

At Fort William, and within the Hall of Kilmallie Parish Church, Caol, the fourth day of December 2007, at 6.00 pm, which place, date and time the Presbytery of Lochaber met and was constituted with prayer.

1. **SEDERUNT, APOLOGIES & WELCOME**
 - 1.1 Present were the Rev A. Ann Winning, Moderator, the Rev David M. Anderson, Clerk, plus twenty eight full members and five corresponding members of Presbytery.
 - 1.2 Names and apologies as per sederunt sheet.
 - 1.3 The Moderator received and welcomed: - Readers Andrew Chalkley, Robert Dick, John Fraser, John Maitland, Morag Muirhead, Geoff Thomas and Eric Walker; Other Preacher the Rev Canon Gerald T. Kaye; and the Presbyterian Council Representative Pat MacQuarrie. The Moderator thanked them all for their service to Christ's Church and commended them to God's care.
2. **ORDER OF BUSINESS** Presbytery approved the Order of Business as circulated.
3. **MINUTES** Minutes of the previous meetings of 30th October 2007 and 20th November 2007, being in the hands of members, were approved.
4. **INTIMATIONS** Intimations were made including from:
 - 4.1 The Moderator, who reported on her recent Moderatorial Visit to the Congregation at Morvern on 2nd December 2007.
 - 4.2 The Clerk, who intimated on the Christmas arrangements at Raigmore Hospital and on the recent death of the Very Rev Prof Thomas F. Torrance.
5. **CORRESPONDENCE** The Clerk presented fifteen items of correspondence (Appendix I).
6. **REPORT OF THE BUSINESS COMMITTEE**

The Business Convener, the Rev Dr Adrian Varwell, reported. It was moved, seconded and agreed-

The Presbytery:

Business

 - 6.1 Recommend to Presbytery that a new second sentence be added to Presbytery Standing Order number nine to read: *Working Group Conveners should present reports for consideration by Presbytery to the Business Committee prior to presentation to Presbytery*; and instruct the Clerk to initiate procedures to amend Standing Orders accordingly.
 - 6.2 Note, with satisfaction, the attendance of Mr John Fraser, Mr Eric Walker and Mrs Morag Muirhead at a recent training for elders as Interim Moderators.
 - 6.3 Urge congregations to consider nominations for a Youth Representative from Lochaber Presbytery to the 2008 General Assembly.
 - 6.4 Receive and accept the resignation of the Presbytery Clerk from June 2008.

Nomination

 - 6.5.1 Invite applications for the position of Presbytery Clerk to be forwarded to either the Clerk or to the Business Convener by 16th January 2008.
 - 6.5.2 The Clerk intimated that he would welcome enquiries for information regarding the position.

6.6 Nominate the Rev Dr Adrian Varwell as Appraisal Working Group Convener and invite Mr Eric Walker and Mrs Mabel Wallace to be members of the Group.

Superintendence

None

Vacancy Procedure

Morvern

6.7 Miss Janet Anderson DCS was appointed as Interim Moderator to Morvern from 1st January 2008.

**7. ORDER OF THE DAY
AT 6.30 PM TAKEN AT
6.32 PM.**

The Report from the committee established to negotiate a Basis of Union to replace the Basis of Linkage for the congregations of Arisaig and the Small Isles and Mallaig St. Columbas with Knoydart (section eight of the Presbytery minute of 30th October 2007).

7.1.1 Presbytery noted that the Arisaig and Mallaig congregations had been cited to appear.

7.1.2 The Moderator welcomed those who were present from both congregations.

7.2 The Moderator invited the Interim Minister, the Rev John Christie, to report on the background.

7.3 The Presbytery Clerk reported on behalf of the committee.

7.4 After questions and discussion the Clerk moved the following Deliverance which was seconded: -

The Presbytery

7.5.1 Subject to the concurrence of the Ministries Council, replace the Basis of Linking in the charge of Arisaig and the Small Isles linked with Mallaig St. Columba's with Knoydart to a Basis of Union, from 1st March 2008, in terms of the Draft Basis of Union as amended by this meeting (Appendix II).

7.5.2. Presbytery APPROVED this section of the Deliverance by NINETEEN votes FOR and SIX votes AGAINST.

7.6.1 Permit vacancy procedures to recommence immediately.

7.6.2 Presbytery APPROVED this section of the Deliverance by TWENTY FIVE votes FOR and NO votes AGAINST.

7.7.1 Instruct the congregations in terms of Act 8, 2003 Section 26 (b) to elect a fresh Nominating Committee prior to 1st March 2008 and affirm the decision of the Presbytery Vacancy Procedure meeting on 31st May 2005 that the total membership of that committee should be thirteen in the proportion of seven from Mallaig to six from Arisaig.

7.7.2 A **counter motion** to deliverance 7.7.1 was moved and seconded: -

Instruct the congregations in terms of Act 8, 2003 Section 26 (b) to elect a fresh Nominating Committee prior to 1st March 2008 and remit to the Presbytery Vacancy Procedure Committee, in terms of Section 14 (5) of the Act, the task of determining how the number who will act on the Nominating Committee will be allocated among the congregations, following receipt of a revision and update of the Electoral Register, in terms of Section 13 (6) of the Act, from both congregations.

7.7.3 Presbytery APPROVED **the counter motion (7.7.2)** by FIFTEEN votes for the counter motion and THIRTEEN votes for the motion (7.7.1).

7.8 The whole amended Deliverance was then APPROVED by TWENTY THREE votes FOR and NO votes against.

7.9 The Clerk reminded Presbytery of the right of appeal and dissent-and-complaint under Act 7, 2003.

7.10 The Clerk advised persons present of their right to appeal under Act 5, 2004 and read sections 3 and 4 of the Act which deal with exclusions and qualifications.

Presbytery then adjourned for ten minutes at 8.00 pm.

8. REPORTS FROM WORKING GROUPS & REPRESENTATIVES

Mission

8.1.1 The Convener of the Mission WG Miss Janet Anderson DCS reported (Appendix III).

8.1.2 The Clerk was instructed to write to the Church Without Walls Group to express disappointment at their response.

Property

8.2.1 The Clerk reported on behalf of the Property WG (Appendix IV) and moved the Deliverance which was seconded and agreed: -

Presbytery

Fort William Duncansburgh MacIntosh

8.2.2 "Approve the retention of the sum of £87,612.98 in the individual Investment Account in the Consolidated Fabric Fund, until financial implications of possible fabric alterations to the church hall are determined."

Safeguarding

8.3 The Rev John Christie reported on forthcoming changes in the Safeguarding Office.

Spiritual Development

8.4 The Moderator thanked the Convener, Mr John Fraser, for his arrangement of the Presbytery Christmas Dinner.

Appraisal

No report

Education

8.5 The Convener of the Education WG, Mrs Elizabeth Carmichael reported. Copies of the report are available from the Clerk.

Finance

8.6 The Convener of the Finance WG, Mr Alex Sandilands, reported and moved the deliverance which was seconded and agreed: -

The Presbytery

8.6.1 Approve the Accounts for Lochaber Presbytery for the year 2006/07 as presented to the meeting.

8.6.2 Receive and accept the budget for the Presbytery Accounts as presented to the meeting.

8.6.3 Approve the setting of the rate of Presbytery Dues for the year 2007/08 as the same as last year.

8.6.4 Confirm the Attestation of Accounts of Congregations within Lochaber Presbytery for the year ending 31st December 2006.

Ministries

8.7.1 The Joint Convener of the Ministries WG, the Rev Peter Rae, requested suspension of Standing Orders to enable Presbytery to enter into conference session to consider the Ministries Council Consultation with Presbytery Report to the 2007 General Assembly on the "Vision for ministries in the 21st century". Presbytery agreed unanimously at 8.37 pm.

8.7.2 On the resumption of Standing Orders at 9.00 pm, Mr. Rae proposed the following Deliverance which was seconded and agreed: -

The Presbytery

8.7.3 Receive the report.

8.7.4 Reply to the questions in Section 3 as follows: "The proposals seem to be envisaging a large change, for a benefit that could be obtained without such wholesale alterations to the existing patterns of ministry."

9. REPORTS ON VACANT CONGREGATIONS

Arisaig I/w Mallaig

9.1 No report

Acharacle I/w Ardnamurchan

9.2 The Interim Moderator, Mr John Fraser, reported that the Acharacle congregation had returned to worship in the church building following extensive repairs to the building. At the service of rededication on 11th November 2007, the large congregation had been joined by many people from the local community and by two representatives from Presbytery.

Ardgour I/w Strontian

9.3 The Interim Moderator, the Rev Alan Lamb, reported that the congregations were continuing in good heart despite the length of their vacancy and thanked those who had conducted worship in the congregations.

Morvern

9.4 The Interim Moderator, the Rev Dr Adrian Varwell, thanked those who had conducted worship in the congregation with special thanks to the Rev Alan Cobain.

Kinlochleven I/w Nether Lochaber

9.5 The Interim Moderator, the Rev A. Ann Winning, reported on recent events in the two congregations.

10. OVERTURE

Amending Act V 2007 Anent Discrimination

10.1 The Clerk outlined the background to this Overture and proposed the Motion that "Presbytery approves the Overture Amending Act V 2007 Anent Discrimination".

10.2 Approval for the Overture was given by TWENTY FOUR votes for approval and THREE votes for disapproval.

11. ADJOURNMENT

There being no further business, Presbytery adjourned to meet for ordinary business on Saturday 2nd February 2008 within the Hall of Kilmallie Parish Church, Caol, Fort William at 11.00 am.

Closed with prayer

9.30 pm

.....Moderator

.....Clerk

APPENDIX I - Correspondence presented to the meeting of Presbytery of Lochaber
on 4th December 2007

- 1 Mission & Discipleship Council: Church Without Walls 2008. For intimation.
- 2 Tearfund: Global Poverty Prayer Week. For intimation.
- 3 General Trustees: Proceeds of Sale of MacIntosh Church Building. Clerk forwarded to Minister, Property WG and Finance WG.
- 4 Mission & Discipleship Council: Aitken Bequest for Skiers. For intimation.
- 5 Mission & Discipleship Council: General Assembly Youth Representation. Clerk informed Ministers/IMs/Deacon.
- 6 Ministries Council: Elders as Interim Moderators. Forwarded to Nomination Committee.
- 7 The Ferguson Bequest Fund: Church Building and Repair Grants. Forwarded to Ministers/IMs/Deacon and Property WG.
- 8 Stewardship & Finance Committee: Attestation of Congregational Accounts. Forwarded to Finance WG.
- 9 General Trustees: Presbytery Diligence Report 2007. Forwarded to Property WG.
- 10 Dr Shina Grant: Draft Basis of Union. Clerk acknowledged and forwarded to Business Committee.
- 11 Ministries Council: Accompanied Review. Forwarded to Business Committee.
- 12 Rev Dr Adrian Varwell: Appraisal in Morvern. Forwarded to Business Committee.
- 13 Depute Principle Clerk: Act 7, 2003. Clerk forwarded to Business Committee.
- 14 Mrs Sylvia Arnold: Congregational vote on 25th November 2007. Clerk replied.
- 15 Ministries Finance: Vacancy Schedule Kinlochleven I/w Nether Lochaber. Forwarded to Interim Moderator and Ministries WG.

APPENDIX II - DRAFT BASIS OF UNION FOR UNITING CONGREGATIONS

The congregation of Arisaig and the Small Isles and the congregation of Mallaig St. Columbas with Knoydart shall be united as from the first day of March 2008, and that on the following terms and conditions:

1. ***Name: The name of the united congregation shall be "North West Lochaber".***
2. ***Transference of Property and Funds: The property and funds belonging to or held on behalf of each congregation shall belong to or be held on behalf of the united congregation and any transference necessary shall be duly effected.***
3. ***Places of Worship: Services shall be conducted weekly in both the present Arisaig Church building and the present Mallaig Church building, at times to be determined by the Kirk Session, intimated to Presbytery and subject to the approval of Presbytery. Services in the Small Isles and Knoydart will be held on a regular basis.***
4. ***Territorial Responsibility: The bounds to be served by the united charge shall be the bounds of both Arisaig and the Small Isles and Mallaig St. Columba's, or as the Presbytery shall determine.***
5. ***Kirk Session: The elders of both Kirk Sessions shall form with the minister the Kirk Session of the united congregation.***
6. ***Congregational Management: The temporal affairs of the united congregation shall be administered by the Kirk Session in terms of the Unitary Constitution, the Delegation of Assembly being authorised to issue the appropriate Deed of Constitution to the said congregation.***
7. ***Minister: Both congregations being vacant, the united congregation shall proceed to the election of a minister.***
8. ***Manse: The manse of the Mallaig congregation shall be the manse of the united congregation.***
9. ***Ministerial Support: The stipend shall be such as is sanctioned by the Presbytery in conjunction with the Ministries Council.***
10. ***Power to Readjust: While the articles and terms shall form the Basis of Union for the two congregations now uniting, the united congregation shall be free like other congregations; to adjust arrangements under the authority of Presbytery as need may arise.***

APPENDIX III - Report of the Mission Working Group

At the last meeting of Presbytery, the Mission Group were requested to make contact with the Church Without Walls Group regarding the possibility of having a Presbytery presence at the national Gathering in May 2008 rather than individual churches, if interested in being part of the gathering, having to meet the financial and personnel costs on their own.

The response from CWW was not encouraging and they are quite clear that their wish is for congregations to be represented on their own.

The Working Group is in the very early stages of exploring, with World Mission, the possibility of Twinning with a church or group of churches from the 'Overseas Church'. Now that there are fewer links between us all (due to the lesser number of mission personnel available to be partners) it seems appropriate to explore this avenue as a way of continuing contact.

Presbytery is asked for their support.

Appendix IV - Property Report

Proceeds from sale of former Macintosh Memorial Church and Hall

Net proceeds amounted to £97,347.76 and under the Determination made by the Trustees authorizing the sale, are to be credited to the benefit of the new, united Congregated in the Consolidated Fabric Fund.

However, the 10% levy approved by the 2003 General Assembly has been applied with the result that the amount actually available is £87,612.98.

This sum has been placed into an individual Investment Account in the Consolidated Fabric Fund where it is invested in the Church of Scotland Investors Trust Deposit Fund.

As the total holding now exceeds £60,000, the question arises of a possible reallocation of part of the monies for stipend purposes.

However, at this early stage in the Union and with uncertainties relative to possible fabric modifications to the hall to create more floor space for storage, meeting room, increased toilet facilities, church office, etc., it is the wish of the joint Kirk Sessions that the £87,612.98 be left in the individual Investment Account in the Consolidated Fabric Fund, for the time being.