

Property Management Committee

Terms of Reference

Approved By the Bishops' Diocesan Council on [DATE]

1. Place within the Diocesan Organisation

The Bishops' Diocesan Council (BDC) operates both as the Board of Directors of the Truro Diocesan Board of Finance Ltd (TDBF) and as charity trustees. The Property Management Committee (the Committee) is a committee of the BDC.

The Committee shall operate within such authority as may be delegated to it by the BDC from time to time.

By Resolution dated [insert] (see clause 9 below) the BDC delegated to the Committee authority to carry out all the functions of the TDBF relating to both (1) parsonage houses and (2) all the TDBF's real property other than Glebe or real property held purely as an investment.

A Property Management Agent (PMA) is contracted by the BDC to handle the day-to-day management of parsonage houses and the real property falling within the authority delegated to the Committee. The PMA report to the Committee, which has oversight of the work of PMA.

2. Role

The Committee's activities are governed by the scope of the authority delegated to it by the BDC; the Church Property Measure 2018; the Repair of Benefice Buildings Measure 1972; (taking into account the Common Tenure Ecclesiastical Offices (Terms of Service) Regulations 2009) and the general law relating to property.

3. Duties.

The duties of the Committee are:

- Ensuring that clergy are provided with homes which meet the requirements and standards reasonably necessary to support their ministry and as a base for their lives.
- Ensuring that the BDC meets its statutory duty to carry out repairs and maintenance.
- Ensuring that unsuitable houses are replaced where possible.
- Improving properties where appropriate.
- Realising development potential of sites.
- Selling houses no longer required.
- Liaising with the Glebe Management Committee to ensure that the combined value of adjacent sites is maximised.

- Letting houses during vacancies where appropriate.
- Providing new houses where required.
- Working to the strategy agreed with the Finance, Assets and Risk Committee.
- Overseeing the work of the PMA including providing some monitoring of compliance with health and safety legislation and all other governing legislation.
- Supporting the BDC in implementing the Diocesan Strategy and Vision as far as it relates to property.
- Working with other committees as and when appropriate to further the objectives and purposes of the TDBF.

The day-to-day functions of property management are delegated to the PMA

4. Composition

The Property Management Committee shall consist of:

- The Chair
- The Archdeacons.
- The Chair of the TDBF
- A member of the Finance, Assets and Risk Committee with relevant experience.
- A member of the Bishops Diocesan Council
- An occupant of a clergy house.
- Other independent members, appointed on the basis of their experience and knowledge of land or property management/development and related matters. These roles are appointed by the Governance Appointments Panel in consultation with existing members of the Committee.

The Chair is appointed by the BDC in consultation with the Governance Appointments Panel and with the agreement of the Bishop of Truro.

A member may be disqualified from membership of the Committee if they fail to attend two consecutive meetings without giving apologies.

In attendance at meetings of the Committee:

The Diocesan Secretary or their deputy

The Director of Finance and Assets

The Property Management Agent

Committee secretary

The Diocesan Secretary or their deputy and the Director of Finance and Assets shall attend meetings of the Committee and participate in discussions unless debarred from doing so on any particular issue by ruling of the Chair, but shall not be entitled to vote.

5. Tenure

All members of the Committee shall be appointed for a three-year term and may serve up to two further terms. No member shall serve more than nine consecutive years on the Committee, unless there is a special reason for an extension.

6. Meetings

The Committee meets 11 times per year (monthly, except August), or at other times as needed in the opinion of the Chair.

The Committee shall be quorate if over half of the committee members are present, including the Chair or a nominated deputy.

In the absence of the Committee Chair the remaining members shall elect one of themselves to chair the meeting.

All appointed members, but not officers in attendance, are eligible to vote. In the event of a tie the Chair will have the casting vote.

Meetings may be physical or virtual, and business may be conducted by email or other means between meetings as follows:

“Chair’s business”: Some urgent business may also be conducted by email between Meetings or, if reasonably necessary, by the Chair acting alone. For example, approval of rent reviews between meetings, on advice from the PMA and in consultation with the Director of Finance and Assets or the Diocesan Secretary.

A written record of all such business transacted should be included in the minutes of the next meeting of the committee.

7. Reports

The Committee shall provide a written report to the Finance, Assets and Risk Committee after each meeting.

The Committee shall prepare an annual report to the BDC to include:

- Report on the work of the Committee to show effective management of Property assets in relation to Diocesan needs and objectives.
- Report on reviews of specific areas of the Committee’s work and effectiveness.
- Report on the effectiveness of the PMA.
- The Committee’s views on whether any, and if so, what amendments may be necessary or appropriate to these Terms of Reference and / or the scope of its delegated authority.

8. Professional Standards

The members of the Committee should at all times act in accordance with relevant professional and legal standards including those for data security, safeguarding, declaring any conflicts of interest, and respectful treatment of all colleagues and those with whom they interact. They shall be asked to abide by the Code of Conduct for TDBF Boards and Committees.

9. Delegation of Authority

By Resolution dated _____ the BDC resolved as follows:

“ Resolved that the Bishops’ Diocesan Council, acting as the board of directors of the Truro Diocesan Board of Finance Limited (TDBF) and as charity trustees, hereby delegates to the Property Management Committee (“the Committee”) authority to carry out all the functions of the TDBF relating both to (1) parsonage houses and (2) the TDBF’s real property other than Glebe or real property held purely as an investment for a period of _____ terminating on _____ , unless renewed by the BDC prior to that date.

All decisions of the Committee, save decisions of the Chair relating to Chair’s Business, shall be taken by the Committee acting jointly. Disagreements may be resolved by a majority vote but dissenting members shall nevertheless agree to be bound by the decision of the majority such that the resulting decision shall be deemed taken and be implemented by all members acting jointly.

Where, in the reasonable opinion of the Chair, urgent business to be known as “Chair’s Business” cannot await the next meeting of the Committee and the views of a sufficient number of members capable of forming a majority cannot be obtained by email or in some other appropriate manner, the Chair is hereby authorised to act alone if of the opinion that it is reasonably necessary to do so in the best interests of the TDBF. Ratification by the Committee of all and any such actions shall be obtained by the Chair at the earliest reasonable opportunity. ”The Committee is authorised to

9.1 Seek any information it requires from any employee or contractor of the TDBF in order to perform its duties;

9.2 Obtain, at the TDBF’s expense, independent legal or other professional advice on any matter it believes it necessary to do so;

9.3 Call any employee or contractor to be questioned at meeting of the Committee as and when required;