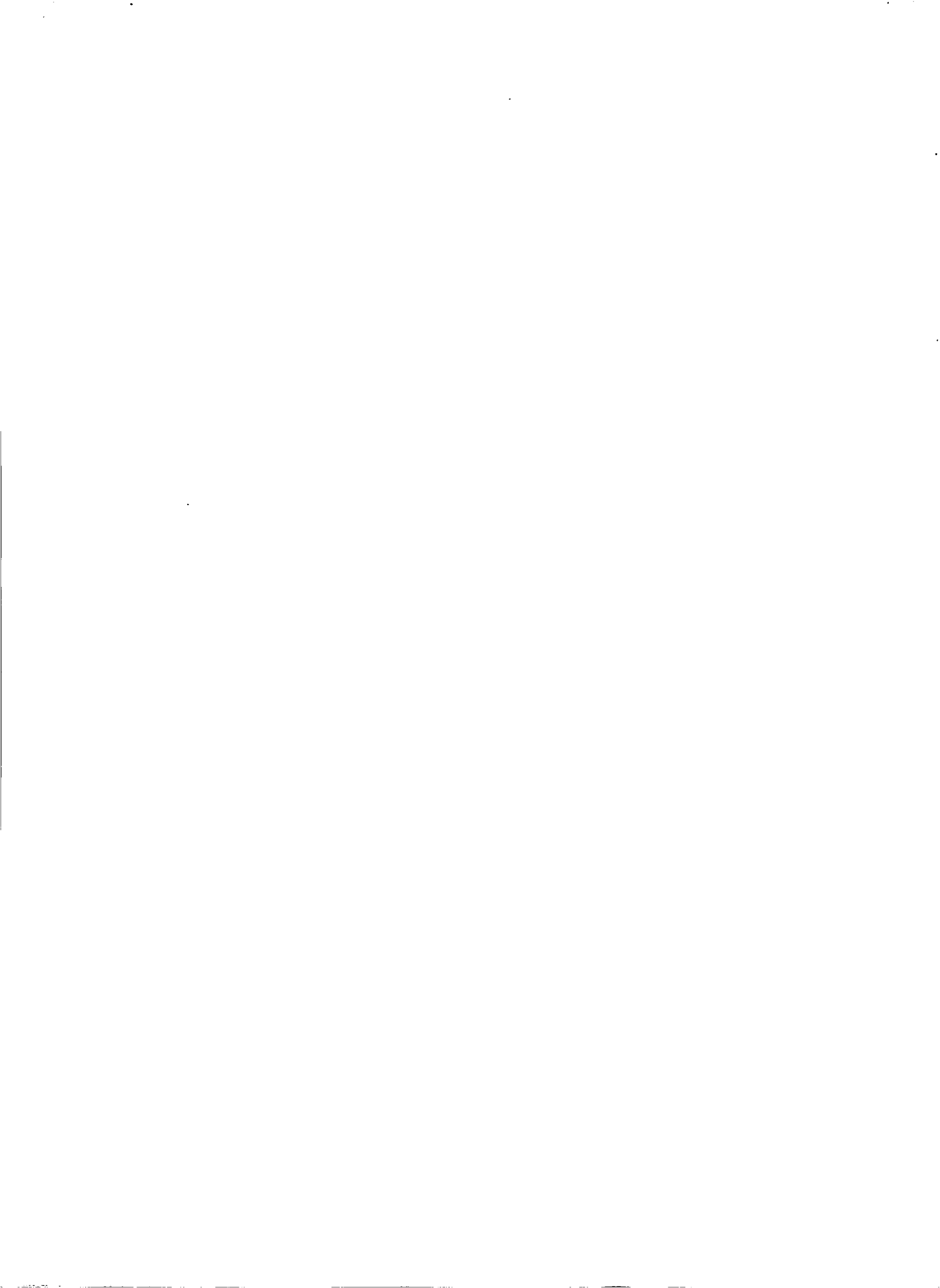


THE ECCLESIASTICAL EXEMPTION

*What it is
and
How it works*



Cadw
WELSH
HISTORIC
MONUMENTS





THE ECCLESIASTICAL EXEMPTION

*What it is
and
How it works*

2-4 Cockspur Street
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September 1994

THEORY

The theory of the present experiment is based on the fact that the rate of reaction between a metal and an acid is directly proportional to the surface area of the metal. In this experiment, the rate of reaction between zinc and hydrochloric acid is studied. The rate of reaction is measured by the volume of hydrogen gas evolved over a fixed period of time. The surface area of the zinc is varied by using different sizes of zinc granules. It is expected that the rate of reaction will increase as the surface area of the zinc increases.

PROCEDURE

1. Preparation of Hydrogen Gas: A test tube containing a small amount of zinc granules is placed in a beaker containing dilute hydrochloric acid. The test tube is inverted and pushed down into the acid. Bubbles of hydrogen gas are evolved and collect in the test tube. The test tube is removed from the acid and held vertically. The gas is collected in a gas jar by downward displacement of water.

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THE ECCLESIASTICAL EXEMPTION: WHAT IT IS AND HOW IT WORKS

Introduction

- 1.0 The Secretary of State for National Heritage and the Secretary of State for Wales have made the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994⁽¹⁾ ('the Order') which is due to come into force on 1 October 1994. The exemption, which has hitherto covered all ecclesiastical buildings which are for the time being in use for ecclesiastical purposes, will in future be restricted to certain specified denominations which possess or have agreed to introduce acceptable internal procedures for dealing with proposed works to listed buildings and to unlisted buildings in conservation areas. The main purpose of this leaflet is to summarise the procedures of these exempted denominations (not all of which will be in force by 1 October). For fuller information the relevant statutory documents and the denominations themselves should be consulted. The local planning authority should decide, having regard to the Order, whether the exemption applies to particular works proposed or whether listed building consent or conservation area consent is needed. For non-exempt denominations paragraphs 8.10ff of PPG 15⁽²⁾ should be consulted.

Identification of listed buildings and conservation areas

- 2.0 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') the Secretaries of State maintain lists of buildings of special architectural or historic interest. A copy of the list for any particular local authority area is available at the offices of the local authority concerned. A complete set of the lists for England may be inspected at the National Monuments Record Centre of the Royal Commission on the Historical Monuments of England (Kemble Drive, Swindon, Wiltshire, SN2 2GZ), and for Wales at the Royal Commission on the Ancient and Historical Monuments of Wales (Plas Crug, Aberystwyth, Dyfed, SY23 1NJ).
- 2.1 Conservation areas (being, under the Act, areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance) are normally designated by local planning authorities. They may also be designated by English Heritage in Greater London or exceptionally by the relevant Secretary of State. Details of conservation areas for any particular local authority area may be inspected at the offices of the local authority concerned. English Heritage is also notified of conservation area designations in England, and Cadw of designations in Wales.

(1) SI 1994 No 1771 (obtainable from HMSO)

(2) *Planning and the Historic Environment* (obtainable from HMSO)

Local authority controls

3.0 Under the Act the local planning authority's consent is normally needed for the following ('relevant works'):

- (a) works for the partial or total demolition of a listed building, or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest;

NB 'Listed building' for this purpose includes:

- (i) any object or structure fixed to the building; and*
- (ii) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948.*

- (b) works for the partial or total demolition of an unlisted building in a conservation area.

Exempted denominations

4.0 The effect of the Order is that a measure of exemption is retained for the following denominations only:

the Church of England
the Church in Wales
the Roman Catholic Church
the Methodist Church
the Baptist Union of Great Britain
and the Baptist Union of Wales
the United Reformed Church

The extent of the exemption within each denomination is described more precisely in the relevant annex. From 1 October 1994 relevant works proposed by all other denominations will require listed building consent and conservation area consent in exactly the same way as similar works to secular buildings (see sections 3 and 4, and paragraphs 8.10ff of PPG 15).

However, for all denominations works begun or contracted for before 1 October are exempt.

Exempted works

- 5.0 The general intention behind the Order is that works should be exempt⁽³⁾ from listed building consent and conservation area consent ('exempted works') if:
- i) they are either (a) works to an ecclesiastical building whose primary use is as a place of worship, and which is for the time being in use as such; or (b) works to an object or structure within such a building; or (c) works to an object or structure which is fixed to the outside of such a building or is within its curtilage - except where such an object or structure is itself listed⁽⁴⁾; and
 - ii) they are carried out by or on behalf of an exempted denomination or its local congregation⁽⁴⁾; and
 - iii) such works are within the scope of an exempted denomination's procedures.
- 5.1 Total demolition is not exempt as in such a case the Courts have held that the building cannot be considered to be in use for ecclesiastical purposes⁽⁴⁾.

Denominations' internal procedures

- 6.0 The following are the main common elements in the exempted denominations' procedures:
- (a) proposals for exempted works are required to be submitted by the local congregation/minister for approval by a decision-making body independent of them;

(3) As a result of the Order exemption is also retained for ecclesiastical buildings of the exempted denominations in the following categories to the extent that they do not fall within a denomination's procedures: Christ Church, Oxford and other buildings within Church of England peculiars (ie. outside diocesan jurisdiction); university, college, school, hospital and other institutional chapels; buildings of Church of England and Roman Catholic religious communities; and buildings subject to a sharing agreement. These categories are not covered by the annexes summarising individual denominations' procedures.

The bodies concerned are being asked to notify the relevant denomination by 31 December 1994 whether they wish their buildings in future to be subject to the denomination's procedures (which in the case of the Church of England would require ecclesiastical legislation) or to normal local authority controls.

A further category provided for in the Order is buildings (in England and Wales) of the Church of Scotland, the Free Church of Scotland and the Free Presbyterian Church. Here exemption is retained pending decisions to be taken about the future of the exemption for buildings in Scotland.

A further Order will be needed in due course to implement whatever decisions are taken on buildings in these categories.

(4) For Church of England cathedrals the exemption is differently structured. The Church of England's procedures, and its exemption, also apply irrespective of who carries out the work concerned. Total demolition of a Church of England church under the Pastoral Measure 1983 is exempt from the normal controls. (See Annex A).

- (b) proposals are considered by a decision-making body, or in the first instance an advisory body, which includes people with expert knowledge of historic church buildings selected in consultation with the local authority associations, English Heritage/Cadw and the national amenity societies⁽⁵⁾;
- (c) proposals are required to be notified, together with supporting information⁽⁶⁾, to the local planning authority, English Heritage/Cadw and the national amenity societies (jointly referred to here and in the annexes as 'the amenity bodies'), with an invitation to comment within 28 days; notices describing the proposals are required to be displayed for 28 days outside the building concerned, and to be published in a local newspaper, with an invitation (in both cases) to comment within the same period;
- (d) proposals for demolition are required also to be notified to the Royal Commission on the Historical Monuments of England/Royal Commission on the Ancient and Historical Monuments of Wales, with access for recording purposes to be provided for them for at least one month;
- (e) in cases of emergency (ie. in the interests of safety or health or the preservation of the building) advance notification is expected wherever practicable as at (c) and (d) above but on an appropriate shorter timescale;
- (f) the decision-making body, in considering proposals submitted to it, is required to take into account any representations made (including any received following the notifications given at (c) above) and, along with other factors, the desirability of preserving historic church buildings and the importance of protecting features of architectural merit and historic interest (including fixtures) (see PPG 15 paragraphs 3.3 and 4.27 in respect of listed buildings and buildings in conservation areas);
- (g) there is provision for the local congregation/minister to make further representations to a separate appeal body or to the decision-making body where the latter has rejected a proposal;

(5) ie. The Ancient Monuments Society, the Council for British Archaeology, the Society for the Protection of Ancient Buildings, the Georgian Group, the Victorian Society and the Twentieth Century Society. Various arrangements have been made with the societies in respect of individual denominations about the particular channels for the consultations and notifications mentioned above.

(6) Supporting information should include a plan to identify the building in question and such other plans and drawings as are necessary to describe the works proposed. For all but the simplest work this will normally mean measured drawings of all floor plans and external or internal elevations affected by the work proposed. There should be two sets of drawings showing the structure before work and the altered structure or new development to replace it after the proposed work. The inclusion of photographs is particularly helpful - of all elevations in demolition cases or of the part of the buildings affected (interior or exterior) in alteration or extension cases. A copy of the list description should also be supplied.

- (h) a record will be kept of how a denomination's procedures were implemented in the case of each proposal, from whom representations were received, and what the decision was, and this record should be available for public inspection during reasonable hours; the decision should also be notified to the amenity bodies;
- (i) arrangements exist for dealing with any breach of a denomination's procedures, including provision for reinstatement where exempted works have been carried out without the approval of the decision-making body;
- (j) arrangements exist to ensure the proper maintenance of historic church buildings including provision for regular inspections;
- (k) the local planning authority will be informed when a building ceases to be used or available for worship, or ceases to be covered by a denomination's procedures.

6.1 Aspects of procedures (in so far as they relate to exempted works), and of the exemption, which are peculiar to a particular exempted denomination are summarised in the relevant annex.

6.2 The above relates to the exempted denominations' formal procedures. Denominations have, however, been encouraged to see that, as far as is practicable, proposals are the subject of informal consultation before formal submission.

Archaeology

7.0 Although ecclesiastical buildings in ecclesiastical use cannot be scheduled, many will be surrounded by land which is scheduled because it is considered to be of national archaeological importance. Many others will stand on ground which, even though not scheduled, is of intrinsic archaeological interest or is likely to contain archaeological remains. Archaeology is as much about standing structures as about features below ground, and in considering proposals for works denominations have been asked to take into account any effects on the archaeological importance of the building or archaeological remains existing within it or its curtilage. It is important that denominations assess the archaeological implications of development proposals before applications are determined, and that appropriate arrangements are made for recording remains that would be lost in the course of works for which permission is being sought. It is also important that when works are being carried out to the fabric of historic church buildings which might reveal features of archaeological interest or shed light on the history and development of the building, appropriate

provision is made for archaeological recording of that part of the building. Further advice on archaeological aspects is given in PPG 16⁽⁷⁾.

Monitoring

- 8.0 The recording of decisions which is mentioned above will enable the Departments concerned to monitor the working of these procedures. Some monitoring will also be carried out independently by the amenity bodies. The Departments expect to review the position formally after two years with the aid of statistical information to be provided by the exempted denominations and a more detailed examination of particular cases.

Intervention by the relevant Secretary of State

- 9.0 The Secretaries of State are prepared to consider removing the exemption in individual cases - for instance, where it seems likely that potentially damaging works will be carried out without the necessary authorisation under the procedures of an exempt denomination which has no legal sanctions available.

(7) *Archaeology and Planning* (obtainable from HMSO)

Exempted buildings

- A.1 The Order exempts certain buildings and structures which are
- (a) within the faculty jurisdiction of the Church of England, or
 - (b) subject to the Care of Cathedrals Measure 1990.

Each of these categories has its own separate procedures as set out below. These procedures are already in force. The Department of National Heritage is discussing with representatives of the General Synod various aspects where some amendment of the present statutory arrangements might be appropriate.

FACULTY JURISDICTION**Exempted works**

- A.2 The procedures summarised below cover all the relevant works exempted. They also cover cases where both the faculty jurisdiction and listed building or conservation area controls apply (eg. works to curtilage buildings which are themselves listed; and total demolitions other than where authorised under the Pastoral Measure 1983 - see para A.11 below). In such cases the General Synod recommends that the necessary consents should be obtained from the local planning authority before an application is made for a faculty.

Basic procedures

- A.3 Each diocese has a Diocesan Advisory Committee. The Committee's membership is to be at least 13 in addition to the archdeacons of the diocese and is to include people with knowledge of architecture, archaeology, art and history and experience of the care of historic buildings and their contents; the local authority associations, English Heritage and the national amenity societies are each consulted about the appointment of a member. Members' appointments normally last for six years. Additional people may be co-opted until the next reappointment date for members.
- A.4 Proposals for relevant works are normally submitted to the relevant Committee for its advice, and the Committee will issue a certificate recording that it recommends or does not object to the proposals (in whole or part, and with any appropriate conditions) or does not recommend the proposals. It is possible to petition for a faculty without seeking the Committee's advice or obtaining a favourable recommendation from the Committee.

A.5

Petitions for a faculty with accompanying documentation are lodged at the diocesan registry. The petition is allocated to the Chancellor (the ecclesiastical judge of the diocese, whose jurisdiction includes all opposed cases and almost all other cases of exempted works) or the Archdeacon. The Chancellor must normally seek the advice of the Diocesan Advisory Committee and, where articles or matters of historic or artistic interest are concerned, the Council for the Care of Churches must be notified and will have six weeks to respond. The other notification arrangements are as follows:

- (a) in cases of exempted works to, or total demolition of, church buildings, the amenity bodies will be notified if that has not already been done, and the Chancellor has the power to direct such notification in other cases;
- (b) public notices are displayed inside and outside the church concerned;
- (c) in cases of exempted works to, or total demolition of, church buildings, publication of an advertisement is required, and the Chancellor has the power to direct such advertisement in other cases;
- (d) in demolition cases the Royal Commission on the Historical Monuments of England is notified and allowed at least one month's access for recording purposes.

A.6

After the required periods for comment the Chancellor will consider the proposal, taking into account any representations made and, among other things, the desirability of preserving a listed building or its setting, preserving or enhancing the character or appearance of a conservation area, and preserving archaeological remains of national importance. Where there are objections to the grant of a petition, there will normally be a public hearing before the Consistory Court (the ecclesiastical court of the diocese). English Heritage and the Council for the Care of Churches have the right to give evidence at such a hearing. Other persons may become 'parties opponent' (whereupon they may become liable for costs) and may give evidence as such. The Chancellor may also ask a person to give evidence as a 'judge's witness'. He may, moreover, consider cases through written representations where the parties concerned agree to this procedure. In cases of emergency the Chancellor may authorise total or partial demolition without going through the faculty procedures; those responsible for applying for authorisation are encouraged to consult the amenity bodies in advance as far as is practicable. The Chancellor will give his judgement in open court or notify it to the diocesan registrar; the registrar will in his turn notify the parties and the Diocesan Advisory Committee. Registrars are encouraged to notify the relevant amenity bodies where they have opposed the petition, or have been notified and have commented or given evidence. Records of petitions referred to the Committee are kept by its secretary and are available for inspection by the

public by prior appointment. Records of the Chancellor's decisions are kept by the diocesan registrar; some are published in the normal series of law reports or, in summary form, in the *Ecclesiastical Law Journal*.

- A.7 Any party may appeal to the Court of Arches (for cases in the Province of Canterbury) or the Chancery Court of York (for cases in the Province of York) with the leave of the Chancellor or the Dean of the Arches and Auditor (a senior ecclesiastical judge). The Court usually sits in public and consists of three judges (normally the Dean of the Arches and Auditor and the Chancellors of two other dioceses). The court's decision will be notified to the parties and may be published as in paragraph A.6 above. Records of decisions are kept by the provincial registrar.

Breaches of procedure

- A.8 The Chancellor has powers to issue an injunction restraining anyone from doing work to a church without the necessary faculty and, where such work has already begun, to make an order requiring the restoration of the building so far as practicable to its previous state. It is open to anyone, including a member of the public, to draw a case of this kind to the attention of the Chancellor or Archdeacon concerned.

Maintenance and repairs

- A.9 Church buildings are required to be inspected at least every five years. Such inspections are made by qualified professionals approved by the Diocesan Advisory Committee. The Archdeacon has certain powers to deal with cases where necessary work is not carried out.

Further details

- A.10 For further details of the above procedures the following should be consulted: The Care of Churches and Ecclesiastical Jurisdiction Measure 1991, the Faculty Jurisdiction Rules 1992 and the Faculty Jurisdiction (Injunctions and Restoration Orders) Rules 1992 (all obtainable from HMSO or from the Church House Bookshop, Great Smith Street, London, SW1P 3BN); the *Code of Practice on the Care of Churches and Ecclesiastical Jurisdiction Measure* and, for detailed information, *Faculty Jurisdiction of the Church of England* by G H and G L Newsom (2nd edition) (both obtainable from the Church House Bookshop and from other booksellers). Any questions about the general procedures should be addressed to the General Synod of the Church of England (Church House, Great Smith Street, London, SW1P 3NZ); any questions about a particular case to the registrar of the diocese concerned. A list of provincial and diocesan registrars is given in Appendix A.

Buildings no longer required for public worship

- A.11 The Pastoral Measure 1983 makes provision for churches to be declared redundant by an Order in Council from a date or event specified in the

Order; a further (and normally separate) stage leads up to an Order setting out a redundancy scheme for the church's future, which may be for its demolition, for its retention in a different use, or for its vesting in the Churches Conservation Trust. Partial or total demolition under such a redundancy scheme is, under section 60(7) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and a direction under section 75(2) of the Act, exempt from the normal listed building and conservation area controls. Where such demolition is proposed the Church Commissioners will carry out the notifications mentioned at paras 6.0(c)-(d) above. Where one of the amenity bodies or the Advisory Board for Redundant Churches gives reasoned objections, the Church Commissioners will ask the Secretary of State for the Environment whether he wishes to hold a non-statutory public local inquiry; he will consult the Secretary of State for National Heritage on this. The amenity bodies are notified when such an inquiry is arranged.

- A.12 The Church Commissioners have undertaken to accept a recommendation from the Secretary of State for the Environment following such an inquiry that the church is of sufficient architectural or historical importance to be vested in the Churches Conservation Trust or, in cases where the recommendation is not that the building should go to the Trust, to make further efforts to find an alternative use and to engage in further consultation with the Secretary of State for the Environment before using the powers in the Measure to demolish. In considering the recommendations he will make following an inquiry, the Secretary of State for the Environment will take into account the financial implications of retaining a church building as well as the architectural and historic interest of the church and other planning and social factors and will consult the Secretary of State for National Heritage.
- A.13 Relevant works other than demolition under the Pastoral Measure cease to be exempt from the date at which the declaration of redundancy comes into force. The Church Commissioners will notify this date to the local planning authority.
- A.14 For further details of the above procedures the Pastoral Measure 1983 (obtainable from HMSO in the *Statutes in Force* edition) and the Pastoral Amendment Measure 1994 (obtainable from HMSO or the Church House Bookshop, Great Smith Street, London, SW1P 3BN) should be consulted. Any question about the general procedures or particular cases should be addressed to the Redundant Churches Division, Church Commissioners, 1 Millbank, London, SW1P 3JZ.

CATHEDRALS

Exempted works

A.15 In the case of buildings subject to the Care of Cathedrals Measure 1990 (which covers all English cathedrals other than Christ Church, Oxford) the following works only are exempt, *viz* relevant works to:

- (a) any building, object or structure within the cathedral precinct and within an area designated by the Secretary of State shown on a plan deposited with the local planning authority;
- (b) any other building within the precinct and whose primary use is as a place of worship (but not any object or structure fixed to its exterior or within its curtilage);
- (c) any monument (eg. gravestones etc and their kerbs and settings) within the precinct and which is not itself listed.

The procedures summarised below cover all the exempted works. They also cover cases where both the 1990 Measure and the listed building or conservation area controls apply; these will be considered by the Church authorities before any relevant application is made to the local planning authority.

Basic procedures

A.16 The Cathedrals Fabric Commission for England has been set up to deal, among other things, with certain categories of important proposals for works within cathedral precincts, including almost all cases of exempted works. Its membership is specified as 24 and includes architects, artists and people with special knowledge of archaeology, architecture and its history, and people with experience of the care of historic buildings. Consultation over the appointment of some of the members involves the Secretary of State for National Heritage, English Heritage, the Royal Institute of British Architects, and other bodies. Members are appointed for five years. Other proposals are considered by the Fabric Advisory Committee for the cathedral concerned.

A.17 Proposals for works with accompanying documentation are required to be submitted to the Commission by the administrative body of the cathedral concerned. Public notices of all proposals are displayed. In the case of all applications to the Commission, and some applications to the Fabric Advisory Committee, notice is given to the amenity bodies.

A.18 For cases before the Commission, it will consider the proposal after the required 28-day period for comments, taking into account, among other things, the effect the proposal would have on the architectural, archaeological, artistic or historic character of the cathedral or any building within its precinct which is used for ecclesiastical purposes. It will notify

its decision to the administrative body of the cathedral, the cathedral's Fabric Advisory Committee, the amenity bodies and the Royal Commission on the Historical Monuments of England. Records of the Commission's decisions are available for inspection by the public at reasonable hours at the Commission's offices.

- A.19 There is provision for the administrative body of the cathedral concerned to appeal against a decision refusing approval for a proposal or imposing conditions. An appeal from a decision by the Fabric Advisory Committee lies to the Commission. An appeal from a decision by the Commission lies to a Commission of Review, which sits in public and may receive representations. The Commission of Review consists of the Dean of the Arches and Auditor, a person appointed by the Archbishops of Canterbury and York and a person appointed by the Secretary of State for National Heritage.

Breaches of procedure

- A.20 Where it appears to the bishop that the administrative body of the cathedral of the diocese may have committed or intends to commit a breach of the Care of Cathedrals Measure by carrying out works without the necessary approval, he will give that body an opportunity to be interviewed by him. It is open to anyone, including a member of the public, to draw such a case to the bishop's attention. If it appears that the administrative body has carried out or intends to carry out the works in question, the bishop will follow up the interview with a special visitation unless he is satisfied that the administrative body has applied or intends to apply for approval under the Measure or there are other exceptional circumstances. The special visitation means that the bishop will enquire into the matter and give any necessary directions, and while this process continues the administrative body may not take any action on the matter under enquiry without the bishop's approval. The bishop may also arrange for proceedings to be instituted for the purpose of obtaining an injunction or restoration order against the administrative body. The Vicar-General's court has jurisdiction in these proceedings.

Maintenance and repairs

- A.21 The administrative body of a cathedral will arrange, on a five-yearly basis, for the cathedral architect to make a report to the administrative body on works which he considers will need to be carried out to the cathedral, and a copy of the report will be sent to the Commission.

Further details

- A.22 For further details the Care of Cathedrals Measure 1990, the Care of Cathedrals (Supplementary Provisions) Measure 1994 and the Care of Cathedrals Rules 1990 (obtainable from HMSO or the Church House Bookshop, Great Smith Street, London, SW1P 3BN) should be consulted. Any questions about the general procedures or about particular cases should

be addressed to the Secretary of the Commission (83 London Wall, London EC2M 5NA; from January 1995, Fielden House, Little College Street, London, SW1P 3SH). Maps of cathedral precincts may be inspected at reasonable hours at the office of the administrative body concerned or at the offices of the Commission; maps of the designated areas may be inspected at the office of the local planning authority concerned or at the offices of the Commission. A list of contact points is given in Appendix A.

| Diocese | Registrar | Cathedral contact |
|-------------------------|--|--|
| BATH & WELLS | Mr T Berry Diocesan Registry Market Place Wells Somerset BA5 2RE | Captain J Shillingford Chapter Clerk West Cloister Offices Wells Somerset BA5 2PA |
| BIRMINGHAM | Mr H Carslake Martineau Johnson St Philip's House St Philip's Place Birmingham B3 2PP | Mr P Johnson Lay Administrator Birmingham Cathedral Colmore Row Birmingham B3 2QB |
| BLACKBURN | Mr T Hoyle Diocesan Registry Cathedral Close Blackburn BB1 5AA | Mr T Hoyle Chapter Clerk Blackburn Cathedral Cathedral Close Blackburn BB1 5AA |
| BRADFORD | Mr J Mackrell Diocesan Registry 6/14 Devonshire Street Keighley West Yorkshire BD21 2AY | Mrs B Craven Cathedral Administrator Bradford Cathedral Stott Hill Bradford BD1 4ET |
| BRISTOL | Mr D Ratcliffe 30 Queen Charlotte Street Bristol BS99 7QQ | Mrs J Coupe Cathedral Administrator Bristol Cathedral College Green Bristol BS1 5TJ |
| CANTERBURY | Mr A Davies 9 The Precincts Canterbury Kent CT1 2EE | Rear Admiral D Macey CB Receiver General Cathedral House 11 The Precincts Canterbury CT1 2EH |

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Cobbett, Leak & Almond
Ship Canal House
King Street
Manchester
M2 4WB

NEWCASTLE

Mr R Nicholson
87 Jesmond Road
Newcastle-upon-Tyne
NE2 1NH

Mr D Govier
Chapter Clerk
Cathedral Office
Newcastle-upon-Tyne
NE1 1PF

| | | |
|--------------|--|--|
| NORWICH | Mr J Herring Mills & Reeve 3/7 Redwell Street Norwich NR4 2TJ | Mr C Pordham Chapter Clerk 62 The Close Norwich NR1 4EH |
| OXFORD | Dr F Robson* Beaumont Street Oxford OX1 2LZ * Also provincial registrar for the Province of Canterbury | Christ Church, Oxford is a Church of England 'peculiar' and thus at present outside the scope of the new arrangements for ecclesiastical exemption |
| PETERBOROUGH | Mr R Hemingray 4 Holywell Way Longthorpe Peterborough Cambridgeshire PE3 6SS | Mr S Hession Chapter Clerk Chapter Office Minster Precincts Peterborough Cambridgeshire PE1 1XS |
| PORTSMOUTH | Miss H Tyler Bruttons 132 High Street Portsmouth Hampshire PO1 2HR | Mr B Jones Cathedral Administrator Cathedral Office St Thomas Street Portsmouth Hampshire PO1 2HA |
| RIPON | Mr J Balmforth Diocesan Registry York House York Place Knaresborough North Yorkshire HG5 0AD | Mr R Lambie Chapter Steward Chapter House Ripon Cathedral Ripon North Yorkshire HG4 1QT |
| ROCHESTER | Mr O Woodfield Diocesan Registry The Precinct Rochester Kent ME1 1SZ | Mr C Hebron Comptroller Cathedral Office Garth House The Precinct Rochester Kent ME1 1SX |

ST ALBAN'S

Mr D Cheetham
Holywell Lodge
41 Holywell Hill
St Alban's
Hertfordshire
AL1 1HE

Mr N Bates
Cathedral Administrator
Chapter House
St Alban's
Hertfordshire
AL1 1BY

ST EDMUNDSBURY
AND IPSWICH

Mr J Mitson
20/32 Museum Street
Ipswich
Suffolk
IP1 1HZ

Mr C Borthwick
Cathedral Administrator
Cathedral Office
Abbey House
Angel Hill
Bury St Edmund's
Suffolk
IP33 1LS

SALISBURY

Mr M Broadbent
Minster Chambers
42/44 Castle Street
Salisbury
Wiltshire
SP1 3TX

Brigadier C C Owen
Chapter Clerk
Chapter Office
6 The Close
Salisbury
Wiltshire
SP1 2EF

SHEFFIELD

Mr P Rothwell
Diocesan Registry
30 Bank Street
Sheffield
S1 2DS

Canon P Wright
Chapter Clerk
The Cathedral Sheffield
S1 1HA

SOUTHWARK

Mr P Morris
35 Great Peter Street
London
SW1P 3LR

Canon R White
Vice Provost
Southwark Cathedral
Montague Close
London
SE1 9DA

SOUTHWELL

Mr C Hodson
Diocesan Office
Dunham House
Westgate
Southwell
Nottinghamshire
NG25 0JL

The Minster Office
Trebeck Hall
Bishop's Drive
Southwell
Nottinghamshire
NG25 0PJ

TRURO

Mr M Follett
Follett Blair
Riverside Business Centre
Malpas Road
Truro
Cornwall
TR1 1QH

Cathedral Office
21 Old Bridge Street
Truro
Cornwall
TR1 2AH

WAKEFIELD

Mrs L Box
Bank House
Burton Street
Wakefield
WF1 2DA

Mr P Beckett
Cathedral Administrator
The Cathedral
Northgate
Wakefield
WF1 1HG

WINCHESTER

Mr P White
19 St Peter Street
Winchester
Hampshire
SO23 8BU

Mr K Bamber
Receiver General
Cathedral Office
5 The Close
Winchester
SO23 9LS

WORCESTER

Mr M Huskinson
March & Edwards
8 Sansome Walk
Worcester
WR1 1LN

Mr M R Lumley
Steward & Chapter Clerk
Cathedral Office
10a College Green
Worcester
WR1 2LH

YORK

Mr L Lennox*
The Registry
1 Peckitt Street
York
YO1 1SG

* Also provincial registrar
for the Province of York

Major-General K Burch
Chapter Clerk &
Registrar
Church House
Ogleforth
York
YO1 2JN

Exempted Buildings

- B.1 The Order exempts buildings of the Church in Wales vested in the Representative Body of the Church in Wales or any other representative body under section 13(2) of the Welsh Church Act 1914. This covers all relevant buildings whose primary use is as a place of worship including cathedrals. The current procedures in relation to faculty jurisdiction and to cathedrals are set out respectively below. The Welsh Office is discussing with representatives of the Church in Wales various aspects where some amendment of the present arrangements might be appropriate.

FACULTY JURISDICTION**Exempted works**

- B.2 The procedures summarised below cover all the exempted works. They also cover cases where both the faculty jurisdiction and listed building or conservation area controls apply (eg. works to curtilage buildings which are themselves listed; works carried out other than on behalf of the Church; and proposals for total demolition). In such cases applications should normally be made to the local planning authority before a faculty is sought.

Basic procedures

- B.3 Each diocese has a Diocesan Advisory Committee. The Committee's membership is to be at least nine in addition to the archdeacons of the diocese and is to include people with knowledge of architecture, archaeology, art and history and experience of the care of historic buildings and their contents; the local authority associations, Cadw and the national amenity societies are consulted about the membership. Members' appointments normally last for six years. Additional people may be co-opted on a temporary basis pending the next reappointment date for members.
- B.4 Proposals for relevant works are normally submitted to the relevant Committee for its advice, and the Committee will issue its advice either recommending (in whole or part, and with any appropriate conditions) or not recommending the proposals.
- B.5 Petitions for a faculty with accompanying documentation are lodged at the diocesan registry and the Chancellor of the diocese will direct petitioners to carry out the notifications set out in the Faculty Rules. He must also seek the advice of the Diocesan Advisory Committee.
- B.6 After the required periods for comment the Chancellor will consider the proposal, taking into account any representations made, the desirability of

preserving a listed building or its setting, preserving or enhancing the character or appearance of a conservation area, and preserving archaeological remains of national importance. Where there are objections to the grant of a petition, there will normally be a hearing. Cadw has the right to give evidence at such a hearing, as do other parties (whereupon the latter may become liable for costs). The Chancellor may also consider cases through written representations where the parties concerned agree to this procedure. The Chancellor will notify his decision to the diocesan registrar who will in his turn notify the petitioner, the Diocesan Advisory Committee and the amenity bodies. Records of petitions referred to the Committee are kept by its secretary, records of the Chancellor's decisions by the diocesan registrar. These records are available for inspection by the public at reasonable hours. In cases of emergency the provisions of Rule 3(5) of the Faculty Rules should be applied; in such cases the Chancellor may authorise total or partial demolition without going through the faculty procedures.

Breaches of procedure

- B.7 The Chancellor has powers to issue an injunction restraining anyone from doing work to a church without the necessary faculty and, where such work has already begun, to make an order requiring the restoration of the building to its previous state. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Maintenance and repairs

- B.8 Church buildings are required to be inspected at least every five years. Such inspections are made by qualified professionals approved by the Diocesan Advisory Committee. The Archdeacon has powers to ensure that the parish carries out any work recommended as a result of the inspection.

Further details

- B.9 Any questions about the general procedures should be addressed to the Representative Body of the Church in Wales, 39 Cathedral Road, Cardiff, CF1 9XF; any questions about a particular case to the registrar of the diocese concerned, from whom copies of the Faculty Rules of the Courts of the Church in Wales may also be obtained. A list of diocesan contact points is given in Appendix B.

Buildings no longer required for public worship

- B.10 The above procedures cease to apply when a church is declared to be redundant. Closed churches not declared redundant continue to be subject to these procedures.

CATHEDRALS

Basic procedures

- B.11 The Church in Wales Cathedrals Commission has been set up to deal, among other things, with certain categories of important proposals for works within cathedral precincts, including almost all cases of exempted works. Its membership is specified as 17 and includes architects, artists and people with special knowledge of archaeology, architecture and its history, and people with experience of the care of historic buildings. The Chairman is appointed after consultation with the Secretary of State for Wales. Consultation over the membership involves Cadw, the Royal Institute of British Architects, and other bodies. Members are appointed for five years. Other proposals are considered by the local Fabric Advisory Committee.
- B.12 Proposals for works with accompanying documentation are required to be submitted to the Commission by the administrative body of the cathedral concerned. Under the Cathedrals Fabric Rules public notices of all proposals are displayed. In the case of all applications to the Commission, and some applications to the local Fabric Advisory Committee, notice is given to the amenity bodies.
- B.13 After the required 28 day period for comments the Commission will consider the proposal, taking into account the effect the proposal would have on the architectural, archaeological, artistic or historic character of the cathedral. It will notify its decision to the administrative body of the cathedral, the local Fabric Advisory Committee, the Representative Body of the Church in Wales, the amenity bodies and the Royal Commission on Ancient and Historical Monuments in Wales. Records of the Commission's decisions are available for inspection by the public at reasonable hours at the Commission's offices.
- B.14 There is provision for the administrative body of the cathedral concerned to appeal to the Provincial Court against a rejection of its proposal by the Commission; the Provincial Court can then consider any representations made by the amenity bodies and the other bodies mentioned in para B.13 above in order to inform its decision on an appeal.

Breaches of procedure

- B.15 The Representative Body has power to seek an injunction restraining anyone from doing work to a cathedral without the necessary permission and, where such work has already begun, to seek a Court order requiring the restoration of the building to its previous state. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Maintenance and repairs

- B.16 The administrative body of a cathedral will arrange, on a five-yearly basis, for the cathedral architect to make a report to the Commission on works which he considers will need to be carried out to the cathedral.

Further details

- B.17 Any questions about the general procedures or about particular cases should be addressed to the Representative Body of the Church in Wales, 39 Cathedral Road, Cardiff CF1 9XF. Maps of cathedral precincts may be inspected at reasonable hours at the office of the administrative body concerned or at the offices of the Commission; a list of cathedral contact points is given in Appendix B. Copies of the Cathedrals Fabric Rules are obtainable from the latter.

| Diocese | Registrar | Cathedral contact |
|------------------|---|---|
| ST ASAPH | Mr D J Hooson Diocesan Registry High Street St Asaph Clwyd LL17 0RF | Very Rev T R Goulstone The Deanery St Asaph Clwyd LL17 0RL |
| BANGOR | Mr M J S Preece Diocesan Registry 282a High Street Bangor LL57 1UL | Very Rev T E Edwards The Deanery Cathedral Precinct Bangor LL57 1LH |
| ST DAVID'S | Mr B L V Richards Diocesan Registry 4 St Mary Street Carmarthen Dyfed SA31 1TN | Very Rev J W Evans The Deanery St David's Haverfordwest Dyfed SA62 6RH |
| LLANDAFF | Mr D G Lambert Diocesan Registry 9 The Chantry Llandaff Cardiff CF5 2NN | Very Rev J Rogers The Deanery The Cathedral Green Llandaff Cardiff CF5 2YF |
| MONMOUTH | Mr N C Williams Diocesan Registry 7 Clytha Park Road Newport Gwent NP9 1SE | Very Rev D G Lewis The Deanery Stow Hill Newport Gwent NP9 4ED |
| SWANSEA & BRECON | Mr T J P Davenport 8a High Street Brecon Powys LD3 7AL | Very Rev J Harris Blackstone 25 Pendre Brecon Powys LD3 9EA |

Exempted buildings

- C.1 The Order exempts buildings held in trust by the diocesan trustees of a diocese of the Roman Catholic Church. This covers all relevant buildings within that diocesan system whose primary use is as a place of worship.

Exempted works

- C.2 The procedures summarised below cover all the exempted works. They also apply to proposals for total demolition which will be considered under the Church's procedures before any relevant application is made to the local planning authority.

Basic procedures

- C.3 A Historic Churches Committee is to be set up for each diocese or group of dioceses. The Committee's membership is to be between 12 and 15 and will include a practising architect, an art and/or architectural historian and, where relevant, an archaeologist. It will also include (without voting rights) nominees of the local authority associations, English Heritage/Cadw and the national amenity societies. Additional experts may be in attendance to address specific matters. The membership of the Committees and the procedures will be reviewed after two years.
- C.4 Proposals for relevant works are to be submitted on specified forms with accompanying documentation to the Secretary of the relevant Committee. Where the documentation fulfils the requirements, the Secretary will carry out the notifications set out at paras 6.0(c)-(e) above.
- C.5 After the required period of 28 days for comments the Committee will consider the proposal, taking into account the points at para 6.0(f) above, and will take a decision (where voting is necessary, by simple majority vote). The Secretary will record the decision (together with any conditions attached) and will notify it to the applicant and to the amenity bodies; these records will also be available to the public at reasonable hours at the Curial Offices of the diocese.
- C.6 Within 45 days of this notification notice of appeal may be given by the applicant, the amenity bodies, or other interested parties, to the Secretary stating on specified forms the grounds of objection to the decision. Where the documentation fulfils the requirements, the Secretary will notify the original applicant and the amenity bodies, allowing them 28 days for comment.
- C.7 The appeal will be heard by the diocesan bishop or a senior notary, taking into account the points at para 6.0(f) above, and will take the form of a full hearing with an opportunity for each of the parties to state its case and

cross-examine other parties. The appeal judge's decision will be final and the Secretary will notify it to the appellant, to the amenity bodies and any other objectors. Decisions will be recorded and made publicly available as above.

Breaches of procedure

- C.8 Where relevant works are begun without the relevant Historic Churches Committee's approval, the Chairperson is required to issue an order for the works to stop immediately and for an application for approval to be submitted. Where works have been completed, an application for approval will similarly be required. Where approval is refused (by the Committee or the appeal judge), reinstatement of what has been added, altered or destroyed may be required. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Full implementation of procedures

- C.9 These procedures will be effective from 1 October 1994.

Maintenance and repairs

- C.10 Quinquennial fabric inspections by professionally qualified people are required by the diocese. The Historic Churches Committee will monitor performance for exempt buildings in its area.

Buildings no longer used for worship

- C.11 If an exempt building ceases to be used for worship, the Secretary of the relevant Committee is required to notify the local planning authority.

Further details

- C.12 Further details of these procedures are contained in a document entitled *Ecclesiastical Exemption from Listed Building Control: Provisions for Implementing the New Code of Practice*, obtainable from the Catholic Bishops' Conference of England and Wales (Allington House, 136/147 Victoria Street, London, SW1E 5LD; from 1 January 1995, 39 Eccleston Square, London, SW1V 1BX), to whom any general questions can also be addressed.
- C.13 Appendix C gives a contact address for each Historic Churches Committee, to whom any questions about geographical coverage or a particular case can be addressed. The relevant Curial Office can also be contacted through the Historic Churches Committee.

Westminster Archdiocese

Historic Churches Committee
The Financial Secretary
Archbishop's House
Ambrosden Avenue
London
SW1P 1QJ

Birmingham Archdiocese

Historic Churches Committee
The Financial Secretary
Curial Office
St Chad's Queensway
Birmingham
B4 6EX

Liverpool Archdiocese

Historic Churches Committee
Liverpool Financial Secretary
152 Brownlow Hill
Liverpool
L3 5RQ

Southwark Archdiocese

Historic Churches Committee
Southwark Financial Secretary
59 Westminster Bridge Road
London
SE1 7JB

Arundel and Brighton Diocese

Historic Churches Committee
Diocesan Financial Secretary
Bishops' House
The Upper Drive
Hove
BN3 6NE

Brentwood Diocese

Historic Churches Committee
Brentwood Financial Secretary
Cathedral House
Ingrave Road
Brentwood
Essex
CM15 8AT

Clifton Diocese

Historic Churches Committee
Clifton Financial Secretary
St Nicholas's House
Lawford Gate
Bristol
BS5 0RE

East Anglia Diocese

Historic Churches Committee
East Anglia Financial Secretary
The White House
21 Uppgate
Poringland
Norwich
NR14 7SH

Hallam Diocese

Historic Churches Committee
Hallam Financial Secretary
St Charles'
St Charles' Street
Attercliffe
Sheffield
S9 3WU

Hexham and Newcastle Diocese

Historic Churches Committee
Diocesan Financial Secretary
Bishop's House
East Denton Hall
800 West Road
Newcastle-upon-Tyne
NE5 2BJ

Lancaster Diocese

Historic Churches Committee
Lancaster Financial Secretary
Bishop's House
Cannon Hill
Lancaster
LA1 5NG

Leeds Diocese

Historic Churches Committee
Leeds Financial Secretary
Diocesan Curial Office
7 St Mark's Avenue
Leeds
LS2 9BN

Middlesbrough Diocese

Historic Churches Committee
Diocesan Financial Secretary
Curial Offices
50a The Avenue
Linthorpe
Middlesbrough
TS5 6QT

Northampton Diocese

Historic Churches Committee
Northampton Financial Secretary
Bishop's House
Marriott Street
Northampton
NN2 6AW

Nottingham Diocese

Historic Churches Committee
Diocesan Financial Secretary
Willson House
Derby Road
Nottingham
NG1 5AW

Plymouth Diocese

Historic Churches Committee
Plymouth Financial Secretary
Rosary House
27 Fore Street
Heavitree
Exeter
Devon
EX1 2QJ

Portsmouth Diocese

Historic Churches Committee
Portsmouth Financial Secretary
St Edmund House
Edinburgh Road
Portsmouth
PO1 3QA

Salford Diocese

Historic Churches Committee
Salford Financial Secretary
Wardley Hall
Worsley
Manchester
M28 5ND

Shrewsbury Diocese

Historic Churches Committee
Shrewsbury Financial Secretary
Curial Offices
2 Park Road South
Birkenhead
Merseyside
L43 4UX

Cardiff Archdiocese

Historic Churches Committee
Cardiff Financial Secretary
Archbishop's House
41-43 Cathedral Road
Cardiff
CF1 9HD

Menevia Diocese

Historic Churches Committee
Menevia Financial Secretary
Curial Office
115 Walter Road
Swansea
West Glamorgan
SA1 5RE

Wrexham

Historic Churches Committee
Wrexham Financial Secretary
Bishop's House
Sontley Road
Wrexham
Clwyd
LL13 7EW

Exempted buildings

- D.1 The Order exempts buildings held in trust for or for the purposes of the Methodist Church or any connexional or local organisation of the Methodist Church. This covers all relevant buildings whose primary use is as a place of worship, including any institutional chapels of the Methodist Church.

Exempted works

- D.2 The procedures summarised below cover all the exempted works.

Basic procedures

- D.3 A single Listed Buildings Advisory Committee is being set up by the Methodist Church Property Division to provide advice on proposals. The Committee's membership is to be at least nine and will include people with knowledge of art and architectural history, experience of the care of historic buildings and their contents, and knowledge of archaeology, as well as the General Secretary of the Property Division (or some other person appointed for the position in his or her place by the board of the Division) as convener. The Division will consult the local authority associations, English Heritage/Cadw and the national amenity societies about the membership of the Committee. Membership of the Committee will be reviewed annually.
- D.4 Proposals for relevant works are to be submitted, with accompanying documentation, to the Property Division (via the Circuit Meeting and the District Committee). The Division will then carry out the notifications at paras 6.0(c)-(e) above.
- D.5 After the required 28 day period for comments the Listed Buildings Advisory Committee will consider the proposal, taking into account the points made at para 6.0(f) above, and will advise the Property Division. The General Secretary, under authority delegated by the board of the Division, will then take a decision on the proposal, taking into account the Committee's advice and the points made at para 6.0(f) above. The Division will record the decision (together with any conditions attached) and will notify it to the applicant and the amenity bodies; the records will also be available to the general public at reasonable hours at the Division's offices.
- D.6 It is open to an applicant dissatisfied with a decision of the General Secretary to have the case raised at the board of the Property Division through a District representative.

Breaches of procedure

- D.7 Where relevant works are begun without a formal application having been made and approval given, the Property Division may take such steps as it deems necessary to prevent the commencement or continuation of the works. Where unauthorised works have been completed, the offending party may be required to reinstate what has been removed, damaged or demolished. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Full implementation of procedures

- D.8 These procedures will be fully implemented with effect from 1 January 1995.

Maintenance and repairs

- D.9 Quinquennial inspections by professionally qualified people are required to be arranged by the Circuit Meeting.

Buildings no longer used for worship

- D.10 If an exempt building ceases to be used for worship, the Division will notify the local planning authority.

Further details

- D.11 Further details of these procedures are contained in the Standing Orders of the Methodist Church (*The Constitutional Practice and Discipline of the Methodist Church* obtainable from the Methodist Publishing House, 20 Ivatt Way, Peterborough, PE3 7PG). Any questions about the procedures should be addressed to the General Secretary of the Property Division (Central Buildings, Oldham Street, Manchester, M1 1JQ).

Exempted buildings

- E.1 The Order exempts buildings held in trust for a Church in membership with the Baptist Union of Great Britain or the Baptist Union of Wales by one of the 10 Trust Corporations listed in the Order (and mentioned in Appendix E). This covers all relevant buildings whose primary use is as a place of worship. (The exemption does not cover independent Baptist congregations or other Baptist denominations.)

Exempted works

- E.2 The procedures summarised below cover all the exempted works. They also apply to proposals for total demolition, which will be considered under the Church's procedures before any relevant application is made to the local planning authority.

Basic procedures

- E.3 A single Listed Buildings Advisory Committee is to be set up by the Legal Committee of the Baptist Union of Great Britain to cover England and Wales. The Committee's membership is to be at least six and will include people with knowledge of architecture, history, experience of the care of historic buildings and their contents; the local authority associations, English Heritage/Cadw and the national amenity societies will be consulted on the membership. Up to two additional people with appropriate specialised or local knowledge may be co-opted to consider any particular proposal for works.
- E.4 Proposals for relevant works are to be submitted with accompanying documentation to the relevant Trust Corporation. Unless the Trust Corporation rejects a proposal in the light of its wider responsibilities it will send it to the Committee for their advice. The Committee will then carry out the notifications at paras 6.0(c)-(e) above.
- E.5 After the required 28 day period for comments the Committee will consider the proposal, taking into account the points made at para 6.0(f) above, and will decide whether or not to issue a certificate of authorisation for the proposed works. It will send any such certificate to the Trust Corporation who (taking into account its wider responsibilities) will decide whether or not to endorse the certificate. Where a certificate is so endorsed, the Trust Corporation will issue it to the applicant and send copies to the amenity bodies. The Committee will record its decision on whether or not to issue a certificate; these records will be available to the public at reasonable hours without charge and copies of certificates indicating whether or not they have been endorsed by the Trust Corporation may be obtained from the Committee for a reasonable fee.

- E.6 It is open to an applicant dissatisfied with a decision of the Trust Corporation to raise the matter further with the Trust Corporation through its district representative there. However, the Committee's decision is final. Where a church, for whatever reason, ceases to use the services of one of the specified Trust Corporations, the Trust Corporation concerned will notify the local planning authority and proposals for works to it will no longer be exempt.

Breaches of procedure

- E.7 Where relevant works are being or are about to be carried out without a certificate of authorisation the Trust Corporation will take such steps as are open to it to prevent the commencement or continuation of the works. Where unauthorised works have been completed, the reinstatement of what has been removed, damaged or demolished will be sought. The Trust Corporation may also ask the Secretary of State for National Heritage to consider using his powers to remove the exemption from the building concerned. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Full implementation of procedures

- E.8 These procedures will be implemented with effect from 1 January 1995.

Maintenance and repairs

- E.9 The managing trustees of church buildings have a duty as charity trustees to care properly for the church buildings. Many of the Trust Corporations make professional advice available to the managing trustees for the periodical inspection of church premises.

Buildings no longer used for worship

- E.10 If an exempt building ceases to be used for worship, the Trust Corporation concerned will notify the local planning authority and proposals for works to it will no longer be exempt.

Further details

- E.11 Further details of these procedures are contained in a document entitled *Scheme for the Granting of Certificates of Authorisation for Work in Relation to Baptist Churches which are Listed Buildings* obtainable from the Secretary of the Baptist Union of Great Britain, PO Box 44, 129 Broadway, Didcot, Oxfordshire, OX11 8RT. Any questions about particular cases should be addressed to the Trust Corporation concerned (see Appendix E for list of Corporations). Questions about which Corporation is concerned with a particular building or whether it comes within the scope of any Trust Corporation should be addressed to the Manager, Baptist Union Corporation Ltd, Baptist House, P O Box 44, 129 Broadway, Didcot, Oxfordshire, OX11 8RT.

Baptist Trust Corporations

Appendix E

The Secretary
Baptist Union Corporation Ltd
PO Box 44
129 Broadway
Didcot
Oxfordshire
OX11 8RT

The Secretary
Bristol & District Association of Baptist
Churches (Incorporated)
21 Queensholme Drive
Downend
Bristol
BS16 6LB

The Secretary
Devon & Cornwall Baptist Corporation
Ltd
13 Wrefords Drive
Cowley Park
Exeter
Devon
EX4 5AU

The Secretary
East Midlands Baptist Association
(Incorporated)
1 Quantock Grove
Bingham
Nottingham
NG13 8SE

The Secretary
Lancashire & Cheshire Association of
Baptist Churches (Incorporated)
Latchford Baptist Church
Loushers Lane
Latchford
Warrington
WN4 2RP

The Secretary
London Baptist Property Board Ltd
1 Merchant Street
Bow
London
E3 4LY

The Secretary
Welsh Baptist Union Corporation Ltd
Ilston House
94 Mansel Street
Swansea
SA1 5TZ

The Secretary
West Midlands Baptist (Trust) Association
(Incorporated)
137 Newhall Street
Birmingham
B3 1SF

The Secretary
Wiltshire & East Somerset Baptist
Association (Incorporated)
38 Leighton Park North
Westbury
Wiltshire
BA13 3RN

The Secretary
Yorkshire Baptist Association
(Incorporated)
1 South Parade
Headingley
Leeds
LS6 3LF

Exempted buildings

- F.1 The Order exempts buildings situated within one of the Provinces of the United Reformed Church held on the trusts for purposes relating to the United Reformed Church set out in Part I of Schedule 2 to the United Reformed Church Act 1972 or Part I of Schedule 2 to the United Reformed Church Act 1981. These trusts relate primarily to use for public worship according to the principles and usages for the time being of the United Reformed Church. Such trusts enable the Provincial Synods to control works which substantially alter the character or appearance of a church building. This covers all relevant buildings whose primary use is as a place of worship.

Exempted works

- F.2 The procedures summarised below cover all the exempted works.

Basic procedures

- F.3 A Listed Buildings Advisory Committee is being set up by each Provincial Synod for the Province concerned. The Committee's membership is to be at least six and will include people with knowledge of church architecture, history and archaeology and experience of the care of historic church buildings and their contents; the local authority associations, English Heritage/Cadw and the national amenity societies will be consulted on some appointments.
- F.4 Preliminary applications for relevant works are to be submitted with accompanying documentation to the appropriate Advisory Committee on specified forms. The Advisory Committee will then carry out the notifications at paras 6.0(c)-(e) above.
- F.5 After the required 28 day period for comments the Advisory Committee will consider the proposal, taking into account any comments received. The Advisory Committee is required, within 10 weeks from the preliminary application or such longer period as may be agreed with the applicants, to send to the applicants a certificate stating whether or not they recommend the proposed works (in whole or part, and with any necessary conditions) and a statement that the notification arrangements at paras 6.0(c)-(e) have been complied with.
- F.6 If the applicants wish to proceed, they must within six months send a formal application on a specified form to the Secretary of the Provincial Property Committee together with the original accompanying documentation and the Advisory Committee's certificate and statement, drawing attention in detail to any changes made in the light of the Advisory

Committee's advice. The Property Committee will notify the amenity bodies of any such changes allowing 28 days for any further comments.

- F.7 After the end of this 28 day period but not later than four months (or such longer period as shall be agreed with the applicants) after receiving the formal application, the Property Committee will consider the formal application, taking into account the work and mission of the applicants, the advice of the Advisory Committee and the factors set out in para 6.0(f) above. It will then decide whether or not to approve the application. Its decision will be notified to the Advisory Committee and the amenity bodies, and records of its decisions will be available to the public at reasonable hours at the Provincial Office. Within the constitution of the United Reformed Church applicants have a right of appeal through the internal procedures of the Church against a decision of the Provincial Property Committee.

Breaches of procedure

- F.8 Where relevant works are being, are about to be or have been carried out without the Property Committee's authorisation, the Secretary of the Property Committee will serve a notice on the local church concerned requiring it to cease or refrain from the works. Provided the local church ceases work immediately, it is required within seven days to apply for retrospective authorisation under the procedures set out above. If it does not cease work immediately or if such an application is rejected, it will be required to restore the building to its previous condition. Where these requirements are not complied with, the Property Committee may report the matter to the appropriate Secretary of State for him to consider whether exemption should be removed from the building concerned. It is open to anyone, including a member of the public, to draw breaches of procedure to the attention of the appropriate authorities.

Full implementation of procedures

- F.9 These procedures will be implemented by 1 January 1995.

Maintenance and repairs

- F.10 Provinces will make provision for appropriate professional advice on listed buildings and for inspections on a five-yearly basis.

Buildings no longer used for worship

- F.11 If an exempt building ceases to be used for worship, the Province concerned will notify the local planning authority.

Further details

- F.12 Further details of these procedures are contained in a document entitled *Procedure for Control of Works to Buildings* obtainable from Messrs Towns,

Needham & Co, 6/8 Albert Road, Levenshulme, Manchester M19 3PJ, to whom any questions about the general procedures (marked for the attention of Mr N H Oldham) should also be addressed.

F.14

Appendix F contains a list of the Provinces and their Offices, to which any questions about their geographical coverage or about a particular case should be addressed.

Northern Province

St James Church
Northumberland Road
Newcastle-upon-Tyne
NE1 8SG

North Western Province

URC Provincial Office
Franklin Street
Patricroft
Eccles
Manchester
M30 0QZ

Mersey Province

The Annex
Trinity with Palm Grove Church
63 Alton Road
Birkenhead
L43 1UZ

Yorkshire Province

43 Hunslet Lane
Leeds
LS10 1JW

East Midlands Province

Sherwood United Reformed Church
Sherwood
Nottingham
NG5 3AA

West Midlands Province

The Provincial Office
United Reformed Church
Digbeth-in-the-Field
Moat Lane
Yardley
Birmingham
B26 1TW

Eastern Province

Stowmarket United Reformed Church
Stowmarket
Suffolk
IP14 1AD

South Western Province

The Manse
Norton Fitzwarren
Taunton
TA2 6RU

Wessex Province

United Reformed Church
King's Road
Chandler's Ford
Eastleigh
SO5 2EY

Thames Northern Province

The City Temple
Holborn Viaduct
London
EC1A 2DE

Southern Province

East Croydon United Reformed Church
Addiscombe Grove
Croydon
CR0 5LP

Wales Province

United Reformed Church
Minster Road
Roath
Cardiff
CF2 5AS

