

SPECIAL AGENDA IV

DIOCESAN SYNOD MOTIONS

CLIMATE CHANGE AND THE CHURCH'S PROPERTY TRANSACTIONS

A background paper from the Diocese of Worcester

This motion seeks to enable diocesan bodies and parochial church councils to take environmental considerations into account when disposing of land. This is about enabling choice rather than creating obligations.

In 2007 the Worcester Diocesan Synod unanimously agreed a broad ranging environmental strategy with the goal ***“To encourage and enable churches and church people in this diocese to develop visionary and prophetic ways of celebrating and safeguarding God’s creation.”*** The strategy covers land, food, energy, design construction & development, waste & water, transport, theology & liturgy, and communication & education. The strategy sets targets within the diocese to cut the Church’s carbon emissions in the diocese dramatically and by not less than the Church of England’s national ***“Shrinking the Footprint”*** levels. Accordingly the diocesan environmental task group were charged with promoting practical steps to diocesan bodies and parishes.

Within the strategy, two of the themes are to lead by example with our land and in design, construction and development with our buildings. Directly related to these it was identified that the Diocesan Board of Finance (and for that matter PCCs) are subject to legal constraints against giving weight to environmental considerations as well as financial ones when selling land. This would for instance rule out the DBF constraining land to be sold for housing to have only “carbon neutral” houses constructed upon it.

The diocesan synod paper had opened with the quotation, ‘For the Church of the 21st Century, good ecology is not an optional extra but a matter of justice. It is therefore central to what it means to be a Christian.’ (*Archbishop Rowan Williams*). Yet in dealing with the Church’s land disposals (and our task group started on the discussion by considering the diocesan glebe) taking good ecology into account is not an option, let alone an optional extra.

Diocesan boards of finance and parochial church councils are constrained by principles of charity law as to the terms on which they can lease and sell land held by them (including, in the case of DBFs, glebe land). In particular, in the absence of any express provision to the contrary in statute or in any trusts that apply to the land, such land must be disposed of on the best financial terms reasonably obtainable. The effect of that is to prevent disposal on terms that would encourage good environmental practice if imposing such terms will reduce the amount for which the land can be sold.

So the motion to General Synod, again unanimously carried, calls for ***“the Archbishops’ Council to conduct an urgent review of the Endowments and Glebe Measure and other relevant Church legislation, with a view to bringing forward at the earliest possible opportunity any amendments needed to enable diocesan bodies and PCCs lawfully to dispose of land on terms which give proper weight to environmental considerations as well as financial ones, and so enable the Church to give a stronger moral lead in achieving Her Majesty’s Government’s objectives in cutting carbon emissions.”***

The proposal would give diocesan bodies and PCCs the power rather than the obligation to give weight to environmental considerations. If this results in a change in the law this would therefore give those bodies the opportunity as they see fit at the time (which if the law is changed might then be a matter for the Diocesan Synod to debate policy for diocesan bodies) to both achieve environmental objectives and give a moral lead in doing so. The motion to General Synod seeks to be permissive to empower diocesan bodies and parochial church councils on this crucial issue for our time.

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