

FACULTY PROCEDURE

(Some Guidance Notes)

1. **FACULTIES** (licences) are required for all repairs, alterations or additions to the church and churchyard unless they are very minor items and listed as “de minimis” – see pages 118/119 of the 2003 edition of the Diocesan Handbook. They are required in order to:
 - a. Secure the long term interest of parishioners past, present and future.
 - b. Prevent changes that are unnecessary or irreversible.
 - c. Retain the exemption of ecclesiastical buildings from secular listed building control.
2. The process of obtaining a faculty can be straightforward but if the proposals are in any way significant consultation with several bodies is required. The Diocesan Advisory Committee aims to help parishes through this process whilst remaining totally objective in its assessment of proposals and the advice it gives on their merits. A number of guidance notes are available.
3. **All proposals must first go to the DAC for a recommendation and we advise parishes to seek its views before approaching any other bodies** that are consulted in significant cases (see paragraphs 8-10 below).
4. The procedure, even for the most straightforward case, will take up to 3 months and parishes are advised to give themselves good time to achieve their plans. The DAC meets on the first Thursday of each month (except for January) and cases for consideration should be with the Secretary no later than seven working days before the meeting. The Committee may ask for further information or for clarification of points, or for other reasons adjourn the matter before reaching a decision.
5. If emergency work is necessary special arrangements can be made and the parish should first contact their Archdeacon.
6. The formal approach to the DAC should be made using the attached form **except for work on trees** (see paragraph 7 below). **Two copies** of the following should be provided:-
 - The **PCC resolution** and **architect’s advice** in writing.
 - For **Building Repairs** – the architect’s specification and drawings.
 - For **Heating** and/or **Electrical** works – the architect’s or contractor’s specification, drawing and/or annotated photographs which show the effect of the work.
 - For **Organs** – details of the history and specification of the existing organ, of any replacement or work to be done.
 - For **Memorials** – a scale drawing, precise wording and a sample of lettering, together with a history of the person/s to be remembered in the memorial. (If the proposal is for an internal memorial the application may be in the form of an informal enquiry in the first instance).
 - For **churchyard alterations** – a list and plan of the gravestones affected.
 - For **disposal of articles by sale** – good quality photographs of the item(s), details of the provenance and a professional valuation.
 - For **any major proposal** the comments of the other consultees- see para. 8 overleaf.
 - For **English Heritage/Heritage Lottery Fund** grant aided work- a copy of the contract and The English Heritage architect’s report.
 - The **church insurers’** approval in writing.
7. **Work on Trees.** A special form of petition is required and should be completed and sent to the DAC in place of the attached. (*Copies of which are available from the Registrar or DAC Secretary*).

8. Works involving alteration to a listed building likely to affect its character or archaeological importance.

Much more consultation with bodies other than the DAC is required about any proposal which appears to fall within this definition. The following attempts to give some guidance but is not exhaustive and advice will be given on individual cases when details are known.

- a. Repairs to the fabric of listed buildings where the parish has previously received a grant from English Heritage – consult English Heritage.
- b. Repairs which alter the appearance, e.g. a change of roof materials – planning approval may be required so you must consult your local District Council. If listed also ensure that English Heritage is consulted.
- c. Extensions to listed buildings will require consultation with English Heritage, the local authority, the appropriate Amenity Societies and the Council for the Care of Churches.
- d. Internal re-ordering or alteration e.g. by sub-division of listed buildings, if at all significant, may also require consultation with these bodies.

(English Heritage has produced a helpful form which details the information they require – copies are available from the DAC Secretary.)

9. Major changes such as these are also required to be supported by

- a. A detailed **Statement of Need** defined as a “document which sets out the reasons why it is considered that the needs of the users of the building cannot be met without making changes to the building”.
- b. A **Statement of Significance** defined as a “document which summarises the historical development of the building and identifies the important features that make major contributions to the character of the building”.

(If further help is required guidance notes and/or a copy of the booklet “Making Changes to a Listed Church” are available from the DAC Secretary.)

10. As suggested above, if major building works are proposed either internally or externally please advise the DAC Secretary when your ideas are in the formative stages by means of an **informal enquiry**. This is actively encouraged by the DAC and a meeting on site of the interested parties can be arranged and views exchanged. It will be helpful in such cases if at least draft copies of the Statement of Need and Statement of Significance can be prepared and circulated beforehand together with an indication of how the needs might be met.

11. When the DAC is able to issue its Certificate:

- a. One copy is sent to the parish together with a stamped set of the relevant papers and another is sent to the Diocesan Registry.
- b. The Registrar then sends the necessary petition and public notice forms to the petitioners with instructions on the action to be taken.
- c. Completed forms are returned at the appropriate time to the Registrar who arranges for the papers to be dealt with by the Chancellor or by an Archdeacon.
- d. If a faculty is granted, the Registrar provides the parish with its copy and instructions about the action which then has to be taken, including returning the certificate of the completion of works when the work is completed.