

Diocesan Mission & Pastoral Committee
Church Buildings Options: Impact Document

Where parishes are exploring alternative uses for their church buildings, this document is a comparative tool setting out the technical aspects associated with each of these different options for church buildings.

It should be noted that current guidance from the Church Commissioners advises that Direct Vesting will only take place in exceptional circumstances, at the discretion of their Statutory Advisory Committee (the SAC) and with agreement of the Church Conservation Trust. Buildings of particularly high quality may be assessed by the SAC as a candidate for a 'last resort' vesting, whereby a full formal 'use-seeking' period should be conducted (over a minimum period of two years) by the Diocese/ Church Commissioners before vesting is considered. In some cases, it may be appropriate for the church to formally close at the start of the use-seeking process, but it may be determined by the D(A)MPC that closure take place only once use-seeking has concluded. Given the rarity of vesting opportunities at this time, parishes are strongly encouraged to explore alternative uses as a more likely outcome.

Is	(A) FESTIVAL CHURCH	(B) CLOSED CHURCH	(C) CHURCH DIRECTLY VESTED IN THE CCT <i>(in the rare instances where this is agreed nationally)</i>
Legal Status	<ul style="list-style-type: none"> • Remains an 'open' church. No change in legal status required (a parish church can remain so). • The building is <ul style="list-style-type: none"> ○ consecrated ○ subject to Faculty jurisdiction, ○ vested in the Incumbent and the legal responsibility of the PCC. 	<ul style="list-style-type: none"> • Upon completion of a Pastoral [Church Buildings] Scheme of closure, the building: <ul style="list-style-type: none"> ○ has the legal effects of consecration removed ○ is closed for regular public worship. ○ vests in the Diocesan Board of Finance, for care and maintenance, which holds legal responsibility for the building until a future use is legally settled by a formal Pastoral Church Buildings Disposal Scheme (following a use-seeking process*). 	<ul style="list-style-type: none"> • Upon completion of the Pastoral Church Buildings Scheme of closure/ direct vesting the building simultaneously: <ul style="list-style-type: none"> ○ has the legal effects of consecration removed ○ is closed for regular public worship but open for 'educational purposes' ○ vests in the CCT which holds permanent legal responsibility for the building.

Pastoral Reorganisation	<ul style="list-style-type: none"> • May be recommended in certain contexts to persevere robust governance of the building, its activities, its users and the churchyard. <ul style="list-style-type: none"> ○ Pastoral reorganisation would typically involve a union of parishes (<i>e.g two or more parishes merging, creating a single newly formed PCC</i>). ○ Changing the legal status of the building from a Parish Church to a Chapel of Ease could be considered (<i>formally reducing the level of required services & removing the requirement for separate Church Wardens</i>). <p><i>Revision to the Canons has lessened the distinction between a parish church and a chapel of ease; now it's the benefice that has to have a certain number of services not an individual church</i></p> <p><i>If a new parish is created by the union of two or more within the benefice the Pastoral Scheme could stipulate the number of churchwardens for the parish instead of the default provision of two wardens per parish church.</i></p>	<ul style="list-style-type: none"> • In a single-church <u>parish</u> pastoral reorganisation would need to be considered; possibly involving a union of parishes; a dissolution of the parish and transfer of its area to another parish; if the only church in the parish was closed the Bishop has a duty to provide an alternative place of worship in the parish. • In a single-church <u>benefice</u> pastoral reorganisation would be mandatory; possibly involving a union of benefices; a dissolution of the benefice and a transfer of the single church parish to another benefice; or a dissolution of the benefice and a union of parishes between the single-church parish with a parish located within a different benefice. 	<ul style="list-style-type: none"> • Same as option (B)
Cure of Souls	<ul style="list-style-type: none"> • The Incumbent holds legal responsibility for the cure of Souls for the whole benefice in which the church is located. 	<ul style="list-style-type: none"> • Same as option (A). <ul style="list-style-type: none"> ○ The area in which the closed building is located remains the pastoral responsibility of the Incumbent of the benefice with services held in the other parish churches in the benefice. 	<ul style="list-style-type: none"> • Same as option (B) <ul style="list-style-type: none"> ○ The area in which the building remains the pastoral responsibility of the Incumbent, who can give permission (along with the Area Bishop) to allow for a maximum of six services/ year to be held in the church.

Worship	Frequency & Oversight	<ul style="list-style-type: none"> • Where a church retains Parish Church status, a request can be made to the Bishop to vary the level of worship down to a minimum of six services/ year <ul style="list-style-type: none"> ○ provided that regular worship is taking place elsewhere in the benefice; ○ Additional Lay (or clergy) led services would be permitted ○ All services (both clergy and Lay led) would be under the oversight of the Incumbent. <p>Please see note above regarding the change in the Canons and the number of services that need to be held in a benefice not in a parish [there is no legal minimum of six services a year but this is the diocesan working model, based on the recommendation of the <i>Church Buildings Council</i>, as legally the church can't be closed altogether for public worship]</p>	<ul style="list-style-type: none"> • Very occasionally a service may be permitted to be held in the closed church by special license by the Bishop. In practice this is rare. 	<ul style="list-style-type: none"> • A maximum of six services/ year would be allowed, with the permission of both the Incumbent and the Area Bishop, and under their oversight.
	Types of worship	<ul style="list-style-type: none"> • Where the church retains Parish Church status, all types of services under Canon Law are permitted, including baptisms, weddings, funerals & Lay-led services. • Where the church becomes a Chapel of Ease, the church could be licensed for weddings, so that all types of service under Canon Law could continue <ul style="list-style-type: none"> ○ occasional services would be recording in the Register of the Parish Church. 	<ul style="list-style-type: none"> • Weddings, baptisms, funerals, other Lay-led services would not be permitted. 	<ul style="list-style-type: none"> • Additional Lay-led services would not be permitted • Occasionally a funeral, or wedding may be permitted, but only with special permission from the Incumbent & Area Bishop, or, in the case of any wedding, by the Archbishop. • Parishioners no longer have the automatic right to be married or have their funeral in the church; they would retain these rights for those services to be held in any other open church within the parish.

Community Engagement	<ul style="list-style-type: none"> • A Festival Church initiative needs to have an approved, evidence-based Mission Action Plan (MAP) setting out how it will be supported by and impact on the local community <ul style="list-style-type: none"> ○ many complementary uses could be explored, in addition to planned worship ○ an active role taken on by the wider community is key & differentiates a Festival Church from a church which has simply requested a variance in the level of worship, which is an alternative option. 	<ul style="list-style-type: none"> • Statutory consultation with both the worshipping communities, patrons and wider public are part of the closure process. 	<ul style="list-style-type: none"> • Same as for (B) • If a closure/ direct vesting Pastoral [Church Buildings] Scheme is successful, the CCT would require community engagement to keep the building open, in use and funded – under the guidance of a CCT Community Officer • All use of the building has to be agreed with the CCT Community Officer in advance.
Governance & Operation	<ul style="list-style-type: none"> • The PCC of the parish (or the PCC of the proposed newly united parish where pastoral reorganisation is involved) retains ultimate legal responsibility of the church, but the running of the Festival Church initiative could be <ul style="list-style-type: none"> ○ formally delegated to a Friends Trust (short term option only) or to a CIO via a memorandum of agreement with the PCC and the Incumbent, OR ○ assigned to a PCC-created working party. • Any memorandum of agreement must set out who has the day-to-day responsibility for the building (including operation, maintenance, insurance, safeguarding etc.), as well as all funding implications. • The Festival Church’s MAP is subject to approval from the deanery and the D(A)MPC 	<ul style="list-style-type: none"> • The church remains the responsibility of the PCC until the successful completion of the Pastoral Church Buildings Scheme for closure, at which point the building becomes vested in and the responsibility of the DBF. <ul style="list-style-type: none"> ○ If a future use has not yet been identified, the future use seeking process would continue to find a suitable alternative purpose for the building (unlimited timeframe). ○ The final decision for any proposed future use lies with the Church Commissioners, subject to statutory consultations with the worshipping communities, patrons and wider public. 	<ul style="list-style-type: none"> • Post completion of the Pastoral Church Buildings Scheme of closure/direct vesting in the CCT, the building is the legal responsibility of the CCT. <ul style="list-style-type: none"> ○ As above members of the local community would be encouraged to take on the day-to-day running of the church, under the guidance of a CCT Community Officer.

Finances	<ul style="list-style-type: none"> • In the event of a legal union of parishes, where the church remains open, funds restricted for the upkeep of said church can remain restricted for that purpose. • Insurance, maintenance and running costs remain <ul style="list-style-type: none"> ○ It would be expected that these costs would be met by those running the Festival Church initiative and accounted for within their MAP. ○ whilst costs do not diminish significantly, the intention would be that costs could better be met through broader use and support from a wider group of stakeholders • Under the current Parish Share scheme, becoming a Festival Church does not automatically remove Parish Share contributions allocated to the affected benefice by the deanery <ul style="list-style-type: none"> ○ reductions in Parish Share may be appropriate in certain cases, but only subject to negotiation with, and agreement by the deanery. 	<ul style="list-style-type: none"> • Upon legal closure of the church, funds restricted for the repair and maintenance of the building and/ or its contents shall remain restricted for that purpose (<i>see sec. 77 of the MPM2011</i>) • Non restricted funds would transfer to the newly created united PCC if a union of parishes took place. • The closure of a church building does not directly affect Parish Share apportionments to the deanery. Parish Share contributions would be reallocated to the remaining parishes in the benefices by the deanery, at the deanery's discretion. • Should the sale of the building take place, standard practice is for the income (after costs) to be divided between the Church Commissioners and the DBF (1/3 for the Commissioners, 2/3s for the DBF) to be allocated to the Diocesan Property Fund. Where there is a missional need to re-build a place of worship 10% of the DBF portion can be allocated to the PCC. 	<ul style="list-style-type: none"> • Upon legal closure of the church, funds restricted for the repair and maintenance of the building and/ or its contents shall remain restricted for that purpose (<i>see sec. 77 of the MPM2011</i>) • Non restricted funds would transfer to the parish in which the building was now situated • Parish Share contributions would be reallocated to the remaining parishes in the benefices, subject to the discretion of the deanery. • An annualized maintenance charge is assessed for a CCT-vested church, to cover standard maintenance costs, as well as an additional annual cost to cover the support provided by a CCT Community Officer. Local volunteers would be required to fundraise this amount, under the stewardship of a CCT Community Officer <ul style="list-style-type: none"> ○ Additional costs assessed for non-fundraising events (funerals, baptisms, private hire events)
Scope	<ul style="list-style-type: none"> • Allows maximum flexibility for the church to explore its future, supported by a wider group of stakeholders, whilst still equally remaining a place of worship • The Festival Church initiative would be reviewed periodically to ensure the purpose was being met. • Should the Festival Church initiative not prove successful, alternative options, including closure would be considered, subject to the usual statutory requirements. 	<ul style="list-style-type: none"> • Following legal closure, the church is no longer an asset for the local community. • All efforts should be made to explore alternative options before a decision for closure is approved • Whilst it is possible to re-instate a closed church (where a disposal scheme has not been made), this would be complex, time-consuming and would need to be evidence based. 	<ul style="list-style-type: none"> • The building no longer belongs to the PCC, or directly to the local community • Appropriate only in exceptional circumstances, where all other options have been explored, and subject to consent from the Church Commissioners. • Direct Vesting is no longer an option given the demands on the vesting budget unless there are exceptional circumstances.