

A Simple Guide to Caring for your Church Building

The Faculty Jurisdiction

The Church of England is blessed with a rich heritage of buildings. These buildings have been passed down the generations and are often at the heart of our communities.

The Diocese of Truro has over 300 churches and 86% are either Grade I, II* or II.

We have a responsibility to care for these buildings with the added challenge of ensuring they are accessible and practical for the communities they serve today.

It can seem like a daunting task.

We hope that these notes will help you understand the faculty process and the need for it.

The Diocesan Advisory Committee

The Diocesan Advisory Committee or DAC is a statutory committee within the diocese, which, as its name suggests, acts as an advisory body. The members and advisers are volunteers who bring a wide range of skills and expertise to this advisory role.

The primary role of the DAC is to advise the Archdeacons and Chancellor on proposed works to church buildings. The committee also offers informal specialist advice as part of the application process.

The committee usually meets on the third Tuesday of the month, with the exception of August and December.

Faculty Jurisdiction

The Church of England is in the privileged position of authorising building works affecting its buildings independently of the secular planning system. This reflects the realisation that our buildings have unique qualities and needs, and do not easily fit with the requirements of the secular planning process.

The faculty system is a legal process, which means that in the majority of cases churches do not need to apply for secular planning permission.

It is our responsibility to ensure this exemption continues and that the privilege is not lost. We must work together to make the process effective and efficient for all concerned.

The current system reflects the complexity and significance of the works proposed.

Works are classified as either List A or List B matters or a full faculty - the lists can be found at www.trurodiocese.org.uk/resources/parish-facing-support/dac/faculties-legal-information

List A are permitted works that can be undertaken without any formal consent such as routine maintenance - part of the regular course of care and upkeep of the building;

List B are matters, which may be undertaken without a faculty subject to consultation, which can be authorised by the Archdeacon. These include benches in churchyards, works of repair that affect the fabric or historic material etc.

In July 2022 the List A and B rules were amended to reflect the move towards Net Zero 2023. Some matters such as draught-proofing, low energy light fittings, electric pew heaters (as long as the pews are post 1850) are now possible under List B permission. However, *like-for-like* replacement of fossil fuel (oil & gas) boilers and oil tanks now require a full faculty.

If what you want to do isn't on either List A or List B then it will require a full faculty & these tend to be for more major works like re-orderings or more complex proposals.

What is a Faculty?

A faculty is the legal permission granted by the Chancellor through the Diocesan Registry.

A faculty is the ecclesiastical equivalent to the Secular Planning consents and is a necessary requirement before any work can be undertaken.

There is, however, recognition that on occasion works need to be carried out urgently. If this is the case then you should immediately contact the DAC secretary who will help you obtain the appropriate permissions.

The application process is the same whichever track is to be followed. Frequently voiced misconceptions are that the process is complicated, lengthy and often applications are turned down. This not the case - the DAC is here to help and guide.

Applying for a faculty takes time. It is no good applying to install a new heating system in October and then being disappointed that it is not possible for the work to be carried out in time to keep your church warm over the winter! It is important to be realistic about timings and planning work.

Another point to keep in mind is the need for the careful preparation and presentation of information to support your application as this is essential for a speedy outcome to the process. Similarly, careful reflection on the effect your proposals will have on your building will help towards a positive outcome.

How to Apply for a Faculty

Once you have a clear idea of what works need to be done or what you would like to do to improve the way your building can be used - the process of applying for permission can begin.

The following guidelines are aimed at helping you make your application and achieve a speedy and positive outcome.

1. If you have building works, are thinking about making changes to your building or want to introduce a new item such as an altar frontal, stained glass window or item of furniture the first step is to formulate a clear idea of what it is you want to achieve. Remember that there is a wide range of information, guidance and advice available on the diocesan website [here](#). Once you have a clear idea then we suggest you contact the DAC secretary with an outline of your proposal and ask for preliminary guidance or where appropriate a site visit.
2. A site visit allows you to present your ideas to a group of DAC members who will offer informal advice and comment which will help you to take your ideas forward. This stage is important for you as it can help you avoid incurring expenses if your

ideas are not viable or may help you think about alternative possibilities. At this stage, you may also like to consult with your community about what you are proposing. Later in the process, the public have the opportunity to comment on your plans, as they would within the secular system, it is always better to be aware of any potential objections at an early stage in the planning process.

3. Once you have a clear idea - you will need to begin putting together the information needed for a formal application. It is important that you gather as much detailed information as possible to help the Chancellor, the DAC and where appropriate groups like Heritage England and other Amenity Societies to access your proposal and give approval. The information you will need to provide is as follows:
 - **Statement of Significance** – the historic importance of your building and its contents.
Statement of Need – this should detail your proposals, what you are aiming to achieve. You should also include any information relating to how the work may impact on the building and where appropriate justify why such changes are necessary. Guidance on creating these documents can be found [here](#).
 - A frequent area of concern is if a proposal includes the removal of pews. The documentation should include as much information about the pews and their history. This may involve researching old documents and details of past work on the building. Pews are just one example - there may be other aspects of the building that will need research.
 - Photographs are very helpful. Provide in as much detail as possible the locations, which form part of an application. Including old photographs may help demonstrate previous changes that have happened.
 - Detailed drawings - include floor plans of the existing building and the proposed changes, design details of fixtures and fittings that are to be changed or introduced. These should give some idea of size and scale to help the DAC understand what exactly is being proposed. If plans include electrical works or plumbing, the application will need to include wiring runs and details relating to these.
 - Where water and drainage are involved, you will need to show how these will be introduced to the building and any plans, which may affect the churchyard. Where works do affect the churchyard you will have to have an archaeological watching brief (AWB) in place in case any remains are disturbed.
 - Any petition will need to include details of all materials and processes that are to be used in completing the proposed works. This should include information about wood to be used in construction works, surface coverings – (carpets, flooring, worktops), paints, mortar mixes, wiring etc. You may need to gather this information from your architect, adviser or contractor.
 - If you plan to dispose of any item's (pews, fixtures) you will need to give a clear indication of what your disposal plan is.
4. All faculty works are applied for via the Online Faculty System (OFS). The DAC Secretary will help petitioners navigate the OFS

5. At this stage the decision will be made as to whether this is a List A or List B application. If a List B matter, it will be referred to an Archdeacon for approval following consultation with the relevant DAC specialist. If a full faculty is required the formal application process will now begin.
6. When appropriate external bodies may be formally consulted. This includes consultees such as Heritage England, the Victorian Society etc. who may have an interest in the conservation and preservation of your building. They are given 42 days to offer comment on your proposals. Petitions can be amended, revised or added to at this stage. The aim of consultation is to help.
7. Once this time has elapsed, the application is passed on to the DAC for consideration. They will take into account any comments from the Amenity Societies and discuss the details you have submitted. Further information may be required so there is still time to amend an application. If you have provided all the necessary information and the DAC are happy with your proposals, they will recommend your application to the Chancellor.
8. A period of public consultation of 30 days now follows to give your local community the opportunity to comment on your plans. People are invited to send their comments to the Chancellor to help him to come to a decision on your proposal. If the Chancellor receives negative comments at this stage, he may well decide to refuse your application so it is important that you consult with your community as early as possible to avoid delays and expense.
9. Once the period of public consultation is completed, the Chancellor will usually grant a faculty. You should be aware that the Chancellor has the power to impose conditions on the granting of the faculty and he will time limit the permission. For this reason, you do need to look carefully at the documentation you receive to ensure you comply with the Chancellor's requirements. If for any reason you are unable to complete the work within the designated period, you can seek an extension. Also if, once work begins, an issue arises which could not have been foreseen at the time the original application was made you can seek an amendment to the faculty to allow work to continue. If this should happen, you will need to provide reasons for the variation and proposals for how you now wish the work to proceed.

At each stage of the process help and advice is available to you from the DAC, but they cannot complete applications or provide supporting documents to you.

We hope that the information contained in these guidelines will help you in your task. There are many exciting and innovative projects, which have been completed or are currently being processed within the diocese. If you are not sure what you are able to do you may like to visit other churches and see what they have done. The DAC secretary may well be able to point you towards examples of good practice.

At every stage, our aim is to support you and encourage you to create buildings, which are exciting and provide the facilities you need for your community.