.org.uk.

TMCP website update

Visit TMCP's website at www.tmcp.org.uk to access the information, guidance, template clauses, forms and standard documents we have prepared to help you to fulfil your role as prudent charity trustees with responsibility for property. These will also be of help to your professional advisers.



Are you proposing to sell, let or share use of any Methodist property? Are you proposing to buy or lease property for use by the charity? Do you need to pay in or withdraw any Model Trust funds? There is guidance on all these issues and more on the TMCP website.

New on TMCP's website

New to TMCP's website in May 2017 is the "News Hub" area. This is where we will be publishing articles on matters that impact on managing trustees who are dealing with Methodist property (land and financial assets), upcoming events and changes to our website and guidance. May 2017 also saw the appearance of the new 'resource' categories: "Standard Documents and Forms" and "Template

Clauses”. This will make it easier to find the documents, forms and template clauses already available on our website such as the Standard Licence and Application Forms 1, 2 and 3.

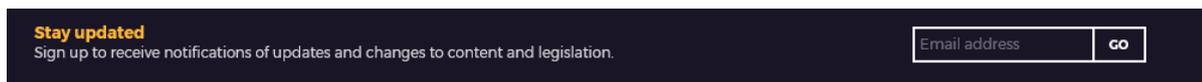
New guidance appearing in May 2017 includes the [Non-Residential Lease \(Landlord\) FAQs](#), [Residential Long Lease \(Tenant\) Template Clauses](#), guidance on the [Legislation](#) web page and the [TMCP Website User Guide](#).

Website user guide

TMCP produced a Website User Guide to introduce visitors to our website and explain how to get the most out of it. If you are a new visitor or want to know exactly what you can find on our website or how to access all the features, the [TMCP Website User Guide](#) is available at www.tmcp.org.uk/kcfinder-uploads/files/website-guide.pdf.

Stay updated

We are constantly adding new material and updating the guidance in line with changes in law, policy and best practice. To keep abreast of the changes as well as any legal and finance updates please sign up to receive notifications. Look out for the “Stay updated” banner which appears at the foot of each webpage:



Insert your contact email address and confirm you would like to receive notifications when you receive a welcome email from us. Visit the “News Hub” area (www.tmcp.org.uk/news-hub) to see the types of articles for which you will receive notifications.

Visit the TMCP Team at www.tmcp.org.uk. If you have any ideas about additional resources that you would like to see, let us know using the “Ask question” or “Contact” tabs so that we can work with you to help provide the resources that you need.



EVENTS AND DATES FOR YOUR DIARY

Listed Buildings Advisory Committee (LBAC) dates (including dates for the receipt of papers)

Please find the dates for the LBAC below. Please note that we have also included the date for the receipt of papers. It is important that all papers are with us by 5pm on the date shown below, otherwise the project may not be presented to the LBAC and may have to wait until the subsequent meeting to be considered.

Receipt of papers

19 June

Meeting date

11 July

This document is being sent to the following roles within the Connexion who are registered on the connexional database:

- ✓ District chairs
- ✓ Superintendent ministers
- ✓ District property secretaries
- ✓ Circuit property secretaries
- ✓ Church property secretaries
- ✓ District treasurers
- ✓ Circuit treasurers
- ✓ Church treasurers

If you are aware of other people who may not have access to the Internet, email or a computer, could you please provide them with a copy of this document.

If you know of people who would like to subscribe to the *Property Matters* email newsletter, please forward this copy and ask them to visit www.methodist.org.uk/signup

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Or visit

www.methodistinsurance.co.uk

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- **Charity insurance**
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