

Directory
on the
Ecclesiastical Exemption
from
Listed Building Control

BISHOPS' CONFERENCE OF ENGLAND AND WALES
MARCH 2001

Note

This Directory was approved by the Bishops' Conference of England and Wales at its Low Week meeting 1999.

Second edition March 2001

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Appendix 3

Documents

The Constitution on the Sacred Liturgy

Sacrosanctum Concilium, can be found in The Liturgy Documents, Liturgy Training Publications, Chicago (distributed in UK by McCrimmons).

General Instruction on the Roman Missal

can be found in The Liturgy Documents, Liturgy Training Publications, Chicago (distributed in UK by McCrimmons).

The Parish Church

Bishops' Conference of England and Wales, Catholic Truth Society 1984 (Out of print but a revised edition is being prepared).

Ecclesiastical Exemption: What it is and How it works

Department for National Heritage, September 1994

Planning Policy Guidance Notes (PPG) 15:

Planning and the Historic Environment

Department of the Environment, Transport and the Regions, September 1994.

Joint Committee of National Amenity Societies

represents the following six Amenity Societies and can be contacted at the Ancient Monuments Society below.

Ancient Monuments Society

St Ann's Vestry Hall
2 Church Entry
London EC4V 5HB
020 7236 3934
020 7329 3677 Fax

Council for British Archaeology

Bowes Morrell House
111 Walmgate
York YO1 2UA
01904 671 417
01904 671 384 Fax

Georgian Group

6 Fitzroy Square
London W1P 6DX
020 7387 1720
020 7387 1721 Fax

Society for the Protection of Ancient Buildings

37 Spital Square,
London E1 6DY
020 7377 1644
020 7247 5296 Fax

Twentieth Century Society

70 Cowcross Street
London EC1M 6BP
020 7250 3857
020 7251 8985 Fax

Victorian Society

1 Priory Gardens
Bedford Park
London W4 1TT
020 8994 1019
020 8995 4895 fax

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Addresses

Subcommittee for Church Patrimony

Liturgy Office
39 Eccleston Square
London SW1V 1PL
020 7821 0553
020 7630 5166 Fax

Department for Culture, Media and Sport

2/4 Cockspur Street
London SW1Y 5DH
020 7211 6200
020 7211 6210 Fax

Royal Commission on the Historical Monuments of England

National Monuments Record Centre
Kemble Drive
Swindon SN2 2GZ
01793 414 600
01793 414 606 Fax

Royal Commission on the Ancient & Historical Monuments in Wales

Crown Buildings
Plas Crug,
Aberystwyth,
Dyfed, SY23 1NJ
01970 621 233
01970 627 701 Fax

English Heritage

23 Savile Row
London W1X 1AB
020 7973 3000
020 7973 3429

CADW (Welsh Historic Monuments)

Crown Building
Cathays Park
Cardiff CF1 3NQ
01222 500 200
01222 826 375 Fax

Northampton

The Counties of Bedford, Buckingham and Northampton and that part of Berkshire (formerly in Buckinghamshire) lying between the River Thames and the boundary with Buckinghamshire.

Chair	Mgr Gerald Moorcraft	Secretary	Mrs Barbara Keen
	St Theresa's Presbytery		St Theresa's Presbytery
	New Road		New Road
	Princes Risborough		Princes Risborough
	Bucks		Bucks
	HP27 0JN		HP27 0JN
	01844 345 578		01844 345 578
	01844 274 503		01844 274 503

Nottingham

The Counties of Derbyshire, Leicestershire, Lincolnshire, Nottinghamshire and Rutland excepts parts of the High Peak and Chesterfield districts of Derbyshire and the district of Bassetlaw in Nottinghamshire.

Chair	Rt Revd Mgr JE Moore	Secretary	Mr Howard Walters
	Willson House		Diocesan Property Dept
	Derby Road		Willson House
	Nottingham		Derby Road
	NG1 5AW		Nottingham
			NG1 5AW
	01773 743336		0115 953 9802
			0115 953 9808

Westminster

The London Boroughs north of the Thames and west of Waltham Forest and Newham, plus the districts of Staines and Sunbury-on-Thames, and the County of Hertfordshire.

Chair	Revd Peter Harris	Secretary	Mr Chris Fanning
	Presbytery		Westminster House
	1 Island Row		Watford Way
	636 Commercial Road		Hendon
	E14 7HS		NW4 4TY
	020 7987 3563		020 8202 2695
	020 7536 9043		020 8202 1459

Directory on the Ecclesiastical Exemption from Listed Building Control

Introduction

- 1 Under the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 certain buildings in the ownership of the Roman Catholic Church are exempted from some of the provisions of planning legislation subject to approved alternative controls and procedures being exercised by Church authorities. It has long been recognised that the right to religious freedom includes the right to freedom of worship, and that this has implications for the care of buildings built for such worship. On its part, the Second Vatican Council and directives of the Holy See have reminded bishops of their need to exercise vigilance over the remodelling of places of worship and to protect works of art and sacred furnishings. It is the right and duty of the Ordinary to supervise the administration of temporal goods within his jurisdiction and the duty of Trustees to protect trust property vested in them. This Directory sets out the procedures to be followed by those wishing to carry out building and related work to those buildings.
- 2 To establish the required procedures, the Ordinaries of the Dioceses and Religious Orders listed in the Schedule have each issued a Decree which requires persons wishing to carry out relevant works to apply for a faculty granted under the scheme described in this Directory. This Directory is issued by the Bishops' Conference of England and Wales and describes the scheme and the procedures which must be followed to obtain a faculty for any relevant works. This Directory supersedes all previous guidelines and will be subject to periodic review by the Department for Christian Life and Worship of the Conference. The Sub-Committee for Church Patrimony has been charged by the Conference with the oversight of the procedures and their implementation.

Definitions

- 3 An explanation of the terms used in this Directory is given in the Glossary (page 17).

The Need for a Faculty

- 4 The Decree provides that no relevant works may be undertaken except with the authority of a faculty granted on behalf of the Ordinary in accordance with the procedures described in this Directory.
- 5 For the exact definition of relevant works, refer to the Glossary and the relevant Decree. The definition of relevant works extends to internal or external works (short of total demolition) carried out on:
- (a) any listed church, oratory or chapel owned by the diocese, a parish or any other ecclesiastical organisation which is subject to the diocesan Bishop and is being used primarily for worship; or
 - (b) any listed ecclesiastical building (except a presbytery) belonging to a religious institute or a society of apostolic life which is being used for ecclesiastical purposes.

This definition extends to objects or structures which are fixed to the exterior or are in the grounds of such buildings unless they have been listed in their own right.

- 6 The relevant works are subject to the procedures described in this Directory because they are exempt from secular listed building control. Works to listed buildings which do not fall within the scope of this Directory will usually require statutory listed building consent from the local planning authority.
- 7 Most external works to buildings will **also** require planning permission from the local planning authority – there is no exemption from this requirement when it applies, and such consent must be sought in *addition* to a faculty under this Directory.

Lancaster, Liverpool, Salford, Shrewsbury

The Counties of Cheshire, Cumbria, Greater Manchester, Lancashire, Merseyside, and Shropshire, the Isle of Man and parts of Derbyshire.

Chair	Canon Brendan Alger St Mary Hill Street Bucks Road Douglas Isle of Man 01624 675509	Secretary	Mr John Cowdall 47 Southport Road Chorley Lancashire PR7 1LF 01257 277128 01257 277128
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Leeds

The County of West Yorkshire and parts of North Yorkshire, Cumbria, Greater Manchester, East Yorkshire and Lancashire.

Chair	Mgr Kieran Heskin 294 Harrogate Road Leeds LS17 6LE 0113 268 1373	Secretary	Mr David Damant Hinsley Hall 62 Headingley Lane Leeds LS6 2BX 0113 261 8023 0113 261 8000 0113 261 8035
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Middlesbrough

The Boroughs of Middlesbrough, Redcar and Cleveland, Stockton on Tees (south of the River Tees), the cities of Kingston upon Hull and York, East Yorkshire and most of North Yorkshire.

Chair	Mgr J Crawford 48 Union Street Pocklington York YO4 2JN 01653 692128	Secretary	Angela Collinson Curial Offices 50a The Avenue Linthorpe Cleveland TS5 6QT 01642 850 505 01642 851 404
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Cardiff, Menevia, Wrexham*Wales and Herefordshire*

Chair	Canon C Hughes Johnson	Secretary	Mr Philip King
	The Presbytery		Archbishop's House
	41 Pontardawe Road		41-43 Cathedral House
	Clydach		Cardiff
	Swansea		CF1 9HD
	SA6 5NS		
	01792 842244		02920 374 148
			02920 345 950

East Anglia*The Counties of Cambridge, Norfolk and Suffolk and the Unitary Authority of Peterborough.*

Chair	Revd John Barnes	Secretary	Mrs Linda Bull
	21 Westgate Street		Historic Churches Committee
	Bury St Edmunds		59 St Andrews Street
	Suffolk		Cambridge
	IP33 1QG		CB2 3BZ
	01284 754358		01223 304240

Hallam*The County of South Yorkshire, parts of the High Peak and Chesterfield districts of Derbyshire and the district of Bassetlaw in Nottinghamshire.*

Chair	Revd John Metcalfe	Secretary	Dr Paul Walker
	St Theresa's Presbytery		Masons House
	Bloomfield Rise		Marsh Quarry
	Darton		Eckington
	Barnsley		Sheffield
	S75 5AB		S21 4EJ
			0114 256 2246(office)
			0114 256 2673

Hexham & Newcastle*The Counties of Northumberland, Durham, Tyne and Wear and part of Cleveland.*

Chair	Canon Alexander Barras	Secretary	Mr Denis McNally
	St Joseph		Diocesan Grants Officer
	Wallsend Road		St Vincent's
	North Shields		The Roman Way
	Tyne and Wear		Newcastle upon Tyne
	NE29 7AA		NE15 7LT
	0191 257 5801		0191 229 3300
			0191 229 0265

- 8 The ecclesiastical exemption does *not* apply to (and hence listed building consent will normally be required for):
- Catholic chapels in, attached to, or within the boundaries of private houses (unless in the ownership of a diocese, parish, religious institute, society of apostolic life or of another ecclesiastical organisation subject to the jurisdiction of the diocesan Bishop);
 - cases of total demolition
 - works not undertaken by or on behalf of the owner of the building;
 - works to individually listed buildings within the boundaries of an exempt building;
- 9 Like for like works of repair and maintenance do not generally require consent.
- 10 Advice may be sought from the Secretary to the Historic Churches Committee on the need for a faculty and/or local authority consents. In cases of doubt administrators of buildings should consult the Historic Churches Committee and, if appropriate, the local authority.

Listed Buildings

- 11 A listed building is one of special architectural and historic interest which has been identified as such and included in a list published by the Secretary of State for Culture Media and Sport (formerly National Heritage) or the Secretary of State for Wales. Buildings are graded I, II* and II and are selected according to certain established criteria including age, architectural and historic significance and associations, building type, technological significance and authorship. All buildings constructed before 1700 and most constructed before 1830 are likely to be listed; following this the lists become selective during the nineteenth and early twentieth century and more selective for mid- and late-twentieth century buildings. Major churches of all periods and known authorship are likely to be listed.

The Historic Churches Committee

- 12 Each diocese has an Historic Churches Committee, established by the bishop with its own Statutes. A Committee may be set up for one diocese or may cover two or more dioceses. The Statutes of a Committee covering more than one diocese are approved by all the diocesan bishops concerned. Members of the Historic Churches Committee are appointed by the bishop or bishops concerned in accordance with the Statutes. The Committee acts in the name of the diocesan bishop in accordance with the Statutes.
- 13 The membership of the Committee is defined in the Statutes in accordance with several principles which ensure that the Committee is able to come to an independent view on matters before it. It will have a balance of members drawn from the various groups who have a legitimate interest in the Committee's decisions. (It is in order to retain this correct balance at all times that the Statutes will provide for the Committee's membership to be stable rather than rotating. The actual membership should therefore be easily definable at any one time.) The membership will be comprehensive enough ordinarily to provide the necessary experience and expertise for most applications which the Committee will be called upon to decide.
- 14 The Committee will have a Secretary, appointed by the Bishop after consultation with the Chairman. The Secretary will not be a member of the Committee. The role of the Secretary is to be the executive arm of the Committee. The Secretary needs to be a person who is capable of carrying out the functions of being clerk to the Committee and to be the point of contact for all persons having business with the Committee. The Secretary needs to be sufficiently well versed in the planning system and the procedures described in this Directory to be able to provide the Committee and any persons having dealings with the Committee with an independent and reliable source of advice on proper procedures. The Secretary shall act as the person through whom any discretion to be exercised by the Chairman under the procedures is communicated.
- 15 A copy of the Statutes for every Historic Churches Committee will be lodged in the Archive of every Diocese which that Committee

Appendix 1

Diocesan Historic Churches Committees

Arundel & Brighton, Clifton, Plymouth, Portsmouth, Southwark

Counties of Bath and North East Somerset, Berkshire (South of the Thames), Cornwall, Devon, Dorset, East Sussex, Gloucestershire, Hampshire, Kent, North Somerset, Oxfordshire (South of the Thames), South Gloucestershire, Surrey, West Sussex, and Wiltshire. The City and Council of Bristol. The London Metropolitan Boroughs South of the Thames. The Channel Islands, Isles of Scilly, Isle of Wight.

Chair	Mgr Nicholas Rotherham St Mary's 5 Cresswell Park Blackheath SE3 9RD 020 8852 5420	Secretary	Mr M.State 9 Preston Avenue Rustington West Sussex BN16 2DE 01903 856018 07710 432357 01903 856018
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Birmingham

The Counties of Oxfordshire (North of the Thames), Staffordshire, Warwickshire, West Midlands and Worcestershire.

Chair	Mgr Canon Thomas Gavin St Thomas More 112 Knoll Drive Stivichall Coventry CV3 5DD 024 76 411 900	Secretary	Mr Michael Brittain 111 Kenilworth Court Coventry 024 7 650 1144 024 7 650 1144
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Brentwood

The London Boroughs of Barking & Dagenham, Havering, Newham, Redbridge, and Waltham Forest. The Unitary Authorities of Southend-on-Sea and Thurrock and the Administrative County of Essex.

Chair	Revd Michael J Butler 1 Recreation Way Brightlingsea Essex CO7 0NJ 01206 302485	Secretary	Revd Adrian Bell 132 Shernhall Street London E17 9HU 020 8520 5877
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Schedule

Arundel & Brighton

Birmingham

Brentwood

Cardiff

Clifton

East Anglia

Hallam

Hexham & Newcastle

[Lancaster — *sede vacante*]

Leeds

Liverpool

Menevia

Middlesbrough

Northampton

Nottingham

Plymouth

Portsmouth

Salford

Shrewsbury

Southwark

Westminster

Wrexham

covers and with the Liturgy Office; and will be given to every member of the Committee within twenty-one days of being made. The Statutes form part of those records accessible under paragraphs 39-42. New members will be given a copy of the current Statutes on appointment.

The Procedure for Applications

- 16 Before an application is made, certain preliminary actions may be necessary. If significant alterations to a diocesan building are involved applicants should obtain in advance the views of the diocesan Art and Architecture Commission and/or Liturgical Commission. In the case of a parochial building, the Parish Pastoral Council (if any) should be consulted. For property belonging to a religious order, further consent or consultation may also be required. In all cases informal consultation with the Historic Churches Committee (and the Trustees) in advance of the formal application is welcomed, and in complex cases may be beneficial.
- 17 Applications must be submitted to the Secretary to the Historic Churches Committee using **form I** by or on behalf of the person responsible for the administration of the building ("the applicant").
- 18 For all but the most minor works photographs, professionally drawn plans and adequate specifications will be needed, sufficient to identify the building, illustrate its character, and explain the proposals. The application must be accompanied by four copies of these plans, photographs, drawings and specifications, including a 1:1250 or 1:2500 location plan with the position of the building, its curtilage and ownership boundaries clearly marked. (In the case of minor works, advice should be sought from the Secretary whether these requirements can be relaxed.)
- 19 A copy of the most recent quinquennial report should be included if not already in the possession of the Historic Churches Committee. This document will normally have been commissioned by the diocesan finance or property board.

Acknowledgement and Notification

- 20 The Secretary to the Historic Churches Committee will send **forms II and III**, to the applicant, who must display form II for a continuous period of not less than 28 days in a prominent position on the exterior of the building on or near its main entrance. (If the building is not the Parish Church, a copy of form II should be sent to the Parish Priest for display for a similar period in the Parish Church.) Unless the application relates only to internal alterations to a grade II building, the application must also be advertised in an appropriate local newspaper, using the wording on form III.
- 21 The Historic Churches Committee Secretary will consult the local planning authority, English Heritage or Cadw and the national amenity societies. This process will take 28 days and should be undertaken concurrently with the public notices detailed above.
- 22 If the proposal includes works of demolition the Secretary will also inform the Royal Commission on the Historical Monuments of England or the Royal Commission on the Ancient and Historical Monuments of Wales. In the case of total demolition the Historic Churches Committee may comment on the proposals, but is unable to receive an application (see paragraph 6) as listed building consent will be required.
- 23 The applicant, all those consulted in accordance with this procedure and any person who submits written representations to the Secretary to the Historic Churches Committee in any particular application are referred to hereafter as “interested parties” with respect to that application.

The Procedure for Determination

- 24 The Secretary to the Historic Churches Committee will ensure that the application, observations received as a result of the consultations, and written representations received from other interested parties are put before the Historic Churches Committee for discussion and determination.

national amenity societies

means the six national amenity societies which are members of the Joint Committee of the National Amenity Societies;

Historic Churches Committee

means the body set up to grant faculties on behalf an Ordinary in accordance with the Decree;

English Heritage

means the Historic Buildings and Monuments Commission for England;

Cadw

means the Welsh Office agency known as Welsh Historic Monuments;

the Decree

means the General Decree on the Ecclesiastical Exemption made by the relevant Ordinary;

Ordinary

means the person having jurisdiction over the relevant structure or the administrator of that structure (cf. can.134);

Trustees

means the body or persons in whom the legal title of the relevant structure is vested;

church, oratory or chapel

means an ecclesiastical building which is for the time being used for ecclesiastical purposes and whose primary use is as a place of worship;

listed building

has the same meaning as in the Planning (Listed Buildings and Conservation Areas) Act 1990;

unlisted

means an object or structure which is not itself a listed building (apart from any status as a listed building which it may have solely by being treated as part of the church, oratory or chapel);

presbytery

means a building used or available for use by a minister of religion wholly or mainly as a residence from which to perform the duties of his office;

- 25 Subject to anything specifically contained in this Directory or the Statutes of the Historic Churches Committee, the procedure adopted for determination of any application is to be determined by the Historic Churches Committee.
- 26 The applicant and/or up to two representatives are entitled to attend when the relevant application is being discussed and determined by the Historic Churches Committee. They may present their proposals to the Historic Churches Committee and answer questions but may not participate in the discussion by the Historic Churches Committee unless requested to do so.
- 27 The Committee may request the bishop to appoint a suitable adviser to advise it on applications requiring specialist expertise (for example those affecting organs, stained glass or archaeological remains). The Committee will normally make such a request when such specialist advice cannot be obtained from among its existing members. The Committee will normally consult any adviser who has been appointed for that purpose. An adviser will continue to be available to the Committee on future occasions for the duration of his or her appointment.
- 28 In determining the application, the Historic Churches Committee may decide to refuse or approve the application (whether fully or partially). If it approves the application or any part of it, it may grant a faculty either in the form applied for or as modified by the Historic Churches Committee in any way. The Historic Churches Committee may also make the faculty subject to any conditions it thinks fit. A faculty will normally be subject to a time limit of three years. In cases involving substantial works, the conditions will normally require the counter signature of the applicant's architect, surveyor or other professional adviser in addition to that of the applicant on the completion form(s) (form VII).
- 29 All interested parties will be advised of the decision by the Secretary to the Historic Churches Committee, using **form IV**. In order to allow time for interested parties to lodge an appeal against the Historic Churches Committee decision, the faculty will not be issued and no work may therefore commence for at least **28 days** after the date

of the decision notice. After 28 days, the Secretary will issue the faculty using **form V**, at which point the applicant may proceed in accordance with that document.

The Procedure for Appeals

30 Any interested party may appeal to the bishop against the decision of the Historic Churches Committee. The bishop will not normally hear the appeal himself, but will normally establish a commission to hear the appeal on his behalf. Such a commission will consist of three persons, one each drawn from the following categories:

- (a) persons canonically qualified to preside at such appeals,
- (b) professionals with experience of listed buildings, and
- (c) persons involved pastorally with the care of church buildings.

The Sub-Committee for Church Patrimony is willing to advise bishops on suitable candidates for commissions.

Submission and Acknowledgement

31 An appeal must be lodged with the Secretary to the Historic Churches Committee, using **form VIII**, within 28 days of the date of the decision notice. The appeal must be accompanied by three stamped addressed envelopes for subsequent communications (unless the appeal is from the applicant). Copies of form VIII are available on request from the Secretary to the Historic Churches Committee.

32 The Secretary to the Historic Churches Committee will acknowledge receipt of the appeal by sending **form IX** to the appellant. Copies of all forms VIII received and forms IX sent out will be sent to all other interested parties.

Appeal Hearing

33 Following a **further 28 day period** the bishop will normally establish a commission to consider the appeal.

Glossary

relevant structures

means:

- (a) any listed church, oratory or chapel owned by a diocese or a public juridical person subject to the jurisdiction of the diocesan bishop, including:
 - (i) any object or structure within that building;
 - (ii) any unlisted object or structure fixed to the exterior of that building; or
 - (iii) any unlisted object or structure within the curtilage of that building which, although not fixed to that building, forms part of the land;
- (b) any listed ecclesiastical building (except a presbytery) which is for the time being used for ecclesiastical purposes and which is owned by a religious institute or society of apostolic life (or province or house thereof) which has opted into the scheme described in this Directory;

relevant works

means:

- (a) any works (including partial demolition, alteration, repair or extension but excluding total demolition) which would affect the character of the relevant structure as a building of special architectural or historic interest; or
- (b) any works affecting the archæological importance of a relevant structure or archæological remains existing within it or its curtilage;

bishop

means the diocesan bishop;

the Conference

means the Bishops' Conference of England and Wales;

the Liturgy Office

means the Liturgy Office of the Conference;

- 46 Where the church is a listed building, the following additional procedures should be followed. The diocese should, following consultation with the local congregation, commission an expert report describing in detail the architectural and historic interest of the building and its contents. This report will form the basis of the consultation with the Historic Churches Committee. If, following this consultation the diocese decides to proceed, the canonical consultation described above should be undertaken.
- 47 If, after the canonical consultation the bishop decides that the church shall cease to be used for divine worship, the Historic Churches Committee should be notified. This notification will allow it to inform the local planning authority and English Heritage (or Cadw) that the building will no longer be covered by the ecclesiastical exemption, and to make recommendations to the bishop about the future use of the church. Such a recommendation may be that the church should be preserved intact by handing over to a trust or similar; that it should be retained for some secular but not unbecoming purpose; or that it may be demolished. Recommendations may also be made on the disposal of objects from the church. Such disposals should be in accordance with the principles set out in the *“Memorandum on the disposal of objects from churches”* published by the Bishops’ Conference as Appendix B of *“The Parish Church”* (1984).
- 48 Those responsible for oratories and private chapels which are listed buildings should follow similar procedures to those set out above.

- 34 Once a commission has been established, it will conduct the appeal in accordance with the procedure determined by the president of the commission. The procedure will usually follow canonical norms. The Secretary to the Historic Churches Committee will act as Secretary to the commission.
- 35 The appellant and any interested party may avail themselves of the services of an advocate or procurator. The commission may allow them to be represented in any other way.
- 36 The decision, which will be final, is to be notified to all interested parties by the Secretary to the Historic Churches Committee, using **form X**. If necessary, the Secretary will also issue the appropriate faculty, using form V.

Unauthorised works

- 37 Where relevant works are commenced without the authority of a faculty or in breach of any conditions attached to a faculty, the Ordinary, acting also on behalf of the Trustees, should order work to cease, by the service of **form XI** on the person who is responsible for the administration of the building. That person must follow the directions contained in the order and any subsequent directions of the Historic Churches Committee.
- 38 The position must then be regularised by following the procedures described in this Directory. The building must either be restored to its original condition or an application submitted to the Historic Churches Committee in the normal way. Such an application will not necessarily be approved, and if it is refused in whole or in part, the necessary remedial works to restore the building to its original condition must be undertaken without delay. In all these matters the directions of the Historic Churches Committee must be followed.

Monitoring and Records

- 39 Within fourteen days of commencement of the relevant works the applicant must submit **form VI** to the Secretary to the Historic Churches Committee. On completion of the relevant works, applicants must submit **form VII** to the Secretary to the Historic Churches Committee. Form VII must be signed by the applicant, and, where required by the Historic Churches Committee, countersigned by the applicant's architect, surveyor or other professional advisor, declaring that the work has been carried out in accordance with the faculty. (In the case of large, long or multiple works, the Committee may require that more than one forms VI and VII are to be submitted.)
- 40 The Secretary to the Historic Churches Committee shall keep a record of all proceedings of the Historic Churches Committee together with copies of all forms sent or received in accordance with this Directory. The Secretary shall also keep copies of the relevant current Decrees and Statutes relating to the Committee. These records shall be kept in the diocesan offices (or an alternative venue designated by the Historic Churches Committee) in a form accessible to those with a right to see them.
- 41 Interested parties or their representatives have the right to see the records relating to the application or applications in which they have such an interest. The diocesan bishop or religious superior or their representatives and designated members of the Sub-committee for Church Patrimony have a right to see all records of the Historic Churches Committee. Members of the public may apply to the Secretary for access to the records, which will normally be arranged at a convenient time. The Historic Churches Committee should only refuse access to members of the public if they have good reason for doing so.
- 42 An annual summary report is to be produced and a copy sent to the Liturgy Office. Copies need only to be sent to the DCMS or Cadw, the Joint Committee of the National Amenity Societies and English Heritage if requested. The format of the report should follow that recommended by the Sub-committee for Church Patrimony. The

annual report is to cover the calendar year and is to be submitted by the following 1st March.

Emergency Procedures

- 43 In cases of genuine **emergency** (i.e. where the interests of safety, health or the preservation of a building would be seriously prejudiced by waiting until the next meeting of the Historic Churches Committee) a provisional faculty may be granted (using **form XII**) by the Chairman in consultation with the Vice-Chairman and the Vicar-General member (or equivalent) of the Committee. In extreme cases this may be granted orally by the Chairman or Vice Chairman (and later confirmed in writing on form XII). Such approval will only be given **for those works that are necessary to carry out the emergency measures** and are subject to a subsequent formal application covering the work undertaken plus any consequential work, which **must be submitted immediately** in the normal way.

Buildings no longer in use for Worship or other Ecclesiastical Purposes

- 44 The Directory does not apply to churches, oratories or chapels no longer used for worship or ecclesiastical buildings closed for all purposes, as the ecclesiastical exemption will cease to apply. If demolition is proposed it should be noted that total demolition is not normally exempt as the building is held to be no longer in use for ecclesiastical purposes.
- 45 The bishop may allow a church to cease to be used for divine worship, after consulting the council of priests, obtaining the consent of those who could lawfully claim rights over that church, and satisfying himself that the good of souls would not be harmed. (These requirements do not apply where the church cannot in any way be used for divine worship and there is no possibility of its being restored.)