

# PROPERTY MATTERS

## Issue 6 – March 2014

### *Property Matters*, Issue 6 (March 2014)

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#### INTRODUCTION

Dear readers,

Welcome to the March edition of *Property Matters*. Many thanks to all those who have submitted articles for inclusion in this edition.

Last month I generated some consternation concerning liability for business rates. I hope that for those who either emailed or telephoned me, the explanations provided were helpful. I have included a supplementary note on this matter.

We are always happy to consider property related stories from around the Connexion and requests for information or topics you would like included in future editions, and I would be very pleased to hear from you.

This edition includes an article about the reordering of St. Peter's, Plymouth designed by an architect who is a Methodist. It shows what can be achieved with what was a listed building I hope you feel inspired!

All good wishes



Julie Robinson-Judd  
Mission resources manager



## MISSION RESOURCES

### STATISTICS FOR MISSION

#### > STATISTICS FOR MISSION

The data collection has now finished. We would like to extend a huge THANK YOU to everyone who has been involved in gathering and entering the statistics onto the website, enabling us to reach a 99% returns rate!

Because we will present a triennial report to Conference this year, the next step will be intensive data cleansing and filling in any gaps from 2010 to 2013. Therefore we might need to contact you with some follow-up in the next couple of months.

We are also very interested to hear your feedback as we have already started adapting the data entry website for the 2014 returns. Any technical difficulties you may have experienced, suggestions regarding the layout or comments about the general user-friendliness of the site would be much appreciated, these can be sent to [Statistics@methodistchurch.org.uk](mailto:Statistics@methodistchurch.org.uk)

Many thanks again!

Alan Piggot, research officer (Statistics & Mapping)  
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## **FUNDRAISING**

### **Reapplying for financial support**

Some fundraisers approach supporters again after having been granted funds from them previously. In such cases, it is crucial that grant makers are approached with new content, and the application presented as a new experience for the supporter. Working around grant-making bodies, I have witnessed the mistake of taking supporters for granted. Frequently I have seen projects that have previously successfully been granted money from trusts reapply for funding with the same application they submitted previously. To their dismay, they are denied funding and are left asking themselves the question: "Why were we declined funding this year, when we were successfully supported last year with the same application?"

The answer is pretty much in the question! The project has submitted the same application as the previous one. This shows no change or development, and gives the impression that the organization is taking the application process for granted.

When reapplying for funding you are competing against new projects that can provide new content and endeavours for the trust to take on. It is important that as a returning applicant, you make it crystal clear that the money previously granted has had an enormous impact. Show new achievements. Display your success clearly and highlight what is different this time round. Make it clear that you are not using them as a cash cow, but that this funding is really bringing the project close to being subsistence.

Mencey Morera, fundraising officer

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## **LANDFILL COMMUNITIES FUNDING - update**



### **Asset visits**

It is a requirement of TMCP's Environmental Body status under the Landfill Communities Fund that we carry out regular follow up asset visits to all completed projects that have been awarded grants for new community buildings or any grant of £50,000 and above. This is to ensure that the project is still compliant with the requirements of the Landfill Communities Fund, ie it is still used as a community building and open to the public for at least 104 days (or equivalent) per year. A number of projects are due asset visits in 2014 and Colette Dean will be in touch soon to arrange a suitable date.

### **Useful Documents**

If your grant application for Landfill Communities Funding requires that you submit an Environmental Policy document as supporting evidence you can find a copy of the *Environmental Policy for the Methodist Church* here: [www.methodist.org.uk/downloads/conf-environmental-policy-2000.pdf](http://www.methodist.org.uk/downloads/conf-environmental-policy-2000.pdf)

If your Landfill Communities application requires you to submit a constitution or governing document as supporting evidence use *Part 6 – The Local Churches* of CPD [www.methodist.org.uk/ministers-and-office-holders/cpd](http://www.methodist.org.uk/ministers-and-office-holders/cpd).

For information, the Landfill Communities Fund is a tax credit scheme that enables operators of landfill sites to award funds to projects that benefit communities and the environment.

Methodist churches can secure funds from this scheme under the 'Improvement of a public amenity or community building' category. Individual landfill companies operate their own funding programmes with specific funding criteria but in general all projects need to be:

- located within the vicinity (usually within 10 miles) of an active licensed landfill site owned by a participating landfill company
- open and well used by the general public (for at least 104 days per year or equivalent).

Colette Dean, landfill grants funding officer

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## LEGAL

### Selling properties by auction



When disposing of Methodist property, Managing Trustees may be advised by their Qualified Surveyor that to obtain the best price it should be sold by auction.

The procedure for selling property by auction is similar to selling by other methods, such as private treaty or informal tender. Charity law, the Methodist Model Trusts and Methodist procedure have to be adhered to.

When Managing Trustees are disposing of property, it is important that they contact TMCP Legal as soon as possible so that the correct guidance can be given. This is especially important when property is sold by auction as there are many steps that must be followed before the property can be placed into the auction.

### Qualified surveyor's report (QSR)

As with any disposal of Methodist property, charity law states that before a property can be sold a qualified surveyor's report (QSR) has to be obtained. The law stipulates that the QSR must follow a specific format and must address various matters. TMCP Legal can provide a guidance note which details the exact form the QSR must take. Once a QSR has been prepared by an appropriately qualified surveyor, it needs to be sent to TMCP Legal for approval.

In order for Managing Trustees to sell property by auction, the QSR must recommend that this method of sale will achieve the best price for the property.

It is often the case that Managing Trustees are advised by their surveyor to sell by auction after other methods of sale have proved unsuccessful. This advice needs to be in writing and sent to TMCP Legal.

### **Legal documentation**

When properties are sold by auction TMCP legal need to approve the draft legal paperwork before it is sent to the auctioneer. It is therefore important that the Solicitor acting for the Managing Trustees contacts TMCP Legal in good time prior to the auction pack being submitted.

TMCP will liaise with the solicitor instructed by the Managing Trustees to ensure the draft sale contract and transfer meets with Methodist law and requirements and charity law. There are specific clauses which need to be present in the sale contract when property is to be sold by auction in accordance with charity law and TMCP legal can provide these upon request from the Managing Trustees' solicitor.

### **Reserve price**

Prior to the auction, TMCP Legal will need to receive written confirmation of the reserve price. So that 'best price' can be demonstrated the reserve price should not be less than the Managing Trustees' surveyor's valuation of the property. If the reserve price is to be set at lower than the surveyor's valuation, reasons for this must be given in writing.

### **Property consents**

As with any sale, the project needs to be logged on the Methodist Property Consents website and the relevant local, circuit and district consents need to be in place before the auction can take place.

Kate Mahomed, legal officer, TMCP

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## **PROPERTY USE AND PLANNING MATTERS**

### **Assets of Community Value/the Community Right to Bid**



These terms refer to one of a number of group of duties and responsibilities brought in under the Localism Act, including

- a requirement for local authorities to maintain a list of assets of community value (or ACVs)
- powers for the local community to nominate property for listing as an ACV
- rights for community groups to put together a proposal to buy an ACV – this is known as a community right to bid.

### **How does the application process work?**

Local community groups (but not individuals) can make a formal application to the local authority for a land or building (but not a residence) to be recognised as an ACV. Generally the group has to show that the land or building makes a contribution to social wellbeing or social interests of the local community. Recent high profile listings include Anfield and Old Trafford football grounds, and the skate park at the South Bank in London.

The Council has eight weeks to decide if the application meets the set criteria. If it does, then the nomination is accepted, the building is listed and placed on the local authority list and the land charges register for five years.

### **What does listing mean in practice?**

It simply means that when an owner decides to sell an ACV the local group must be notified and then given six weeks to express an interest in bidding. If they do express an interest then they are allowed six months to put a bid together; this is known as the moratorium period. The owner must not complete a sale to someone else in this period as it will be invalid.

At the end of the six months the owner can sell the ACV to the buyer of their choice and at whatever price they choose. The owner can negotiate terms of sale with a third party during the six month period too. The group cannot make an owner sell an ACV or otherwise restrict what the owner can do with it.

### **What can I do about it?**

You can object to the local authority who must hold an internal review. If you disagree with the result you can appeal to an independent tribunal. You may also be entitled to compensation for money spent or costs incurred as a result of the listing.

More information can be found at [www.gov.uk/government/publications/community-right-to-bid-non-statutory-advice-note-for-local-authorities](http://www.gov.uk/government/publications/community-right-to-bid-non-statutory-advice-note-for-local-authorities)

Sue Chadwick, planning solicitor

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### **War Graves from the Commonwealth War Graves Commission**

With the centenary of the First World War now upon us and the increased awareness that this brings, you may have heard of

The Commonwealth War Graves Commission. We were established by Royal Charter in 1917 to permanently commemorate and protect the burials of those Commonwealth casualties, who died in the First and Second World Wars.



**CWGC**  
Commonwealth War Graves Commission

Do you have a First or Second World War Grave at your Church? There are over 12,300 sites in the UK which have Commonwealth War burials, so the chances are, you do. It is likely that the war grave is marked with the Commission's signature standard pattern headstone, designed by Sir Reginald Blomfield; but did you know that some casualties are commemorated with a private memorial? This is because some families chose to erect one instead, and as such, these are not so easily identifiable as a war grave, though we are still responsible for commemorating these, too.



The Commission is responsible for over 300,000 commemorations across the UK, including war graves in burial grounds and churchyards, local authority cemeteries, as well as iconic memorials across the country (such as Portsmouth Naval Memorial). In order to fulfil our responsibilities, we inspect and make maintenance arrangements for each individual commemoration, at every location.

In carrying out this task, we like to work closely with churches from all denominations. This ensures that we know who owns the site, who to contact about a grave and also allows the owner to get in contact with us if they have any queries or problems.

Can you help us? Sadly, these days sometimes Churches have to be sold. To enable us to keep in contact with the new owners, we should be grateful if you could contact us if there are plans to sell your church. This is even if you are unsure if you have a war grave, as we can check for you on our database. We are already in contact with Trustees for Methodist Church Purposes who have kindly agreed to include covenants in the sale documents, for the protection of all graves, including war graves. This will not make the sale any more difficult or delay things as we can usually reply to you within a day or two with whether there are any war graves at your church. This will help us preserve the commemorations for the future.

The centenary of the outbreak of the First World War has begun, so it is a very busy year for us. The Commission commemorates 1.7million casualties across the globe, in 153 countries. So why not visit [www.cwgc.org](http://www.cwgc.org) for more information and to see what events are taking place, or contact us at Commonwealth War Graves Commission, 2 Marlow Road, Maidenhead, Berkshire, SL6 7DX, tel 01628 634221, or by visiting the Contact Us page on our website: [www.cwgc.org](http://www.cwgc.org).

Please do not hesitate to email us at [Legal@cwgc.org](mailto:Legal@cwgc.org) or telephone 01628 507138, so that we can check our records. You never know; that private memorial could be a war grave.

[Katie Huxtable, legal assistant, Commonwealth War Graves Commission](#)

## NEWS FROM AROUND THE CONNEXION

**If this is not a place where my spirit can take wing, where do I go to fly?**



The Church of St Peter stands as the centrepiece of a Georgian square in an area of Plymouth overdue for uplifting. Built during the later half of the nineteenth century, the church was extensively restored in the 1950s following bomb damage. In the first decade of this century, the building underwent a further refurbishment, including an extensive reordering of the internal spaces by Harris McMullan architecture and design.

From the outset the parish priest, Fr Sam Philpott MBE, was determined that the remodelling should provide a building that glorified God and celebrated the Anglo Catholic tradition of the Church. The objective of the project (shared with many church reordering projects) was to provide a comfortable and welcoming building, not only for the worshipping parishioners but also the wider community. Key to the brief was the intention that every visitor to the church should be aware of the building's principal function as a sacred space and at some level encounter God for themselves. A place of discovery and pilgrimage. A place where community activities inevitably coincide with the sacred; daily mass near the altar, dance class on the balcony.







The reordered space is rich in Christian symbolism. Some examples are obvious: the sunken cruciform baptismal filling the route into the church, the circular rill of running water flowing from the lectern around the worship area to the baptismal and altar, the words of the Anglican creed etched on the glass cover of the rill. Other examples are less apparent, relying on serendipity for discovery: the stained glass roundel in the centre of the priest's dais depicting Christ washing the disciple's feet. Still others demand effort or enquiry on the part of the observer: the stained glass window behind the lectern depicting the four beasts from Revelation (attributed to the apostles in Anglo Catholic theology), the sunflower etched onto the glass of the Chapel of Reconciliation; a memorial to a parishioner who died as a child - in contrast to Princess Margaret's dedication on the other window; all are welcome here. And some are challenging: The 'barbed wire' wrapping around the light fitting suspended over the altar; a crown of thorns, the words of William J Crockett's poem A

*People Place* etched onto glass screens.

Underlying this are many practical considerations: steps and changes in level to the floor had to be removed to provide accessibility, arches to the transepts were filled with glazed partitions to create discrete spaces, the insertion of a balcony surrounding the tower required the organ to be relocated (in a finned stainless steel drum suspended above the balcony), the creation of a 'chapel' between the dais and East wall for private prayer and solace, toilets needed to be accommodated - in the historic sanctuary, necessitating the relocation of the eastern stained glass window within a new internal wall.

All of this had to be achieved with due regard to the building's grade II listed status. The church's development group and architects worked closely with the Diocesan Advisory Committee to ensure that the reordered building would be relevant to contemporary society whilst retaining its historic significance, telling the ongoing story of God's presence and witness of his people in that place.

The Church of St Peter is without doubt a vibrant and exciting place. It may be that, for some, this exuberance is challenging: extravagant, distracting. But one thing should be strikingly obvious to any visitor to the church; for the people of St Peter's, only the best will do for their God.

Michael McMillan

Director, Harris McMillan architecture and design [www.hmad.co.uk](http://www.hmad.co.uk)  
Plymouth and Exeter District Property Committee member.

*Photographs © Girts Gailans*

*Title quotation attributed to William J Crockett*





## Running a successful foodbank



In these difficult economic times, more and more churches are setting up foodbanks for people in their area. Methodist Insurance has helped many churches who need advice on making sure everything is safe. If your church is running or thinking of setting up a foodbank, the information below should help you make sure that you have the right insurance cover in place.

What happens at a foodbank?

### 1. People donate food

Schools, churches, businesses and local people donate non-perishable, in-date food. You may well collect food during Harvest Festival, or at 'supermarket collections', where volunteers buy something extra during their weekly shop.

### 2. You store and sort the food

Volunteers check that the food is still in-date and pack it into boxes ready to be given to people in need.

### 3. You identify who needs help

Your foodbank will probably be working with people from the care sector who are best placed to weigh up who might need help. Professionals like doctors, health visitors, social workers and police can identify who needs help and give them a foodbank voucher.

### 4. You give people food

People bring along their foodbank vouchers to your foodbank centre where they can swap them for a box of food. Each box normally contains at least three days' worth of nutritionally balanced, non-perishable food. Volunteers will meet them and also let them know about other organisations that can help. Your foodbank might also run a delivery service to take boxes of food out to people living in rural areas.

## Things to think about

To make sure that your insurance includes all the risks involved in running a foodbank make sure that you call Methodist Insurance for advice. We will have to ask you some questions to help highlight the issues you need to think about. To make sure your church's insurance policy covers your foodbank, there will be a need to add a small annual charge to your premium.

The questions Methodist Insurance will ask are:

1. Where do you hold the foodbank? (For example, a church hall, the church, or other premises)
2. Who runs the foodbank? (For example, the church, a charity or another organisation)
3. Is it covered by any other insurance? (For example, if another organisation is running it)
4. How many days is the foodbank open each month?
5. What are the opening times?
6. Where do you get the food from? (donations, charities, supermarkets, etc)
7. How many food boxes do you give out each week?
8. Have you carried out a risk assessment and written down the results? (For example, slip and trip hazards, suitability of premises for storage and distribution etc)

9. Do you follow health and safety procedures and keep a note of them?
10. Have you updated your fire risk assessment to take account of the foodbank? For example, more combustible stock such as cardboard boxes, restricted access to fire exits etc.
11. Have volunteers been trained in manual handling? If so, who trained them?
12. Have staff been trained in how to run a foodbank? If so, who trained them?
13. Is food stored above head height? If it is, have your volunteers been trained in storage, and have you checked ladders and stepladders? We recommend that you only store light items above head height.
14. Have you had to modify the building at all? For example, providing extra security.
15. Do you deliver food boxes? If so, have you checked your motor insurance as it may well not cover deliveries?
16. Do you have a set of procedures that you follow for checking and distribution?
17. Are people from another organisation helping with the foodbank? If so, have you checked that they know the layout of your premises?
18. Do you use stock control to make sure that food doesn't go out of date and isn't contaminated in any way?
19. Are all donations non-perishable food?
20. Do you have a training programme for all your staff and volunteers?
21. Do you check that new staff and volunteers are suitable and experienced?
22. Have you arranged for the local authority to collect any extra rubbish from the foodbank? We recommend not keeping waste outside the building as this could increase the risk of fire.

Methodist Insurance is keen to help churches who want to set up foodbanks so if you do have any questions please do call us on 0845 606 1331 or email [enquiries@micmail.com](mailto:enquiries@micmail.com). Our phone lines are open 8am-6pm Monday to Friday, excluding Bank Holidays.

### **Methodist Insurance moves to new offices in Manchester**

Methodist Insurance has just completed a move of offices to new premises in Manchester city centre. The insurer, who has always had a Manchester base, moved to newly refurbished 8,500sq ft offices on the third floor of St Ann's House in St Ann Square on Friday 31 January.

As a result of this move Methodist Insurance will be sharing offices with its operational partner and reinsurer Ecclesiastical Insurance going forward and both insurers will be able to benefit from access to wider specialist knowledge and shared expertise in the two companies.

John Coates, director at Methodist Insurance, said the move will benefit both staff and customers of Methodist Insurance:

"St Ann's House is in an ideal location at the heart of the city and only a walking distance from our previous office, so there will be minimum disruption from the move to our staff and customers.

"I'm also pleased that we will be sharing offices with the underwriting, claims and customer services teams of Ecclesiastical as, although our teams remain separate, we will be able to share expertise from our respective businesses and past experiences to benefit our customers.

“We will look forward to welcoming our business partners and friends for an opening reception in the near future when the teams have settled in.”

The full postal address of the new office is:

Methodist Insurance PLC

St Ann’s House

St Ann’s Place

Manchester

M2 7LP

The phone number remains 0845 606 1331 and the email address is [enquiries@micmail.com](mailto:enquiries@micmail.com).

## **OTHER:**

### **SUPPLEMENTARY NOTES TO JANUARY 2014 PROPERTY MATTERS**

- (i) For clarification, the Methodist Insurance articles in the January 2014 referred to ‘Employees’. Health & Safety legislation uses generic terms, however, in this context ‘Employees’ can mean either employees (contracted) or office Holders in churches (ie not ‘contracted’ people).
- (ii) Business Rates – The article was included to raise awareness across the Connexion that you may find your church is liable to business rates where the premises are used for other activities that generate an income. Each Local Authority may take a different perspective. However, I have been advised by one District Property Secretary that they had a rating issue in relation to their coffee shop. The latter occupied a small proportion of the overall church premises area and since they were able to show that the incomes from the coffee shop were being used by the church to further its purposes, the rating office accepted this.

### **PROPERTY HANDBOOK**

A Property Handbook is currently being developed for use by property stewards at District and Circuit level. They will each be furnished with a hard copy of the manual. The whole document will also be available to download from the Methodist website for use by all property stewards in the Connexion. Updates will be made available on line. Publication will be early in the new Connexional Year, and an electronic copy of the draft document will be available to District Property Secretary’s at the Annual Resourcing Mission Forum in May.

[Julie Robinson-Judd, mission resources manager](#)

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### **HISTORIC RELIGIOUS BUILDINGS ALLIANCE (HRBA) MARCH 2014 E-NEWSLETTER**

The newsletter is available to download via the following link: [www.hrballiance.org.uk](http://www.hrballiance.org.uk)

**2014 PUBLICATION DATES:** *Property Matters* will be published in June, September and December of this year. Any changes to this schedule will be communicated to you in advance.