



## **Pastoral consultation process for administrators: step by step guide**

The pastoral work falls into the two following main categories:

### (1) Pastoral Church Buildings Schemes

(a) In any proposals involving the closure of a church building, the Commissioners will draft and publish the Scheme (i.e. where, for example, there is an union of benefices and parishes, and a proposed declaration of closure for regular public worship of a church building, the Commissioners will be the ones drafting and publishing the draft Schemes).

(b) Local Planning Authorities are now only statutory interested parties in matters involving a church building closure. In addition Civil Parish Councils must now also be consulted in such instances (or, where there is no parish council, the chairman of the parish meeting). Additionally, as a matter of good practice, the Commissioners will also ask the diocese to provide them with details of the ward councillors of any parish in which any such church building is located, in order to also serve notices on them;

AND

### (2) Pastoral Schemes and Orders

Diocesan colleagues will be drafting and publishing the statutory notices for draft Schemes and Orders, but only after any such draft has been approved by the Commissioners. They will also be circulating the completed Schemes, Orders and Instruments to the interested parties including anyone with an interest in a particular matter, e.g. a non-stipendiary minister looking after any of the affected parishes; representors.

The Commissioners will need to approve any draft Scheme or Order before it is published to the statutory interested parties. Representations will need to be made to the Commissioners, with the Commissioners' Mission and Pastoral Committee adjudicating on them.

Anything that is capable of being achieved via a Pastoral Order can also be dealt with under a section 17 shortened procedure Order, subject to all the interested parties giving,

or being deemed to have given, their consent (those not responding to formal notice of what is proposed are deemed to have consented).

To the right of this page are links to the various documents prepared by the Commissioners to enable diocesan colleagues to undertake their roles in connection with the preparation, publication and circulation of Pastoral Schemes and Orders. All of them, apart from the Desktop Manual which contains references to legal opinions provided to the Commissioners by their legal advisors, can be opened without a password. Diocesan colleagues will have access to the Desktop Manual via a restricted password that will be supplied to them by the staff of the Pastoral Division of the Commissioners.

The Pastoral Desktop Manual (password required) can be accessed on the Commissioners' website.

### **Step 1**

When sending in draft Schemes or Orders to the Commissioners for approval, the supporting documentation must include:

- the signed Bishop's proposals
- Form P2
- Form P2A

The Commissioners' approval to the draft will have a covering letter explaining what happens next. A Form P2B will be sent electronically at that stage by the case officer here, indicating the Commissioners' approval date of the draft Scheme/Order. This form will effectively be a 'Progress and Action' sheet on the matter thereon in.

### **Step 2**

When publishing draft Schemes or Orders to the interested parties (having got the Bishop's - Form P60, and, if applicable, the Crown's (Form P24 - where the Crown has a patronage interest in any of the affected benefices) and parsonages' colleagues approval - Form P61DPB) the processes are now the same in that there is a legal requirement for PCC secretaries to display details of the draft Scheme or Order at every church and licensed place of worship in the affected parishes (previously not required for a draft Order). Pack A relates to the standard letters used in the publication of the draft Scheme to the statutory interested parties, whilst Pack B relates to ones used with draft Orders.

Pack A, to be sent by the diocese to all the interested parties will include:

- the draft Scheme
- P1000 - the statutory notice letter (contact us if it is an amend & re-issue)
- P74 - glossary of terms commonly used in pastoral reorganisation matters

Additionally, to the PCC secretaries:

- P72A - details on what needs to be done with the notices - "the yellow form"
- P76 - church door notice (CDN) - "the blue form"
- sufficient copies of the draft Scheme to display at all the churches and licensed places of worship as listed in your Form P76
- P77 - proof that the CDN was displayed as requested - "the green form"

At this stage you will need to send to the Bishop (only) letter P1000BP asking for his signature on the engrossment x 2 - he also gets a copy of the draft Scheme and letter P1000.

Pack B, to be sent by the diocese to all the interested parties will consist of:

- the draft Order
- P1001 - the statutory notice letter (contact us if it is an amend & re-issue)
- P74 - glossary of terms commonly used in pastoral reorganisation matters

Additionally, to the PCC secretaries:

- P72A - details on what needs to be done with the notices - "the yellow form"
- P76 - church door notice (CDN) - "the blue form"
- sufficient copies of the draft Order to display at all the churches and licensed places of worship as listed in your Form P76
- P77 - proof that the CDN was displayed as requested - "the green form"

Where the Scheme involves the removal of the legal effects of consecration from part or all of a churchyard or burial ground, you must also get the specific section 44 notice published in one or more newspapers as required to cover all of the area(s) affected by the proposals using letters P75 and P76C.

### **Step 3**

The completed Form P2B will need to be submitted to the Commissioners at the end of the representation period before they will make a Scheme, or give their consent to an Order being made

BUT

If the Commissioners receive any adverse representations they will notify the diocese and implement the procedure for considering the representations.

#### **Step 4**

P106 is the covering letter used to send the completed Scheme and any Instrument to the interested parties and any others with an interest in the matter (with Form P108 being used in the case of a completed Order).

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