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The Kirk Session of Houston and Killellan Kirk met jointly with the Kirk Session of Langbank Church at 19.00 hours on 7 August 2024 in the Killellan Halls. The meeting was constituted in worship and prayer by the Moderator.

2. Sederunt and Apologies: the names of those attending were noted, with apologies also noted.

3. The Moderator explained that we were meeting jointly with the Presbytery Advisory Committee now that the sist to calling a new Minister had been lifted on 7 August 2024 and she thanked them for attending and passed over to John Armit to continue with the meeting.

John explained that the three of them formed the Presbytery Advisory Committee (an ad hoc committee appointed by Presbytery’s Vacancy Procedure Committee) and each member introduced themselves as Chair John Armit, Stewart Young and Rev Ann Mccoull .

This was the first of two visits being made by this Committee before the search for a new minister gets under way: the second visit will be after the congregation has elected its Nominating Committee.

John explained that it is the Interim Moderator’s duty, in terms of section 7(3) of the Vacancy Procedure Act, to ascertain whether or not the Kirk Sessions may wish to follow the procedures contained in the Ministers & Deacons in Same Sex Civil Partnerships and Same Sex Marriages Act as regards making a decision on whether or not to depart from the Church’s historic and current doctrine and practice in relation to human sexuality, but – particularly as section 7(3) goes on to say that any such decision cannot be made until after the Kirk Sessions have met with the Advisory Committee, the visiting Advisory Committee will try to explain the procedure and implications.

John explained that the Kirk Sessions can decide not to follow the procedures set out in the Ministers & Deacons….Act.

He repeated the wording of section 7(3) of the Vacancy Procedure Act: we have to “ascertain whether or not the Kirk Session(s) may wish to follow the procedures contained in the Ministers & Deacons….Act.” He advised that we can decide tonight (at the continuation of this meeting after they have left) that we do not wish to follow these procedures. (In the case of a linkage, we need to split into two separate Kirk Sessions to make this initial decision.)

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He stressed that this is not the decision whether to depart or not. As the decision whether to depart or not comes later and after further procedure.

At this stage, the only choice to make is (A) to follow the procedures contained in the Ministers & Deacons….Act or (B) not to. If, at this stage, you decide that you are not going to follow the procedures contained in that Act – and so are not going to have a debate about departing or not departing – what he called the default position will automatically apply, i.e., you will be adhering to the position, and will not be able to call a minister in a same-sex civil partnership or same-sex marriage. If, however, you decide at this stage that you would like to have a debate on departing or not departing, we will have to follow the procedures laid down in the Ministers & Deacons….Act.

A further meeting of the Kirk Session (separate Kirk Session meetings in the case of linked charges) will have to be arranged under section 3(5) of the Ministers & Deacons….Act and an edictal intimation in terms of Schedule 2 of that Act will have to be read out on two Sundays. This is to let the congregations know that the Kirk Sessions will be meeting to debate the matter and to have a vote – note: a vote of the Kirk Session, not of the congregation.

Voting papers will have to be prepared for that Session meeting in accordance with Schedule 1 of the Act. The matter would be debated, and decided, at that meeting.

He counselled to keep in mind the terms of section3(4) of the Ministers & Deacons….Act: “When deciding whether or not to depart, the Kirk Session shall take account of the peace and unity and pastoral needs of the congregation.”

If the decision should be to depart, that decision would have to be intimated to the Presbytery Clerk by sending him an extract minute. (In the case of our linkage, the traditional position will apply unless both Kirk Sessions votes to depart.)

We can decide tonight (at the continuation of this meeting, after the Presbytery committee have left) whether or not we wish to follow the procedures contained in the Ministers & Deacons….Act. If we decide to do so, an intimation in terms of Schedule 2 of that Act will be required.

It was reported that according to the C of S website in the current vacancies 19 out of 25 Kirk sessions of Churches in vacancy agreed to depart and in this presbytery 4/5 agreed to depart.

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They then addressed the other matters for which this present meeting has been convened.

First and foremost the committee explained that they need to establish if there are any shortfalls in the (or each) congregation’s contributions to central funds. Strictly speaking, a congregation cannot be given permission to call if there are any unjustified shortfalls. However, the understanding is that permission to call can, on this occasion, be implied from Faith Nurture Forum’s approval of the Presbytery Mission Plan (and the lifting of the sist following upon the service of linkage), but the vacancy process on which we are now embarking would have to be suspended if there are shortfalls until such time as agreement has been reached regarding payment of these shortfalls.

It was later confirmed payments made are satisfactory ( HKK pay by monthly direct debit )

As the Vacancy Schedule has not yet been received from Faith Nurture Forum the committee can prompt them to issue it.

When it arrives, a start should be made to completing it. It requires to incorporate a Manse Condition Schedule. No induction of a new minister could be arranged until any defects in the manse have been attended to or, as the case may be, a satisfactory new manse has been acquired. As for the Vacancy Schedule as a whole, this needs to be seen and approved by the Vacancy Procedure Committee, not necessarily immediately, but on an ongoing basis.

As well as the manse, the state of repair of the Church buildings needs to be considered. Are there any major fabric problems?

HKK confirmed none, Langbank confirmed they were in course of being attended to .

Section 12 of the Vacancy Procedure Act requires that a draft of the Parish Profile be submitted to the Vacancy Procedure Committee prior to this meeting for possible comment and revision. Clearly this is an impractical requirement, particularly as it is required that it include an indication of whether or not it has been decided to depart – a decision which has obviously not yet been taken.

As soon as possible ,they wish to see a draft. If there has been a recent Local Church Review, its contents may assist with the drafting of the Parish Profile. (In

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the case of a linkage, the Parish Profile should take the form of a single document, with separate sections for each constituent congregation.)

It was confirmed that a start had been made on a draft for both churches by Annabelle and this would be passed to the nominating committee once formed . Advice was offered on the format of the Profile.

Next they addressed the Electoral Register(s) – one for each congregation in the case of a linkage. The Electoral Register is a list of those eligible to vote when the time comes to elect a Nominating Committee and, later, those eligible to vote in the election of the new minister.

An intimation in terms of Schedule C to the Vacancy Procedure Act will have to be read on two Sundays, saying that, if you’re already on the Communion Roll, you’ll be placed automatically on the Electoral Register; you don’t need to take any further action. If you wish to be added as a regular worshipper or adherent, the intimation will tell you the procedure to be followed. The intimation will also state when the Kirk Session will meet to make up the Electoral Register, but the wording of the intimation and the timing of its reading will depend on the availability of the Interim Moderator.

After that, there has to be an intimation, on one Sunday only, in terms of Schedule E, giving people an opportunity to check that their names are on the Electoral Register. It and a duplicate copy of it should then be sent by the Session Clerk to the Presbytery Clerk to be attested. The principal copy will then be returned to the Session Clerk. Section 14 of the Act then goes on to deal with what happens if a communicant is given a Certificate of Transference and also what happens if six months elapse since the attestation of the Electoral Register but before there is a nominee.

Only when the Electoral Registers have been finalised can the congregations proceed with the appointment of a Nominating Committee. It is for the Vacancy Procedure Committee to decide the number who will act on the Nominating Committee, being an odd number up to a maximum of 13, and also, in the case of a linkage, to decide how that number will be allocated between the congregations, unless provision for this has already been made in the Basis of Linking.

John indicated that strictly speaking, the Vacancy Procedure Committee’s decision on this is subject to section 2 of the Vacancy Procedure Act, meaning that the Presbytery Clerk should intimate the decision to Presbytery and also arrange one Sunday’s pulpit intimation of this to be made to the congregation(s) in terms of Schedule A to the Act, however he advised that the

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present Presbytery Clerk takes the view that observance of section 2 and Schedule A is not mandatory – and so, saving some time, we can press on with the intimation in terms of Schedule G about the holding of the meeting of the congregations to elect the Nominating Committee and about the numbers to serve thereon.

This intimation requires to be read on two Sundays. Obviously, as the meeting has to be chaired by the Interim Moderator, its date can’t be inserted in the intimation until the Interim Moderator’s availability has been confirmed.

Also, it has to borne in mind that, if we decide to go down the route of the procedures contained in the Ministers & Deacons….Act, we can’t go ahead with the election of the Nominating Committee until the decision whether to depart or not has been made.

At this present meeting we are required to decide, in the unlooked-for event of the number of people proposed for membership of the Nominating Committee exceeding the maximum number fixed by the Vacancy Procedure Committee, what system of election should be used to whittle it down to the maximum number: either (a) standing up or (b) in the wording of the Act, “a system of written ballot devised by the Kirk Session(s) to suit the size of the congregation(s) and approved by the Vacancy Procedure Committee”.

John proposed a 10/3 split which was also suggested by Langbank Session clerk and accepted.

The meeting agreed to a written ballot , with consideration of additional numbers as reserves.

Other matters for consideration: What kind of ministry do you want? (Probably difficult to get unanimity on this.)

Stewardship should be addressed now, without leaving it for the new minister to tackle. Barbara Ann confirmed this was starting already.

The Kirk Session(s) must give the new minister its/their full support.

Some ideas were put forward on the important aspects of any new minister and the Kirk Sessions were advised not to go full pendulum swing from the last minister nor exactly the same.

The Advisory Committee advised they would leave at this point, leaving the Kirk Sessions separately to discuss whether or not to follow the procedures set out in the Ministers & Deacons….Act.

The Advisory Committee will be back for a meeting with the Nominating Committee once it has been elected.

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Barbara Ann thanked the committee for attending and their guidance.

The meeting finished by saying the Grace together.

Signed

Moderator Session clerk

Date: