#

**Yorkshire Synod**

**Application Form 2 – Guidance Notes**

**To sell all or part of the property**

**Guidance Notes on Completing Application Form 2**

**When to use Form 2**

This form should be used where a church wishes to sell all or part of their property which is held under the Scheduled Trusts as set out in the United Reformed Church Acts. This will generally include churches, church halls and other ancillary buildings, manses and other church workers’ houses. For any other property, please contact the Property Officer or Trust Secretary.

Please note that the trustees, generally through the Trust Secretary, will deal with our appointed agent and solicitors. However, any costs will be met by the Church, unless otherwise negotiated by our agent, including the 0.5% Transaction Charge levied by the trustees. Generally, these will be met from the sale proceeds and any expenses paid up front by the church can be recovered from the proceeds following completion. The net proceeds will be held on the same trusts following the sale and, where appropriate, be used as directed by Church Meeting. For the trustees and Synod to give their approval to the disposal you are asked in Q4 to indicate to what purpose the Church Meeting intends to apply the proceeds. If you have not reached a conclusion on this, then the Synod will expect you gain its further approval to the use of the proceeds once you have formulated your plans.

The local Church will be kept updated on progress but will be expected to assist by helping us to deal with any queries that are raised by the prospective buyer, their agents or their solicitors.

**Note: Whenever possible, documents should be attached in pdf format or, if sending in hard copy, must be no larger than A3 in size.**

**Qu.1 Property to be sold**

If this is for part of a larger property then, in addition to the address details, it is important that there is some sort of plan to illustrate the part of the property being considered in this application.

**Qu.2 Briefly explain the reason for the proposed disposal**

When completing this and other sections of the form it is worth remembering that Committee members come from churches in various parts of the Synod and may not be familiar with your particular town or church. Help in understanding the context is always beneficial.

**Qu.3 Consultation with Synod and Professional Advice**

Although you may have discussed this with Synod Office staff or some committee members, it is helpful to have this summarised so that all are aware of what advice has been taken and given.

**Qu.4 Use of the proceeds**

Your church may know the intended use of the proceeds, for example, to fund a development of the remaining church property or you may simply be disposing of something that has become a burden rather than an asset to the church’s mission. This will determine the form of Church Meeting Resolution (see No. 6).

**Qu. 5 Vision and Mission**

This section helps the Committee members understand the church, its mission and the context of the proposed disposal. A simple summary will generally be sufficient.

**Qu.6 Church Meeting Resolution**

While the wording of this will vary a little depending on the nature and extent of the property being sold, it is important that the proposed sale has the approval of Church Meeting as this is expected under the trusts on which all our church property is held (whether church buildings or manses). A copy of the Resolution, signed by the person who chaired the Church Meeting, should be enclosed.

The following should provide a framework:

For all or part of a church building or site or of a manse:

At a Church meeting held on [Date], the members of [ ] United Reformed Church unanimously agreed / voted *x* votes to *y* in agreement that the Trustees be asked to dispose of the property located at/known as/ [ ] in accordance with Paragraph 2(c) of Part 1 [or Part 2 if the property is a manse] of the Scheduled Trusts.

Church Meeting further agreed that the proceeds of sale be applied to [ ] subject to the approval of Synod and in accordance with Paragraph 2(c) of Part 1 [or Part 2 if the property is a manse] of the Scheduled Trusts

OR

Church Meeting further agreed that the proceeds of sale be invested until direction by Church Meeting subject to the approval of Synod and in accordance with Paragraph 2(c) of Part 1 [or Part 2 if the property is a manse] of the Scheduled Trusts

**Checklist**

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| 1. | Application Form 2 fully completed |  |
| 2. | Details and specification of the property to be sold, including drawings or plans and photographs if they would be helpful. (See Note for Qu. 1) |  |
| 3. | Copies of any appraisal or valuation that has been received (See Qu. 3) |  |
| 4. | Church Meeting Resolutions (See Note for Qu. 6) |  |
| 5. | Any other documentation that will be helpful to the Committee members making the decisions. |  |

## October 2019