



The Church of England

Diocese of Ely

**The Diocesan Advisory Committee
(DAC)
and
Consents for Works to Church
Buildings**

Guidance for PCCs

29/11/2017

Introduction

This page seeks to introduce you to the processes for obtaining consent for works to a church building, or work to trees and structures in churchyards.

In many cases you will need the advice of the Diocesan Advisory Committee (DAC) or one of its members, but in all instances, you should first contact the Church Buildings Department. We will liaise with DAC members as necessary.

This is only a potted overview; various links will take you to more detailed guidance on particular parts of the process. The legal documents which govern the faculty process are detailed in the [Faculty Jurisdiction Rules 2015], but there is no need for you to read them unless you want to.

This guidance covers

Lists A and B

Obtaining List B Consent

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First of all, it is important to note that most works to church buildings and in churchyards require some form of consent.

In most cases, this will be either a full Faculty, or a List B consent signed by the Archdeacon.

Lists A and B

Some works, mainly things which do not impact on the historic fabric of the building, can be done without consent. These works are identified on **List A** [found at the back of this document].

Other works, including most repairs identified in your QI (quinquennial) report can be done without a faculty, providing you obtain consent from the Archdeacon, via the Church Buildings Department, under **List B** [found at the back of this document].

If the works you wish to carry out are not identified on either List A or List B, it is almost certain that a full Faculty will be required.

Obtaining List B Consent

This is obtained via the Church Buildings Department. You should not contact your Archdeacon in the first instance – they will only refer your query to us!

If the work you want to do is on List B, you should email details of what is proposed to DAC@elydiocese.org Depending on the nature and extent of the works, we are likely to need to see some or all of the following:

- Photographs
- A specification and schedule of work from your architect (particularly for repairs to the fabric of the building)
- A quote from the company you wish to employ
- Sketches/ drawings
- A PCC resolution for the work be carried out

It is helpful to send whatever information you already have with your initial enquiry.

Your query will be allocated to a case officer, who will contact you for any further information required, consult with an appropriate member of the DAC, and – when satisfied that the work will be carried out according to best practice - issue formal List B consent on the Archdeacon's behalf.

You can then proceed with the works. List B cases are dealt with as they arise - they do not need to wait to be considered at a DAC meeting.

Obtaining Faculty Consent

If the work is not on List A or List B, Faculty Consent will be required. Obtaining Faculty Consent is a **two-stage** process.

Stage One: Advice

First, you need to seek advice from the staff of the Church Buildings Department and, through them, from the DAC itself; in some cases other external consultees will need to be involved as well.

The Church Buildings Department will advise when this is necessary. In the early stages, advice will probably be presented informally, in the form of an email or letter, or the notes from a site visit. When the proposals are more detailed, you will receive the DAC's formal Notification of Advice.

This will be accompanied by the forms you need to move to the second part of the process.

Note: The DAC's recommendation is advice from an expert panel, it is not consent to carry out the works.

Stage Two: Consent

When the DAC has made its recommendation, you will be sent:

- Form 1A: Standard Information form (you may already have a completed version of this from previous faculty petitions, which you can use again)
- Form 2: DAC Notification of Advice. This will indicate if there are any provisos and whether any further consultations are required.
- Form 3A: Petition for a Faculty
- Form 4A: Public Notices (x2)
- Copies of all the documents (photos, schedules of work, specifications, drawings etc which define your proposals) which the DAC has considered, stamped with the DAC stamp
- A covering letter explaining what you need to do next

You then need to:

- Put up the public notices - one inside and one outside the church – to give the public the opportunity to comment or object to what is proposed.
- Complete Form 3A in full.
- Send the completed forms and a full set of the supporting documents, along with your PCC resolution, in the post to:

The Bishop of Ely's Registry
1 the Sanctuary
Westminster
London
SW1P 3JT

- When 28 days have elapsed since putting up the public notices, take them down, complete the form on the reverse of one of them and send it on to the Registry.
- The Registry will liaise with the Chancellor. They will contact you with any queries.
- All being well, a Faculty will be issued.

Once the Faculty has been issued, you can proceed with the work.

Objections

Should there be any objections to your proposals, either from statutory bodies, or from the public, the Chancellor will need to decide what weight to accord to those objections and whether or not to grant the Faculty.

He may decide to add conditions. The Chancellor of the Diocese of Ely is Judge Anthony Leonard QC and as with all court processes, he will consider evidence presented to him.

In Faculty cases, that evidence consists of the PCC's petitions and supporting documents, the DAC's advice, the advice of any statutory consultees, and any views sent to the court in response to the 28 day public notices.

Very occasionally a serious dispute may arise over works planned to a church building. Such disputes are usually resolved through a hearing of the Consistory Court.

This may be held via written representations or, when appropriate, in open court in the church itself. There is always opportunity for the PCC to put its case and to justify its proposals.

Online List B and Faculty Applications

Since 1 January 2017, Ely Diocese has been accepting applications for List B or Faculty Consent via the national Online Faculty System

This is an online portal which will lead you through both the Advice and Consent stages of applying for a Faculty.

Please follow this link to access the Online Faculty System <https://facultyonline.churchofengland.org/>

The first time you use the system you will need to register. There are helpful explanations and FAQs at every stage of an online application, by clicking the *Help* tab.

Our own guide to the system with some helpful tips to avoid some of the more common hiccups can be found on our Diocesan website here - <http://www.elydiocese.org/supporting-parishes/church-buildings-and-dac/a-guide-to-faculty-applications>

You are encouraged to use the online system if possible, but if you prefer not to, we are still able to accept applications via the post or email. Please email DAC@elydiocese.org in the first instance.

Larger Projects

If you have a larger scale project, involving significant alterations to your church, it is likely you will need to engage with the DAC and other advisers several times, as your proposals develop. Guidance on how we manage this process is set out below.

Stage One – The Advice Process

Types of DAC advice

There are three basic levels of advice available from the DAC:

1. Officer/member informal advice
2. DAC early-stage advice
3. Formal DAC advice.

The officers of the DAC, and some individuals who are members of the DAC, are able to give initial stage, informal, advice on how to approach your project, make suggestions based on their experience of previous cases, and give advice on seeking funding for your projects and also on re-imagining your building.

Officer/member informal advice can be sought at any time.

The DAC corporately can give early stage pre-application advice, which can help the PCC to shape its proposals in a way that is most likely to get consent.

Then, when the PCC's proposal is ready to go forward for formal advice, the DAC will consider the final detailed proposals and issue its formal *Notification of Advice*.

In order to get advice from the DAC corporately, both early stage and a formal notification, your proposals will need to be considered at a DAC meeting, so you should check the deadlines and meeting dates for the DAC.

The DAC meets formally eight times each year. Dates are here [link], along with deadline dates for the submission of information. Please note the earlier you can submit your papers to the Church Buildings Department, the better chance you have of getting the case through the DAC first time. This is because we will have time to review the case and sound out key DAC members *before* the DAC meeting and you will have time to respond to these initial comments.

What information should you provide?

This varies depending on the case. Officer advice, or early stage advice from the DAC will help to clarify what information is needed in a particular case.

However, in most cases you will need to provide a Statement of Needs, outlining why the proposal is needed, and a Statement of Significance, demonstrating how the proposals have been designed taking account of the historic, artistic or other recognised importance of the church building.

These statements are the foundation of most DAC applications (apart from like-for-like repairs, for which the need is obvious, and the significance should be unaffected). The statements can be fitted to the scale of your proposal.

For a small project, like a tea point in a side aisle, they can be quite short; for a full-scale re-ordering or extension they may run to many pages. The PCC should at least have these documents in draft *before* they approach an architect or other professional to help design their project. There is guidance on how to go about writing Statements of Significance and Need here: [<http://www.churchcare.co.uk/churches/guidance-advice/statements-of-significance-need>].

Other documents required in a DAC application might include: specifications, schedules of work, drawings, photographs, reports from specialists, responses to consultations, and quotations from contractors.

Statutory consultations

Because most church buildings are included on Historic England's National Heritage List as buildings of architectural or historic interest, it is a legal requirement that consultations should be carried out with certain national bodies.

Which bodies will depend on the nature /date of the building and the nature of the works. Officers in the Church Buildings Department can advise which bodies should be consulted in any particular case (if any).

The officers can also carry out these consultations for you. If you apply through the Online Faculty System, the consultations can be carried out by simply ticking some boxes in the system.

It pays to bring these external consultees into the conversation early, although most of them will only respond to proposals when completed Statements of Significance and Needs are available.

Photographs

The importance of photographs cannot be stressed enough. Good photographs can be a great help to the DAC in understanding your building and what you plan to do to it.

In some cases, a good selection of clear, captioned photographs may mean the DAC can reach a decision without needing to visit the church. However, for larger projects, and for specialist matters, a site visit may be necessary.

Visits

Visits follow a similar pattern to DAC advice. An officer can visit to join in with your initial "blue-sky thinking"; a specialist DAC member can visit to look at a specialist matter before reporting back to the DAC. Both these kinds of visits can be arranged quite quickly.

The DAC undertakes about 20 larger-scale visits each year, usually to discuss larger-scale projects like re-orderings and extensions. Full DAC visits usually happen on fixed dates which can be found here [\[link\]](#). Please take note of these dates in case your project will need a full DAC visit.

Stage Two - The Consent Process

We have already set out the process for obtaining Faculty consent and this is essentially the same for all cases once the DAC has made a formal recommendation.

For some works, other consents may also be required. These can include Planning Permission, more rarely, Scheduled Monument Consent or licenses for disturbing protected wildlife.

However, don't forget that a key consent is that of the local community; please try to ensure that your plans have local support and remember that the PCC also needs to pass a formal resolution in favour of the proposals, which is properly carried out and recorded - a faculty won't be granted without it.

Planning Permission

In most cases Planning Permission is only required for works affecting the external appearance of a church, but this can include very minor changes. Planning Permission is granted by your local planning authority (district or borough council).

This process can also be carried out online via the Planning Portal [<https://www.planningportal.co.uk/>]. You should consult with your council over whether Planning Permission is necessary, and include evidence of that consultation with your Faculty application (as applicable).

Listed Building Consent is almost never required for works to Church of England churches, as the Faculty process replaces this. If you are asked to submit a listed building consent application, or a planning application in lieu of a listed building consent application, please seek CBPD advice on this.

Scheduled Monument Consent (SMC)

All works affecting a Scheduled Ancient Monument require Scheduled Monument Consent. There are no exceptions to this.

If you need to carry out any works at all to a Scheduled Ancient Monument, please contact the Church Buildings Department in the first instance.

Wildlife

There is legislation in place to protect many species of wildlife from disturbance, particularly at breeding times. The most common issues you are likely to face will probably concern **bats** in the church, or **birds** in the trees in the churchyard.

Bats

If you have bats using your church building, this will impact on the times of year you can carry out works which might disturb them, preclude the use of certain materials (especially some types of insulation) and survey work may be required to ascertain the species of bat and their pattern of usage of the building before any work can be carried out.

This can be time-consuming and costly, but can sometimes be carried out by trained volunteers. Bats can only be handled by those who hold a license to do so. The Bats Conservation Trust website has a great deal of helpful information and a helpline [<http://www.bats.org.uk/pages/helpline.html>]

A national Heritage Lottery Funded project to look at the impact of bats in churches and find solutions for dealing with the issue is currently being developed. If this is an issue for your church, you can find out more here <http://www.batsandchurches.org.uk/>

Birds

It is an offence to disturb birds' nests during the breeding season. If you need to reduce or fell trees in the churchyard, you will need to consider the timing of this to avoid disturbance.

A qualified tree surgeon can often advise on this, and it is something we will consider during the consent process.

List A



List A

Matters which may be undertaken without the need for consultation
This table prescribes matters which may be undertaken without a faculty subject to any specified conditions.

Matter	Specified conditions
A1. Church building etc.	
(1) Works of repair and routine maintenance to the church building not affecting the fabric or any historic material	The parochial church council's insurers are notified if external scaffolding is to be erected
(2) Repairs and replacement of fittings in existing kitchens, lavatories and office accommodation	
(3) Like for like repairs to window glass	The works do not include repairs to broken or cracked quarries in stained glass or historic clear glazed windows
(4) The repair or like for like replacement of wire mesh window guards	Only non-corroding fixings are used and, where practicable, are fixed in mortar joints
(5) Works of repair and routine maintenance to existing- <ul style="list-style-type: none"> (a) heating systems (b) gas, water or other services (c) electrical installations and other electrical equipment 	<p>The works do not involve making additions to an electrical installation</p> <p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</p>
(6) The application of forensic marking on roof lead or other material covering a roof or to rain water goods or flashings	
(7) Work to an existing lightning conductor	The parochial church council's insurers are notified of the proposed work and the work is carried out by a specialist contractor approved by them
(8) The repair, maintenance, removal, disposal or replacement of a flagpole	Only non-corroding fixings are used where a flagpole is repaired or replaced

List A



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Matters which may be undertaken without the need for consultation

This table prescribes matters which may be undertaken without a faculty subject to any specified conditions.

(9) The introduction, removal or disposal of furniture, furnishings, office equipment and minor fixtures (other than safes) in vestries and similar rooms	The existing use of the vestry is not changed No article of historic or artistic interest is removed or disposed of
(10) The introduction, removal or disposal of fire extinguishers	Any instructions from the supplier or the parochial church council's insurer in relation to their type or location are complied with
(11) The making of additions to an existing name board	The board is not a war memorial or roll of honour The addition is in the same style (including colour and materials) as existing names on the board
(12) The installation of bat boxes as part of a bat management programme	
(13) The introduction of anti-roosting spikes	Only non-corroding fixings are used and, where practicable, are fixed in mortar joints
A2. Musical instruments	
(1) The introduction or disposal of musical instruments (other than organs and grand pianos) and associated equipment	No article of historic or artistic interest is disposed of
(2) The routine tuning and maintenance of organs and pianos	In the case of organs, any works do not involve tonal alterations, changes to the action or major dismantling of the instrument
A3. Bells etc.	
(1) The inspection and routine maintenance of bells, bell fittings and bell frames	No tonal alterations are made to any bell No bell is lifted from its bearings
(2) The repair and maintenance of clappers, crown staples (including re-bushing) and bell wheels	Works do not include the re-soling or re-rimming of a bell wheel No bell is lifted from its bearings
(3) The repair or replacement of bell stays, pulleys, bell ropes (including in Ellacombe apparatus), rope bosses, sliders or slider gear	No bell is lifted from its bearings
(4) The repainting of metal bell frames and metal bell fittings	No bell is lifted from its bearings
A4. Clocks	
The inspection and routine maintenance of clocks and clock faces	Works of maintenance do not include re-painting or re-gilding of clock faces



List A

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A5. Church contents

(1) The repair of woodwork, metalwork and movables

Matching materials are used

The repair does not involve any works to--

- woodwork or metalwork of historic or artistic interest
- Royal coats of arms
- hatchments or other heraldic achievements
- paintings
- textiles of historic or artistic interest
- church plate (including candlesticks and crosses)

(2) The application to articles of forensic marking

No article of historic or artistic interest is marked

(3) The introduction, removal or disposal of kneelers, hassocks, pew runners and cushions

The introduction, removal or disposal of the articles does not result in a change to the overall appearance of the church

No article of historic or artistic interest is removed or disposed of

(4) The introduction, removal or disposal of-

No article of historic or artistic interest is removed or disposed of

- (a) movable bookcases
- (b) books
- (c) free-standing noticeboards
- (d) movable display stands
- (e) cruets
- (f) vases and flower stands
- (g) hymn boards
- (h) altar linen (but not altar frontals or falls)
- (i) flags and banners used for temporary displays (but not the laying up of flags, or the removal or disposal of flags that have been laid up)
- G) the Union flag or St George's flag (with or without the diocesan arms in the first quarter) for flying from the church

A6. Church halls and similar buildings

(1) Routine repairs to the building and the replacement of fittings in the building

(2) The introduction, removal or disposal of furniture

No article of historic or artistic interest is removed or disposed of

List A



List A

Matters which may be undertaken without the need for consultation

This table prescribes matters which may be undertaken without a faculty subject to any specified conditions.

A7. Churchyard

(1) The introduction and maintenance of equipment for maintenance of the church and churchyard

(2) The repair of paths and other hard-surfaced areas, including resurfacing in the same materials and colour

(3) The routine maintenance of, repairs to, and like for like replacement of fences and gates (but not lychgates, walls or historic railings)

(4) The carrying out of repairs to a notice board and the repainting of a notice board

(5) The grant by the incumbent of a licence for grazing in the churchyard

The works do not involve any new disturbance below ground level

The licence is in a form approved by the chancellor

AS. Trees

(1) The felling, lopping or topping of a tree the diameter of any stem of which does not exceed 75 millimetres (measured over the bark at a height of 1.5 metres above ground level)

(2) The lopping or topping of any tree-

- (a) that is dying or dead; or
- (b) has become dangerous

(3) The removal of dead branches from a living tree

The works do not relate to any tree in respect of which a tree preservation order is in force or which is in a conservation area

Regard is had to guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards

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List B



List B

Matters which may be undertaken without a faculty subject to consultation
This table prescribes matters which may, subject to any specified conditions, be undertaken without a faculty if the archdeacon has been consulted and has given notice in writing that the matter may be undertaken without a faculty. The archdeacon may impose additional conditions in the written notice.

Matter	Specified conditions
Bl. Church building etc.	
(1) Works of routine maintenance and repair affecting the fabric of a church or historic material	<p>The works are identified as routine items of maintenance in the most recent report prepared in respect of the church pursuant to section 1(2) of the Inspection of Churches Measure 1955 (commonly known as the "quinquennial inspection report") or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor</p> <p>Details of any materials to be used are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter</p> <p>The works do not involve any new disturbance below ground level</p> <p>The parochial church council's insurers are notified if external scaffolding is to be erected</p>
(2) The installation of a wall offertory box	The installation does not affect historic fabric
(3) The introduction of a safe in a vestry or similar room	
(4) Works of external or internal redecoration (other than to areas of historic wall painting, even if already painted over)	<p>Details of materials and colours are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter</p> <p>The overall appearance of the building is not changed</p> <p>The parochial church council's insurers are notified if external scaffolding is to be erected</p>
(5) The treatment of timber against beetle or fungal activity	The works do not involve the replacement of timber
(6) Works of adaptation (not amounting to substantial addition or replacement) to- (a) heating systems (b) gas, water and other services (c) electrical installations and other electrical equipment	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</p> <p>The parochial church council's insurers are notified of the proposed works</p>

List B



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(7) The replacement of a boiler in the same location and utilising an existing fuel supply and existing pipe-runs	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>The works do not involve the creation of a new external flue</p> <p>The parochial church council's insurers are notified of the proposals</p>
(8) The introduction or replacement of control equipment that is ancillary to a boiler or existing heating system	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</p> <p>The parochial church council's insurers are notified of the proposals</p>
(9) The like for like replacement of roofing material	<p>The material being replaced was not introduced unlawfully</p> <p>The parochial church council's insurers are notified of the proposals</p>
(10) The installation of a roof alarm	<p>The amount of associated cabling is kept to the minimum that is reasonably practicable</p>
(11) The installation of lighting and safety equipment	<p>The lighting or other equipment-</p> <ul style="list-style-type: none">• is installed only in a part of the church (such as a tower or crypt) that is not normally visible to the public, or• when installed will not be visible from ground level <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</p> <p>The installation will not affect any graves or vaults</p> <p>The parochial church council's insurers are notified of the proposals</p>

List B



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(12) The installation of a lightning conductor	The parochial church council's insurers are notified of the proposals and the work is carried out by a specialist contractor approved by them
(13) The installation of a sound reinforcement system or loop system or the alteration of an existing system	
B2. Bells etc.	
(1) The lifting of a bell to allow the cleaning of bearings and housings	Regard is had to any guidance issued by the Church Buildings Council The bell is currently in a fit condition to be rung
(2) The like for like replacement of- (a) bearings and their housings (b) gudgeons (c) crown staple assembly (d) steel or cast iron headstocks (e) wheels	Regard is had to any guidance issued by the Church Buildings Council The bell is currently in a fit condition to be rung The works do not involve the drilling or turning of the bell
(3) The replacement of- (a) bell bolts (b) a wrought iron clapper shaft with a wooden-shafted clapper	Regard is had to any guidance issued by the Church Buildings Council The bell is currently in a fit condition to be rung
(4) The treatment of timber bell frames with preservative or insecticide materials	
(5) The re-pinning or re-facing of hammers in Ellacombe apparatus	Regard is had to any guidance issued by the Church Buildings Council The bells are currently in a fit condition to be rung
(6) The introduction of peal boards in a location not normally visible to the public	
B3. Clocks	
(1) Alterations to striking trains to prevent striking at night	No part of the clock mechanism is affected
(2) The upgrading of electrical control devices and programmers	



List B

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B4. Church contents

(1) The repair and maintenance of church plate (including candlesticks and crosses) not of special historic or artistic interest

(2) The introduction, maintenance or replacement of portable audio-visual equipment used in connection with church services

No equipment is fixed to the fabric of the church

(3) The replacement of carpets or other floor covering and underlay

Only breathable underlay is used when underlay is replaced

(4) The replacement of curtains (other than curtains and other hangings associated with an altar)

(5) The treatment of fixtures and furniture against beetle or fungal activity

(6) The introduction of a book of remembrance and stand

(7) The introduction of a fixed internal noticeboard

(8) The disposal of free-standing chairs

No chair of historic or artistic interest is disposed of

(9) The replacement of a grand piano with another grand piano and the disposal of the original grand piano

No piano of historic or artistic interest is disposed of



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BS. Churchyard

(1) The introduction of benches in a churchyard	No bench has an inscription on it which would not be permitted on a monument in the churchyard under the applicable churchyard regulations made or approved by the chancellor
(2) The replacement of gas or oil tanks	<p>The replacement tank is of similar dimensions and in substantially the same location</p> <p>No works of excavation are involved</p> <p>The local planning authority is notified of the proposal</p>
(3) The routine maintenance, repair or rebuilding of walls	<p>The works do not relate to any wall which is included in the Schedule maintained for the purposes of the Ancient Monuments and Archaeological Areas Act 1979</p> <p>The works are identified as routine items of maintenance in the most recent report prepared in respect of the church pursuant to section 1(2) of the Inspection of Churches Measure 1955 (commonly known as the "quinquennial inspection report") or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor</p> <p>Details of any materials to be used are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter</p> <p>The works do not involve any new disturbance below ground level</p>
(4) The routine maintenance or repair of lychgates	<p>The parochial church council's insurers are notified if external scaffolding is to be erected</p> <p>The lychgate is not separately listed as a building of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990</p>



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B6. Trees

- | | |
|---|--|
| (1) The planting of trees | Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards |
| (2) The felling of a tree-
(a) that is dying or dead; or
(b) has become dangerous | In the case of any tree in respect of which a tree preservation order is in force or which is in a conservation area, section 206 of the Town and Country Planning Act 1990 (which provides for the planting of replacement trees) is complied with

Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards |
| (3) All other works to trees (whether or not prescribed in List A) except felling | If applicable, the law relating to the preservation of trees in respect of which a tree preservation order is in force or which are in a conservation area is complied with

Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards |