



CARE OF CHURCHES & ECCLESIASTICAL JURISDICTION MEASURE FACULTY JURISDICTION RULES 2000

PETITION FOR FACULTY – NOTES FOR COMPLETION

Page 1 Details of Petitioners

Normally the petitioners should be both the churchwardens and the minister (unless there is a vacancy). Alternatively, the PCC can petition, in which case two officers should be named as the petitioners acting on the PCC's behalf. In every case please state who is the contact person. A local authority or other body may be a petitioner when appropriate.

Page 2 Schedule of Works or Proposals

This needs to be completed carefully and in detail because the faculty will follow the wording you use.

Section (A) Information about your church

Once you have completed the first six questions keep a photocopy of your answers for use on future occasions. In question 3(b), a Statement of Significance means a short document which summarises the historical development of the church and identifies the important features that make major contributions to the character of your church. Such information can be drawn from a church guide or handbook but this may need to be supplemented or updated. The statement will be of permanent value as an information base both within the parish and the diocese. A Statement of Significance will be required if you are making significant changes to a church that is a listed building. Further guidance can be found in the General Synod's booklet *Making Changes to a Listed Church* which is available from Revelations Bookshop, 13 Tower Street, Ipswich, IP1 3BG. Tel. 01473 256503.

Section (B) Significant changes to the interior and/or exterior of the church

A Statement of Needs is a written document agreed by the parochial church council (which will be responsible for meeting the cost of the proposed changes). It is required in all cases of significant change to a church whether it is listed or not. It should set out the reasons why it is considered that the needs of the parish cannot be met without making the proposed significant changes (e.g. removing pews) and why the changes are regarded as necessary to assist the church in its worship and mission. For listed churches please refer to *Making Changes to a Listed Church*.

Section (C) Partial Demolition or Demolition

If this section is applicable, you should ask the church's architect or surveyor to help you complete it.

Section (D) Financial Information

The information under question 10 is required to help the chancellor or archdeacon to decide whether there should be a condition in the faculty as to phasing of work to match the timing of the availability of funds. Because grant making bodies usually attach conditions to grants for repairs or other work, the information under questions 11 to 13 is required to ensure that the faculty is consistent with the terms of any grant. In question 11(a) "a grant in the past" should be treated as referring to a grant within a period of 10 years prior to the petition unless you know that the terms of an earlier grant apply to the work now proposed.

Section (E) Permissions from other bodies

A faculty cannot override the requirements of general legislation, so it is necessary to have answers to these questions. Your answer to question 17(b) may not reflect the view of the Diocesan Advisory Committee. Seeking advice from English Nature may therefore be a sensible precaution.

Section (F) Archaeological matters

If this section is applicable, you should ask the church's architect or surveyor to help you complete it.

Section (G) Consultation for works of alteration to the exterior or interior of a listed church

For guidance on consultation with some or all of the bodies listed, and their addresses, you should refer to *Making Changes to a Listed Church* and to the guide *The National Amenity Societies: Their Role in the Conservation of Anglican Churches* (also available from Revelations 01473 256503).

Section (H) Church Insurance

Nearly all work affects the security of the building, which is the reason for the information requested in questions 21 and 22. Some sad cases of accidental injury to volunteers have necessitated the protection of the parochial church council against a claim for damages and this is the reason for question 23.

Section (I) Introducing new articles into the church (e.g. furniture, furnishing, fixture or fitting)

If this section is applicable you should ask the contractor or the church's architect or surveyor to help you with the answer to question 24(b) and (c).

Section (J) Disposal of any item in or belonging to the church

The method of disposal (e.g. sale, gift, loan, destruction etc.) should be considered by the parochial church council so that you are able to answer this section in full.

Section (K) Seats in the church

This section only applies where there are private rights conferred by a statute or formal grant.

Section (L) Work to the chancel

The Church Commissioners should be able to tell you whether there is a lay rector.

Section (M) Work affecting monuments etc. in the church

The information in question 28(b) is important because it may need to be attached to the public notice or any advertisement directed by the chancellor so as to give proper publicity to the proposals.

Section (N) New memorial in the church

Question 29(b) is a reminder that memorials will only be permitted in special cases and that the parochial church council has to address the merit of any proposal. It is advisable for the PCC to send the DAC Secretary details of the proposals as early as possible so that an informal opinion can be sought from the chancellor before a petition form is completed. If a proposed piece of work is to be carried out in memory of someone (e.g. renovation of a stained glass window) and it is likely a plaque may be erected in commemoration, the DAC needs to see details of the plaque at the same time as the specification for the work in question.

Section (O) Details of Contractors

This information is required both for the record and so that the petitioners can be advised if there is any doubt about the competence of the named contractor(s) to carry out the proposed work.

Section (P) Time for work

This is required to assist the chancellor or archdeacon in deciding the appropriate period of time for completion of the work. This will become a condition of the faculty.

Section (Q) Work in a churchyard or burial ground

The diocesan registrar should be able to help you with the answer to question 33(e). The local planning authority should be consulted in respect of question 33(h).

Section (R) Archdeacon's Licence

You should submit this petition not later than two months before the expiry of the period in the licence.

Section (S) PCC resolution

Where an emergency faculty is sought, the petition may be submitted before a meeting of the parochial church council has been held, provided it is supported by a resolution of the standing committee.

Signatures of the Petitioners

These must be hand-written and not typed.

English Heritage

In October 2003 English Heritage changed its policy regarding parishes seeking English Heritage approval. The following now applies. English Heritage no longer requires parishes to seek its approval for works on the basis of having received a grant before 2002. However, if a grant has been received since 2002 then English Heritage approval will need to be obtained. The latter condition will cease to apply 10 years after the last grant payment has been received.

English Heritage does need to be contacted for the following:-

All works of alteration or extension affecting the character of grade I or II* listed churches.

Consultation on grade II listed churches is limited to alteration, which comprises the demolition of all, or a substantial part of the structure of the interior. For this purpose the structure of the interior includes principal internal elements such as staircases, galleries, load-bearing walls, floor structures, roof structure or of major internal fixtures such as all fixed pews, rood screens or organs).

Works likely to affect the archaeological importance of the church or archaeological remains within a listed church of any grade, or its curtilage (grounds).

Further assistance may be sought from the DAC Secretary, St Nicholas Centre, 4 Cutler Street, Ipswich, IP1 1UQ. Tel. 01473 298533, e-mail james@stedmundsbury.anglican.org

Further assistance may be sought from:

Mr James Hall, registrar and legal secretary to the bishop
Diocesan Registry
20 – 32 Museum Street
Ipswich, IPI IHZ

Telephone: direct line 01473 406270
E-mail james-hall@birketts.co.uk

Mrs Angela Long, registry clerk and assistant to the registrar
Telephone: direct line 01473 406300
E-mail angie-long@birketts.co.uk

Mr James Halsall, DAC secretary
Churchgates House
Cutler Street
Ipswich, IP1 1UQ

Telephone: 01473 298533
E-mail james@stedmundsbury.anglican.org

Miss Jessica Parrett, Assistant to the DAC Secretary
Churchgates House
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Telephone: 01473 298533
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