



General Trustees

The Property Holding Arm
of The Church of Scotland

27 February 2023

Dear colleagues

Disposal of buildings – implementation of Presbytery Plans

Please find attached a guidance flowchart which outlines the processes and procedures we need to follow with regards to the disposal of those buildings categorised “b” in the Presbytery Plan.

To comply with the provisions of the Act VII 1995, Presbytery should continue to send to the General Trustees an extract minute confirming approval for the disposal of each individual building (if you are aware that title to a particular building is held in the name of local Trustees, the extract minute should go directly to the Law Department but it is quite acceptable simply to send all extracts to the General Trustees on the assumption that title to the building is in the name of the General Trustees and they will be passed on to the Law Department where appropriate).

It is assumed that Adjustments (ie., unions, linkages etc) as approved in the Plan have been or are being implemented and therefore that the ministers’ rights will not be impacted by the building disposal. You should send extract minutes with regards to the disposal of buildings as per the date determining such disposal in the Plan.

For those buildings which are to be disposed of other than by adjustment, an application for authority to dispose should be instigated by the Kirk Session (or the Financial Board where different) and a congregational vote will be required in the case of a church or hall, in addition to Presbytery approval.

The Trustees are of course aware that a number of buildings have initially been categorised “b” in Plans so as to allow further time for reflection and assessment on which buildings, in certain circumstances, are to remain category “b” and which will be retained and it is expected that these decisions will be made at the appropriate annual Plan reviews.

As a reminder, once a building has been approved for disposal by the General Trustees, congregations remain responsible for maintenance and appropriate insurance of the building and staff in the General Trustees are ready to assist congregations and Presbyteries with regards to any queries concerning same.

We hope the flowchart makes interpretation of the disposal process a little easier than it might otherwise have been but, once again, the staff of the General Trustees are always on hand to assist.

Whilst the General Trustees and Law Department will do their very best to dispose of buildings in a manner which “dovetails” with the various dates requested in Presbytery Plans, given the sheer volume of disposals we are expecting in the coming 5 years it may not always be possible to align disposals with dates requested in Plans.

Thank you for your work in the challenging area of Planning: clearly, difficult but ultimately necessary decisions have needed to be made and the General Trustees will expedite matters in terms of disposal of buildings in a sensitive and expeditious manner.

Yours sincerely

Brian Waller
Acting Secretary & Clerk

121 George Street, Edinburgh, EH2 4YR, Tel: 0131 225 5722, Email: gentrustees@churchofscotland.org.uk

www.churchofscotland.org.uk/general-trustees

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