



[Click here for Contents](#)

**Church Commissioners**

**Archbishops' Council Ministry Division**

**Repair of Benefice Buildings**  
**Measure 1972**

**Code of Recommended Practice**

Reflecting the law as at 1 July 2012



Click page number to access desired section

<b>1. Introduction .....</b>	<b>4</b>
<b>2. Use of terms.....</b>	<b>4</b>
2.1 Diocesan Parsonages Board/Committee .....	4
2.2 Parsonage/Team Vicar's House.....	4
2.3 Incumbent/Sequestrators .....	5
2.4 Repairs/Improvements/Additions and Alterations.....	5
(i) Repairs .....	5
(ii) Improvements.....	6
(iii) Additions and Alterations.....	6
<b>3. Duties and Rights of Diocesan Parsonages Boards and Incumbents .....</b>	<b>7</b>
Diocesan Parsonages Boards.....	7
3.1. Status of the Parsonages Board.....	7
3.2. Duties.....	8
(i) Appoint a Diocesan Surveyor (S.1(2)).....	8
(ii) Have regard to age, character etc. of parsonages (S.2(3)) .....	8
(iii) Inspect and report on parsonages (S.3) .....	8
(iv) Send copy of report to incumbent (S.4(4)).....	8
(v) Consider representations from incumbent (S.4(5)) .....	9
(vi) Notify incumbent of decision on representations (S.4(6)) .....	9
(vii) Carry out repairs (S.5).....	9
(viii) Repair party walls etc. (S.9).....	9
(ix) Take out parsonage insurance (S.12) .....	10
(x) Duties towards properties ceasing to be parsonages (S.14).....	10
(xi) Pay Council Tax (S.16).....	10
(xii) Advise incumbents and negotiate on matters affecting parsonages (S.23).....	11
(xiii) Have regard to the Commissioners' advice (S.24).....	11
3.3. Rights.....	11
(i) Carry out further inspections etc. following representations from incumbents (S.4(5)).....	11
(ii) Vary the Diocesan Surveyor's report (S.4(6)).....	11
(iii) Demolish superfluous parsonage outbuilding (S.5(4)).....	12
(iv) Carry out interim inspections (S.8) .....	12
(v) Enter parsonages (S.11).....	12
(vi) Seek payment for deliberate damage (S.13(4)) .....	12
(vii) Authorise incumbent to act as Board's agent (S.13(5)).....	13
(viii) Carry out interior decorations (S.15).....	13
(ix) Pay Council Tax, Rent and other outgoings (S.16) .....	13
(x) Recover loss arising from unauthorised felling of trees (S.20) .....	14
(xi) Consent to incumbent's additions or alterations (S.21).....	15
3.4. Rights under other Measures .....	15
Incumbents.....	16
3.5. Duties.....	16
(i) Allow entry to parsonage at all reasonable times (S. 11) .....	16
(ii) Exercise proper care (S.13(1)) .....	16
(iii) Notify Board of urgent repairs (S.13(3)).....	16
(iv) Observe the Board's wishes when acting as its agent (S.13.(5)).....	17
(v) Not to fell, lop or top trees (S.20).....	17
(vi) Obtain Board's consent to additions or alterations (S.21(1)) .....	17
(vii) Inform Board of matters affecting the parsonage (S.23) .....	17

3.6. Rights.....	18
(i) Receive diocesan surveyor's report and make representations (S.4(4) & (5)) .....	18
(ii) Make representations on variations in the report (S.4(6)) .....	18
(iii) Make representations on repairs not to be carried out (S.5(2)) .....	18
(iv) Make representations on demolition of superfluous parsonage outbuilding (S.5(4))....	18
(v) Consent to repairs not specified in any interim inspection report (S.8) .....	18
(vi) Receive notice of Board's intention to inspect or repair (S.11) .....	19
(vii) Consent to alterations arising from insurance claim (S.12(3)) .....	19
(viii) Defend proceedings for recovery of cost of neglect/deliberate damage (S.13(4)) .....	19
(ix) Act as Board's agent (S.13(5)).....	19
(x) Consent to interior decorations (S.15(1)) .....	19
(xi) Defend allegations arising from felling, lopping or topping trees (S.20) .....	19
(xii) Make additions and alterations (S.21) .....	20
(xiii) Seek advice from the Board (S.23) .....	20
<b>4. Funding Parsonage Repairs.....</b>	<b>21</b>
4.1. The Board's duties .....	21
(i) Inspection and repair of parsonages and team vicarages (Ss 4 & 5) .....	21
(ii) Improvements and alterations (S.15).....	21
(iii) Assistant staff houses (S.15) .....	21
4.2. Sources of funds .....	21
(i) Parish contributions (S.19(2)) .....	21
(ii) Archbishops' Council's support (S.19(3)) .....	22
(iii) Gifts and bequests (S.19(5)).....	22
(iv) Other diocesan funds .....	22
<b>Annex A: Recommended Forms.....</b>	<b>23</b>
Form 1: Diocesan Surveyor's Specimen Report under Section 4 of the Measure .....	24
Form 2: Notice to incumbent/sequestrators/ team vicar sending a copy of the surveyor's [periodic] [interim] report.....	27
Form 2A: Notice of decision on representations concerning surveyor's [periodic] [interim] report .....	28
Form 3: Notice of repairs not to be carried out .....	30
Form 3A: Notice of decision on representations concerning repairs not to be carried out .....	32
Form 4: Notice to incumbent/sequestrators/ team vicar of proposed demolition of superfluous parsonage outbuilding(s).....	34
Form 4A: Notice of decision on representations concerning proposed demolition of superfluous parsonage outbuilding(s).....	36
Form 5: Notice of intention to inspect or repair .....	38
Form 6: Notice seeking payment for repairs caused by deliberate damage .....	39
Form 7: Notice concerning unauthorised felling, lopping or topping of trees .....	40
Form 8: Notice of intention to refuse consent to unauthorised additions or alterations .....	41
Form 8A: Notice requiring restoration of unauthorised additions or alterations.....	42
<b>Annex B: (Specimen) Management Scheme.....</b>	<b>43</b>
<b>Annex C: Summary of Legal Position .....</b>	<b>48</b>
<b>Annex D: Summary of Main Duties and Rights of Parsonages Board and Incumbent/Team Vicar .....</b>	<b>50</b>
<b>Annex E: Flowchart of Procedure for Dealing with an Appeal.....</b>	<b>52</b>

## 1. Introduction

The revised Code of Practice (an updated version of that produced in 2002) has been endorsed by the Deployment, Remuneration and Conditions of Service Committee of the Archbishops' Council and the Commissioners' Pastoral Committee and is commended to dioceses. The main changes between the 2002 and 2005 versions of the Code relate to the funding of parsonage works and the winding up of Parsonages Funds and Reserve Funds.

**Diocesan Parsonages Boards/Committees are welcome to reproduce any parts of the revised Code in their own guidance notes for clergy. The Code has been written with both Parsonages Boards/Committees and clergy in mind, both in respect of their legal obligations and also recommended best practice. Annex A to the Code consists of recommended forms for use by Parsonages Boards/Committees. We emphasise that any notice, consent, report, order, direction or request required or authorised by the Repair of Benefice Buildings Measure 1972 should be in writing.**

## 2. Use of terms

### 2.1 Diocesan Parsonages Board/Committee

For the purposes of this Code, references to the 'Parsonages Board' ('the Board') applies equally to the 'Parsonages Committee' or other Committee(s) of the Diocesan Board of Finance where the functions of the Parsonages Board have been delegated to such a Committee (or Committees) in a Management Scheme made under the 1972 Measure.

[See also 3.1 'Status of the Parsonage Board' below and Annex B, 'Specimen Management Scheme', Part B.](#)

### 2.2 Parsonage/Team Vicar's House

The 1972 Measure defines 'parsonage house' as "a residence vested in the incumbent of a benefice .... (being his official residence) .... and includes the buildings, gardens, orchards, paddock, walls, fences, and appurtenances necessary for the convenient occupation of the residence .... ."

Section 31(2) of the 1972 Measure provides that, where a Scheme under the Mission and Pastoral Measure 2011 has established a team ministry for the benefice, the 1972 Measure treats a team vicar's house vested in the Diocesan Board of Finance (e.g. as board corporate property, glebe or property held by a Board on behalf of a PCC) in the same way as a parsonage house, the freehold of which is vested in the incumbent. Therefore, for the purposes of this Code and unless otherwise stated, references to 'parsonage house' and 'incumbent' should be construed as referring to 'team vicar's house' and 'team vicar' respectively as the context requires. The broad exceptions to this rule are that

patrons have no statutory role with respect to the management of team vicarages and that references in the 1972 Measure to the incumbent are substituted by references to the DBF or team vicar according to the sense.

Where (and for whatever reason) assistant staff occupy parsonage houses or team vicarages, the Commissioners recommend that, whenever possible, dioceses consult such occupants over any matters arising under the 1972 Measure and have regard to their views.

### 2.3 Incumbent/Sequestrators

Section 26(1) of the 1972 Measure provides that, where a benefice is vacant, the incumbent's rights and duties fall on the sequestrators. However, for obvious reasons, the sequestrators do not have a duty to take proper care of the parsonage (as the incumbent as occupant is required to do so under Section 13(1)) nor are they required to contribute to damage caused deliberately by a previous incumbent (Section 13(4)). For the purposes of this Code and unless otherwise stated, references to 'incumbent' should be substituted by 'sequestrators' if the benefice is vacant.

**N.B. As a minimum, the sequestrators must comprise the rural dean and the churchwardens of all the parishes within the benefice.**

### 2.4 Repairs/Improvements/Additions and Alterations

In practice it is not always clear what constitutes a repair, improvement, addition or alteration when carrying out works to a parsonage and many projects involve elements of more than one. The broad definitions of these terms which are contained in the RBBM and the Parsonages Measures are given below together with recommendations where necessary for which legislation to use when carrying out particular works:

#### (i) Repairs

S.2(1) of the 1972 Measure defines "repairs" for the purposes of the 1972 Measure as such works of repair and replacements as are needed to keep in repair (and in working order where applicable):

- (a) the structure and exterior of the parsonage buildings, including doors, windows, drains, gutters and external pipes; and
- (b) all walls, fences, gates, drives and drains, other than those which are wholly the responsibility of a third party; and
- (c) the installations for the supply of water, gas and electricity; sanitation, including basins, sinks, baths and sanitary conveniences; and space heating or heating water; and

(d) any fixtures fittings and appliances.

**N.B. ‘Repairs’ also includes interior decorations which are necessary as a result of any of the above works.**

(ii) **Improvements**

Section 31 of the 1972 Measure defines “improvement” as “including enlargement and reduction in size (whether division or otherwise)” but this is simply in the context of the diocesan surveyor’s inspection report needing to refer to desirable improvements. However, as the Measure is concerned primarily with repairs, we recommend that any scheme of major improvements (i.e. one costing more than £50,000 and any project involving division irrespective of the cost) should be carried out under the Parsonages Measures where an incumbent (or the Bishop in a vacancy) can improve a parsonage house under the procedures laid down in the Parsonages Measures.

**See Part A of Section 1.6 of the Parsonages and Glebe Diocesan Manual for further details of the procedures for carrying out improvements under the Parsonages Measures including the necessary consents and notices.**

(iii) **Additions and Alterations**

Under S.21 of the 1972 Measure an incumbent must not make additions or alterations to a parsonage house or associated buildings unless (s)he has first obtained the consent of the Parsonages Board and consulted the patron(s). If a team ministry has been established for the benefice and the parsonage in question is occupied by a member of that team, then the incumbent must consult that member. Although not a statutory requirement, we recommend that, in the case of a team ministry, every member of the team should also be consulted about the proposal.

Subject to the above consent and consultations, we recommend that additions or alterations carried out by incumbents under the Measure may include schemes of minor improvements and that such “improvements” includes enlarging a house but not a scheme of division which should be carried out under the Parsonages Measures (see above). Dioceses (and incumbents) will therefore prefer the simpler regime of the RBBM for carrying out minor improvements but it should never be used simply to by-pass the rights of the patron(s) and the parochial church council(s) under the Parsonages Measures to be consulted over such proposals and to make representations.

### **3. Duties and Rights of Diocesan Parsonages Boards and Incumbents**

#### **Diocesan Parsonages Boards**

##### **3.1. Status of the Parsonages Board**

A Parsonages Board generally exercises the functions conferred upon dioceses by the 1972 Measure. The Board oversees a system under which parsonages are inspected at periodic intervals not exceeding five years by the diocesan surveyor and any necessary repairs are carried out at its expense, having raised the money (with the approval of the Diocesan Synod) by one or more of the avenues allowed. Every diocese must have a Management Scheme made by the Diocesan Synod providing for the appointment or designation of the Board and for determining the administrative and practical arrangements needed in order to achieve the objectives of the Measure, including the Board's constitution. In particular, the Scheme must provide for the appointment of a Secretary to the Board and determine his or her remuneration and terms of service.

Dioceses have a good deal of freedom in deciding how to constitute the Parsonages Board. The only invariable rules are that all the archdeacons must be ex-officio members and that of the remaining members not less than one-third shall be clergy elected by the beneficed clergy of the diocese and not less than one-third shall be lay persons. The statutory requirements concerning the minimum proportions of elected clergy and laity refer to the total membership of the Board less the ex-officio archdeacons only, i.e. other appointments must be included. For example, in a Board of 18 members consisting of 6 ex-officio appointed members (including 3 archdeacons) and 12 elected members, not less than 5 members (one-third of 15) must be clergy elected by the beneficed clergy: similarly there must be not less than 5 elected lay people.

While the 1972 Measure allows for the appointment and constitution of a separate Parsonages Board by the Management Scheme, it also allows for the Parsonages Board to be a Committee (or Committees) of the Board of Finance with the necessary powers delegated to it (or them). The membership of any such Committee (or Committees) should have regard to the requirements for a separate Parsonages Board, i.e. there should be an adequate representation of the clergy and laity.

**N.B. The Commissioners' approval is not required for any amendments to Management Schemes for parsonages under the Measure but, if any amendments are made, a copy of the revised Scheme should be sent to us for our records.**

[See Annex B, 'Specimen Management Scheme'.](#)

### 3.2. Duties

(i) *Appoint a Diocesan Surveyor (S.1(2))*

The Management Scheme provides for the appointment of a diocesan surveyor (or surveyors) for the purpose of the 1972 Measure and for determining his/her/their remuneration and terms of service. From 1 June 2005 the Parsonages Board has to appoint a professionally qualified person (or persons) to the post, i.e. someone “registered under the Architects Act 1997 or a corporate member of the Chartered Institute of Building or the Royal Institution of Chartered Surveyors or a member of such other body as the Commissioners may determine and appearing to them to be suitably qualified”. Where they have a high number of listed houses, dioceses may want to appoint people from the accredited lists of these organisations. The appointment before this date of diocesan surveyors not so qualified is not prejudiced by these provisions.

We strongly recommend that a person holding the post of diocesan surveyor should not also carry out other duties within the diocese where a conflict of interest could arise. This might include carrying out administrative functions of the Parsonages Board where these functions overlap to a greater or lesser extent with the duties of the diocesan surveyor.

(ii) *Have regard to age, character etc. of parsonages (S.2(3))*

The Board has a general duty to have regard to the age, character and prospective life of a parsonage building when determining the standard of repairs to be carried out. Where listed under the Town and Country Planning Acts, the Board must also take into account the special architectural or historic interest of the building. Similar considerations apply if the property is in a Conservation Area.

(iii) *Inspect and report on parsonages (S.3)*

Under the 1972 Measure the Board is responsible for ensuring that parsonages are inspected by the diocesan surveyor at intervals not exceeding five years from the last inspection. In the case of a new or replacement parsonage, the diocesan surveyor must carry out an inspection as soon as possible following its building, purchase or other provision and at intervals thereafter not exceeding five years.

(iv) *Send copy of report to incumbent (S.4(4))*

On each inspection a report must be made to the Board dealing as a minimum with the matters detailed in this section of the 1972 Measure. [These are set out in the Diocesan Surveyor’s Specimen Report \(Annex A, Form 1\)](#). Dioceses are however free to require such additional information in any report as they see fit, as our recommended form is designed to fulfil the statutory criteria only. The Board must send a copy of the report to the incumbent giving at least one month’s notice in which to make representations to the Board.



[See Annex A, Form 2.](#)

(v) *Consider representations from incumbent (S.4(5))*

The Board is obliged to consider any representations that the incumbent may make with respect to the diocesan surveyor's report. The Board must also be willing to meet the incumbent to discuss the matter (or delegate such a meeting to a representative or representatives of the Board) if the incumbent so requests.

(vi) *Notify incumbent of decision on representations (S.4(6))*

When the period allowed for representations has expired, or following the consideration of any representations from the incumbent, the Board must confirm the diocesan surveyor's report with or without such variations as it thinks fit and notify the incumbent accordingly. However, if any variations are made which are not designed specifically to meet the incumbent's representations, the Board must serve a new notice on the incumbent allowing him or her an opportunity to make representations on the proposals within a period of at least one month. Once again the Board (or its representative(s)) must meet the incumbent if (s)he so requests it.

[See Annex A, Form 2A](#) and also [Board's Rights 3.3\(ii\) below.](#)

(vii) *Carry out repairs (S.5)*

The Board has a duty to carry out the repairs to parsonage houses specified in diocesan surveyors' reports once these have been confirmed with or without variation (see above), although there is provision for excluding some or all of the repairs (subject to (a) at least one month's notice to the incumbent; (b) the Board's consideration of any representations (s)he may make as to the extent of any repairs not to be carried out; and (c) a possible appeal by the incumbent to the Commissioners) where the Board and the Bishop are of the view that a parsonage house or part of a house should be sold, exchanged or demolished. Any repairs identified in the surveyor's report as needing immediate action must be commenced within 12 months of the date of the confirmation of the report and completed as soon as possible. All other repairs must be carried out within the period recommended in the report or, if there is no such recommendation, as the Board decides is appropriate.

[See Annex A, Forms 3 & 3A](#) and also [Incumbent's Rights 3.6\(iii\) below.](#)

(viii) *Repair party walls etc. (S.9)*

The Board should generally act for the incumbent in making agreements for financing and carrying out repairs or replacements to party walls, shared drives, drains etc. and enforcing the liability of third parties for such works as necessary.

(ix) *Take out parsonage insurance (S.12)*

The Board must take out buildings insurance against the risks that are included in the usual form of householder's policy in respect of all parsonages in the diocese with such insurance company as it may select and deal with any claims arising under such a policy, including receiving and applying all moneys payable from such claims. The cost of providing such insurance can be met from any fund that can legally be used for this purpose and any moneys received from the insurers will be payable to the fund to be used to make good damage etc. Any surplus funds arising from an insurance settlement are dealt with as if they were parsonage sale proceeds – **see Para. A.11 of Section 1.4 of the Parsonages and Glebe Diocesan Manual for further details in this respect.** In the periodic or other report on a parsonage, the diocesan surveyor has to advise on the level of insurance required and to specify any special risks to which the Board may be liable. The Board is obliged to indemnify the incumbent in respect of any claim or expense reasonably incurred as the owner, tenant or occupier of the parsonage arising from repairs or a failure to carry out repairs where an insurance policy has not been taken out. If an insurer chooses to make an insurance payment rather than make good any insured damage then the Board is responsible for carrying out such works as it determines to be necessary. However, if any alterations to the parsonage are proposed as a result, these can only be carried out with the consent of the incumbent and after consulting the patron(s).

**N.B. The Church of England (Miscellaneous Provisions) Measure 2000 removed the Commissioners' responsibility to (i) approve the Board's choice of insurance company and otherwise determine the risks to be covered (S.12(1)); and (ii) receive (direct) any monies paid in respect of any insurance claim (S.19(4)). The Board now deals exclusively with such matters.**

(x) *Duties towards properties ceasing to be parsonages (S.14)*

Where the Board has legal authority to sell or exchange a parsonage (i.e. it has satisfied the requirements of the Parsonages Measures relating to consents and notices) it is required to continue insurance cover for the property until the transaction is completed. During this period however the Board can choose to carry out only such repairs as it considers are necessary to facilitate sale or exchange and, if the property is occupied, for such occupation to continue in the meantime.

(xi) *Pay Council Tax (S.16)*

For the purposes of the payment of Council Tax, the Diocesan Board of Finance is construed under the relevant legislation as the owner of a property where a minister of the Church of England is both the inhabitant and owner. This includes clergy who own their houses in right of their benefices (i.e. incumbents) as well as ministers who work from houses which they own in their personal capacity. Dioceses are also legally responsible for paying Council Tax for clergy who occupy DBF corporate property as well as parish owned property where the DBF is the custodian trustee. Although the sequestrators are

technically the “owner” of a parsonage house in a vacancy, the Commissioners endorse the position adopted by most dioceses where the DBF assumes financial responsibility for the payment of Council Tax. In addition, dioceses normally meet water and drainage rates (including metered charges).

[See also Board Rights 3.3\(ix\) below.](#)

**N.B. Further details of how the Council Tax affects the clergy can be obtained from the Archbishops' Council.**

- (xii) *Advise incumbents and negotiate on matters affecting parsonages (S.23)*

If requested by the incumbent, the Board has a duty to advise on statutory notices received by an incumbent and act on the incumbent’s behalf. Such notices include those given by Government departments; public authorities (including local planning authorities); and utility companies (gas, electricity, water etc.). By the same token, an incumbent is required to keep the Board informed of any such matters. In most cases the Commissioners are the statutory recipients of copies of notices served on incumbents in this respect and these are passed on to Parsonages Boards.

[See also Incumbent’s Duties 3.5\(vii\) below.](#)

- (xiii) *Have regard to the Commissioners’ advice (S.24)*

If the Commissioners seek information from or give advice to the Board on any matter concerning its functions under this or any other Measure, then the Board is obliged to provide that information and have regard to that advice. In practice the only information that we are likely to seek on an annual basis is some basic data about parsonage transactions during the year.

### 3.3. Rights

- (i) *Carry out further inspections etc. following representations from incumbents (S.4(5))*

When considering any representations from an incumbent on a periodic report of the diocesan surveyor, the Board can decide who shall represent it if the incumbent wishes to meet the Board; carry out any inspections by members of the Board; and obtain such professional or other advice as it considers necessary.

- (ii) *Vary the Diocesan Surveyor’s report (S.4(6))*

After the consideration of any representations from the incumbent on the diocesan surveyor’s report, the Board has the right to confirm the report with or without variation at its discretion before notifying the incumbent of its decision. However, any variations proposed other than

as a result of representations will need to be the subject of a new notice to be served on the incumbent.

[See Annex A, Form 2A.](#)

(iii) *Demolish superfluous parsonage outbuilding (S.5(4))*

If the diocesan surveyor's report states that any parsonage outbuilding is superfluous then the Board has the right at any time after the report has been confirmed to notify the incumbent that it intends to demolish it. The Board must give at least one month's notice to the incumbent in which time (s)he can make representations to the Board. If the Board subsequently decides to proceed notwithstanding the incumbent's representations, then (s)he is entitled to appeal to the Commissioners who would decide the matter one way or the other.

[See Annex A, Forms 4 & 4A.](#)

(iv) *Carry out interim inspections (S.8)*

The Board can instruct the diocesan surveyor to carry out a parsonage inspection at any time and identify any necessary repairs in an interim report. This right is in addition to the duty imposed on the Board to ensure that parsonages are inspected within periods not exceeding five years. General repairs so identified can be carried out at any time. There are two provisos. First, the serving of notice and the express consent of the incumbent is required where the Board proposes to carry out repairs not specified in the report. Second, where any repairs are said to be necessitated by the neglect/deliberate act of the incumbent, the notice provisions set out in Form 6 apply.

[See Annex A, Forms 2, 2A & 6.](#)

(v) *Enter parsonages (S.11)*

The Board, the diocesan surveyor and others duly authorised by either party have the right to enter a parsonage in order to carry out any inspection or repairs at all reasonable hours during the daytime. However, unless repairs are urgently needed, they must first do their best to agree a time with the incumbent to carry out such inspection or repairs. If agreement cannot be reached then the incumbent must be given at least 14 days notice of the Board's intention to enter the house. Any request made or notice served in this connection must be in writing.

**N.B. We strongly recommend that the Bishop be consulted in all cases where the Board proposes to exercise its powers of entry.**

[See Annex A, Form 5.](#)

(vi) *Seek payment for deliberate damage (S.13(4))*

If a diocesan surveyor's report states that any repairs are necessary as a result of damage caused or aggravated by any deliberate act of the incumbent or a previous incumbent, or by his or her neglect of duties,

then the Board is entitled to recover the cost (or part of the cost) of such repairs from whoever is alleged to be responsible. Notice to this effect must be served on the person concerned. If the benefice is vacant, the sequestrators are not liable for damage caused by previous occupants. The 1972 Measure allows for the person suspected of causing such damage to show that (s)he is not responsible for the cost of repairs but that person has no formal right of representation to the Board. Clearly however the Board must give the incumbent an opportunity of putting his or her case to it. The diocese can take proceedings for the recovery of any sums it decides are owed to it.

**N.B. We strongly recommend that the Bishop be consulted in all cases where the Board proposes to exercise its right to recover any loss from the incumbent arising under the 1972 Measure.**

[See Annex A, Form 6.](#)

- (vii) *Authorise incumbent to act as Board's agent (S.13(5))*

The Board may generally or specially authorise incumbents to carry out parsonage repairs as its agents and determine the extent to which the work is supervised, either by the diocesan surveyor or otherwise.

[See Annex B, 'Specimen Management Scheme', Para. 10.](#)

- (viii) *Carry out interior decorations (S.15)*

If permitted by its Management Scheme, the Board can carry out interior decorations to parsonage houses but only with the incumbent's consent. This is because the 1972 Measure recognises the incumbent's right as the freeholder to decide whether or not such works should be undertaken. Although the incumbent would technically be the employer if (s)he instructed contractors to carry out the decorations, it is recommended that the Board takes on the responsibility as employer itself. The details and cost of any proposed decorations should be agreed in advance and the work carried out in accordance with the incumbent's wishes. The incumbent is responsible for meeting the cost although the Board (and/or the PCC) may have a policy for making contributions in this respect.

[See Annex B, 'Specimen Management Scheme', Para. 9 and Section 1.1 of the Parsonages and Glebe Diocesan Manual for further details.](#)

- (ix) *Pay Council Tax, Rent and other outgoings (S.16)*

The Board has the power to pay general rates, water rates etc. or reimburse an incumbent any such parsonage outgoings. This power extends to any payment for the maintenance of a private road, shared drive, party fence or wall as well as the cost of repairs, rent and equivalent outgoings for incumbents' residences other than parsonage houses and other houses occupied by persons engaged in the cure of souls. In practice the DBF has a legal duty to pay Council Tax in respect of most clergy houses.

[See also Board's Duties 3.2\(xi\) above.](#)

(x) *Recover loss arising from unauthorised felling of trees (S.20)*

While the incumbent has a general duty to “take proper care” of the parsonage house and garden, the Board has a responsibility to carry out any necessary tree surgery as part of its duty to carry out parsonage repairs ([see Board's Duties 3.2\(vii\) above](#)). The incumbent needs the Board's prior consent to felling, lopping or topping any trees that are listed in the diocesan surveyor's report on the property. The Board has the right to refuse to give its consent unless the tree in question presents an immediate danger to the house, its occupants or to the general public (in which case the incumbent can take whatever action is urgently required and does not need the Board's consent). If the incumbent otherwise acts without the authority of the Board and the diocesan surveyor reports that there has been a resulting depreciation in the value of the parsonage and/or the timber removed has value, then the Board is entitled to serve notice on the incumbent requesting compensation. If the matter is not settled to the Board's satisfaction, then it can take proceedings to enforce its claim. In practice however, and as indicated above, the Board should take on the responsibility for any tree surgery.

**N.B. We strongly recommend that the Bishop be consulted in all cases where the Board proposes to exercise its right to recover any loss from the incumbent arising under the 1972 Measure.**

None of the above provisions overrides the powers contained in the Town and Country Planning Act 1990 concerning Tree Preservation Orders. A Tree Preservation Order (TPO) is an order made by a Local Planning Authority (LPA) in respect of trees. The order makes it an offence to cut down, uproot, prune, damage or destroy the tree or trees in question without the consent of the LPA except in an emergency. A TPO can apply to a single tree, a group of trees or a woodland which may be of any size, species or age. Dioceses are therefore advised to maintain an up-to-date list of all trees subject to TPOs (in addition to any trees listed by the diocesan surveyor solely on parsonage amenity grounds). Another approach is for the diocesan surveyor to list any trees subject to a TPO in the periodic report on the property.

Where the parsonage is situated in a Conservation Area, all trees are subject to controls designed to protect the special character of the area. If trees have a specific TPO on them then the normal TPO controls apply, as outlined above. The Board must give the LPA six weeks notice of its intention to do any work (including any work that may affect roots) to trees in a Conservation Area and obtain written permission before carrying out any such works. If the LPA fails to respond to the notice within six weeks and a TPO has not been made, the Board may carry out the work provided it does so within two years of the date of the application.

[See Annex A, Form 7.](#)

(xi) *Consent to incumbent's additions or alterations (S.21)*

The Board has to give its consent to any proposed additions or alterations to a parsonage made by an incumbent and it is entitled to serve notice on him or her requiring that the property be restored to its original condition if such works are carried out without consent. If the incumbent does not comply with the notice then the Board can carry out such works of restoration as it thinks is necessary by exercising its powers of entry under S.11 of the 1972 Measure and to recover any expenses from the incumbent or his or her personal representative. Before doing so however the Board must give the incumbent a month in which to make representations with respect to its intention to refuse consent and for the Board's representatives to meet the incumbent if (s)he so wishes. The incumbent has to consult the patron(s) on the proposed additions or alterations and although this is not a requirement of the Measure, (s)he should also consult the PCC(s) and be open to any views expressed.

[See Annex A, Forms 8 & 8A](#) and also [Incumbent's Duties 3.5\(vi\)](#) and [Incumbent's Rights 3.6\(xii\)](#) below.

#### **3.4. Rights under other Measures**

Full details of the Board's rights in relation to its management of parsonages are set out in the Parsonages and Glebe Diocesan Manual. In particular there will be occasions when it is proposed to replace a parsonage house (which may be unsuitable either on housing or other pastoral grounds) but such replacement is unlikely to be achieved during a normal interregnum (because of either the immediate lack of suitable alternative properties or difficulties in obtaining planning permission). In such circumstances, a minuted decision of the Board to find an alternative parsonage house might make it appropriate for the Bishop to seek to suspend presentation to the benefice under S.85 of the Mission and Pastoral Measure 2011 on the basis of providing the person engaged in the cure of souls with "appropriate conditions of service" (see S.2(3) of the Pastoral Measure). The Bishop would then act in the matter of the replacement house during the vacancy. Alternatively, major refurbishment/improvement schemes can be undertaken by the Board in a vacancy.



## Incumbents

### 3.5. Duties

- (i) *Allow entry to parsonage at all reasonable times (S. 11)*

The incumbent must allow the diocesan surveyor or anyone authorised by him or her (or by the Board itself) to enter the parsonage at any reasonable time during the day in order to carry out any inspection or repairs. The incumbent is entitled to expect that the diocese will use its best endeavours to agree a mutually convenient time for such a visit, failing which (s)he may be given at least 14 days notice of the Board's intention to enter the house (except in the case of emergencies).

[See also Board's Rights 3.3\(v\) above for further details on the procedures involved.](#)

- (ii) *Exercise proper care (S.13(1))*

The incumbent has a responsibility to "take proper care" of the parsonage house and garden and to use them in a "tenant-like manner". While this can generally be interpreted as meaning that the property should be treated with due care and attention and that the Board should be notified without delay if works become apparent between formal inspections, it is reasonable to expect that incumbents will arrange minor works of maintenance on their own initiative, including routine interior decorations and maintenance of the garden ([but see also 3.3\(viii\) above](#)). Most dioceses have their own policies and issue written guidance for the sorts of things that they expect clergy to be responsible for arranging within their homes (as well as those matters for which the Board is responsible) and we recommend that such policies and advice be reviewed and disseminated to clergy on a regular basis. Such advice might include a list of approved contractors for occasional maintenance items and the procedures to be followed (including billing) if such maintenance is required. We emphasise that we do not expect nor advise that clergy should be responsible for undertaking more onerous maintenance items themselves, any more than any other householder would be.

- (iii) *Notify Board of urgent repairs (S.13(3))*

The incumbent is required to notify the Board of any repairs which appear to be necessary and to do this without delay when the situation seems urgent, e.g. when the safety or rights of other people are affected or where failure to carry out the repair promptly is likely to cause further damage or deterioration. Parsonages Boards have, for the most part, established their own policies concerning the extent of incumbents' responsibilities in this area, but as precise definitions are not always possible, they should ensure that their expectations are communicated as clearly as possible to the clergy.



- (iv) *Observe the Board's wishes when acting as its agent (S.13.(5))*

If the Board authorises an incumbent to carry out parsonage repairs following an inspection by the Diocesan Surveyor or at any other time, then the incumbent must observe any limitations on the extent of such works and any arrangements for their supervision that the Board may impose.

[See also Board's Rights 3.3\(vii\) above.](#)

- (v) *Not to fell, lop or top trees (S.20)*

The incumbent must not fell, lop or top any trees listed in a diocesan surveyor's report without the Board's consent other than on urgent safety grounds. No such work (other than in an emergency) can take place to a tree protected by a Tree Preservation Order or is situated within a Conservation Area without the consent (or the deemed consent) of the Local Authority. In practice the Board has a responsibility to carry out any necessary tree surgery as part of its general duty to carry out parsonage repairs but the incumbent is obliged to carry out routine garden maintenance .

- (vi) *Obtain Board's consent to additions or alterations (S.21(1))*

Before making any additions or alterations to the parsonage the incumbent must first obtain the consent of the Board and consult the patron(s) about the proposals. Where the house in question is occupied by a member of a team ministry (and not by the incumbent) then that person must also be consulted by the incumbent. If any unauthorised works are carried out, the Board may require that the property be returned to its original condition. If the incumbent does not comply, the Board may exercise its right to restore the property itself and to recover any costs incurred from the incumbent.

[See also Board's Rights 3.3\(xi\) above](#) for further details on the procedures involved in any such action by the Board and [Incumbent's Rights 3.6\(xii\) below.](#)

- (vii) *Inform Board of matters affecting the parsonage (S.23)*

Incumbents are required to notify the Board of any matters affecting the parsonage and, in particular, of any statutory notices received from Government departments; public authorities (including local planning authorities); and utility companies (gas, electricity, water etc.). The Board is obliged to advise the incumbent and act on his or her behalf, if so requested.

[See also Board's Duties 3.2\(xii\) above](#) and [Incumbent's Rights 3.6\(xiii\) below.](#)

### 3.6. Rights

- (i) *Receive diocesan surveyor's report and make representations (S.4(4) & (5))*

The incumbent has the right to receive a copy of the diocesan surveyor's periodic inspection report with a notice stating his or her right to make representations (usually within a month) and to meet the Board (or its representatives) to discuss any relevant matters.

[See Annex A, Form 2.](#)

- (ii) *Make representations on variations in the report (S.4(6))*

If the Board varies the diocesan surveyor's report other than to meet the incumbent's representations (see above), the incumbent has the right to make representations (usually within a month) with respect to the proposed variations following a notice from the Board to that effect and to meet the Board (or its representatives) to discuss the matter.

[See Annex A, Form 2A.](#)

- (iii) *Make representations on repairs not to be carried out (S.5(2))*

The incumbent has the right to make representations to the Board where it proposes not to carry out repairs on the grounds that it has decided to sell, exchange or demolish a parsonage. The Board must allow a period of at least one month for representations in this respect and for the incumbent to meet the Board (or its representatives) if (s)he wishes. If the incumbent is unhappy with the Board's decision, (s)he can appeal to the Commissioners (within a month). The Commissioners' decision is final. (See [Annex E](#) for a flowchart of the procedure for considering an appeal.)

[See Annex A, Forms 3 & 3A.](#)

- (iv) *Make representations on demolition of superfluous parsonage outbuilding (S.5(4))*

Where the Board proposes to demolish a superfluous parsonage outbuilding, the incumbent has the right to make representations to the Board once notice has been served giving him or her at least one month in which to do so. Again, the incumbent has the right to appeal to the Commissioners within a month if (s)he is not satisfied with the Board's decision. Our decision is final. (See [Annex E](#) for a flowchart of the procedure for considering an appeal.)

[See Annex A, Forms 4 & 4A.](#)

- (v) *Consent to repairs not specified in any interim inspection report (S.8)*

If the Board carries out an interim inspection of a parsonage and proposes to carry out repairs, the incumbent has the right to withhold

his or her consent to any repairs which are not specified in the report. Without the incumbent's consent, the Board cannot carry out such repairs. In addition, where an interim report alleges that any repairs are necessitated by the neglect/deliberate act of the incumbent, the procedures outlined in (i) and (ii) above apply.

[See Annex A, Forms 2, 2A & 6.](#)

- (vi) *Receive notice of Board's intention to inspect or repair (S.11)*

Unless repairs need to be carried out urgently, the incumbent is entitled to expect that the Board will do its best to agree a mutually convenient time to inspect or repair the parsonage. If it is not possible to reach such an agreement, the incumbent has the right to receive at least 14 days written notice of the Board's intentions.

[See Annex A, Form 5.](#)

- (vii) *Consent to alterations arising from insurance claim (S.12(3))*

The incumbent has the right to withhold his or her consent to any alterations which the Board may propose in the course of making good any damage to the parsonage under an insurance claim.

- (viii) *Defend proceedings for recovery of cost of neglect/deliberate damage (S.13(4))*

Although there is no formal right of representation, the incumbent has the right to show the Board that (s)he is not responsible for the cost of any repairs where a diocesan surveyor's report alleges that damage to the parsonage has been caused or aggravated by the incumbent, either deliberately or through neglect. The incumbent can expect the Board to provide an opportunity to put his or her case to the Board (or its representatives).

[See Annex A, Form 6.](#)

- (ix) *Act as Board's agent (S.13(5))*

If the Board agrees, the incumbent can act as its agent in carrying out parsonage repairs, subject to any limitations or restrictions imposed by the Board.

- (x) *Consent to interior decorations (S.15(1))*

The incumbent has the right to withhold consent to any interior decorations that the Board may propose to carry out (if it is authorised to do so under its Management Scheme). Where such a proposal is made, the incumbent has the right to expect the details and costs to be agreed in advance and the work carried out in accordance with his or her wishes.

- (xi) *Defend allegations arising from felling, lopping or topping trees (S.20)*

The incumbent has the right to show the Board that his or her actions in felling, lopping or topping any trees listed in a diocesan surveyor's

report on the parsonage did not result in any depreciation in the value of the property, or (s)he can dispute the amount of such depreciation being claimed. Similarly, the incumbent can dispute the Board's valuation on any timber removed. However, the Board's decision is final.

[See Annex A, Form 7.](#)

(xii) *Make additions and alterations (S.21)*

The incumbent has the right under the 1972 Measure to make additions or alterations to the parsonage house including minor improvement schemes (i.e. costing less than £50,000). Such "improvements" can include enlarging a house but not a scheme of division which should be carried out under the Parsonages Measures. Any scheme of additions or alterations carried out under the 1972 Measure must be approved by the Board and the patron(s) must be consulted about the proposals. If the proposals are likely to involve major improvements to the house (i.e. costing more than £50,000 or a scheme of division), the work should be carried out under the Parsonages Measures. On no account should the incumbent's rights under S.21 of the 1972 Measure provide a means simply to by-pass the rights of the patron(s) and PCC(s) under the Parsonages Measures to be consulted over such proposals and to make representations. Such action might be open to legal challenge.

Where the Board's consent has not been obtained and notice has been served on the incumbent requiring the property to be restored to its original condition, the incumbent has the right to make representations to the Board and to meet with its representative(s) to discuss the matter if (s)he so wishes.

[See also Board's Rights 3.3\(xi\)](#) and [Incumbent's Duties 3.5\(vi\)](#) above for further details on the procedures involved and the penalties which may be imposed where the Board's consent is not obtained. [See also Annex A, Forms 8 & 8A](#) and Section 1.6 of the Parsonages and Glebe Diocesan Manual, 'Improvement etc. of Parsonages'.

(xiii) *Seek advice from the Board (S.23)*

The incumbent is entitled to seek advice from the Board on any matters arising from statutory notices that (s)he may receive and ask it to act on his or her behalf.

## 4. Funding Parsonage Repairs

### 4.1. The Board's duties

(i) *Inspection and repair of parsonages and team vicarages (Ss 4 & 5)*

For parsonage houses and team vicars' houses, the Board is obliged to meet the cost of inspection reports and repairs from any fund or funds capable of being applied for those purposes ( see below). The same applies where another house is occupied by an incumbent of a benefice which does not possess an official parsonage house (subject to any alternative legal provisions under which such a property is occupied).

(ii) *Improvements and alterations (S.15)*

Where empowered by the Management Scheme the Board may undertake works of improvement and decoration etc to parsonages and team vicarages. Such works may be financed from any fund or funds that can be used for such purposes.

(iii) *Assistant staff houses (S.15)*

Where empowered by the Management Scheme, the Board has a duty to inspect and report on other types of clergy houses (e.g. Board of Finance corporate and/or PCC-owned properties used for housing assistant staff). Such inspection reports and repairs may be financed from any fund or funds that can be used for that purpose. Where empowered by the Scheme, the Board has the same powers of improvement (and financing such works) as it does for parsonages and team vicarages.

### 4.2. Sources of funds

The Board can raise funds for repairs to parsonage houses and team vicarages in one or more of the following ways:

(i) *Parish contributions (S.19(2))*

The Diocesan Synod (through the Management Scheme) can determine whether PCCs should contribute to the Parsonages Fund on the basis of:

- (a) indirectly via parish share, as a proportion of the Board's overall estimated annual budget;
- (b) directly whereby individual PCCs reimburse the Board the whole or part of the cost of relevant outgoings on the parsonage houses of their own parishes; and
- (c) a combination of (a) and (b) above.

(ii) *Archbishops' Council's support (S.19(3))*

Responsibility for deciding the distribution of the Commissioners' selective support for the parochial ministry passed to the Archbishops' Council in 1999. Those dioceses which receive these allocations can choose to use the grants for clergy stipend or housing purposes, or a combination of both.

(iii) *Gifts and bequests (S.19(5))*

The Board can accept gifts and bequests and apply them for parsonage purposes (including repairs), subject to any specific trusts which may apply.

(iv) *Other diocesan funds*

These include the Diocesan Pastoral Account; Diocesan Stipends Fund Income Account; and any corporate or trust funds which the diocese has agreed should be available for parsonage repairs. Moneys held before 1 June 2005 in the Parsonages Fund and the Parsonages Reserve Fund (such Funds being wound up from that date) should be channelled into any accounts that can be used for parsonage repairs or improvements (e.g. the Diocesan Pastoral Account and Diocesan Stipends Fund).

**N.B. All of these can also be used as a source of funding for assistant staff houses.**

## Annex A: Recommended Forms

The following forms are recommended by the Commissioners for use by diocesan parsonages boards and they are restricted to those matters required by law under the RBBM. We recognise that dioceses may prefer to modify one or more of these forms in accordance with local policy and practice and that many dioceses have used such modified forms for many years. Provided that the individual matters in the forms are dealt with, dioceses are entirely free to adapt them as they wish.

Please note that Section 27 of the 1972 Measure requires that any notice, consent, report, order, direction or request required or authorised by the Measure should be in writing.

Form No.	Section of the RBBM	Name of Recommended Form
<a href="#">Form 1</a>	4	Diocesan Surveyor's Specimen Report
<a href="#">Form 2</a>	4(4)	Notice to incumbent/sequestrators/team vicar sending a copy of the surveyor's periodic/interim report
<a href="#">Form 2A</a>	4(6)	Notice of decision on representations concerning surveyor's periodic/interim report
<a href="#">Form 3</a>	5(1)&(2)	Notice of repairs not to be carried out
<a href="#">Form 3A</a>	5(3)	Notice of decision on representations concerning repairs not to be carried out
<a href="#">Form 4</a>	5(4)	Notice to incumbent/sequestrators/ team vicar of proposed demolition of superfluous parsonage outbuilding(s)
<a href="#">Form 4A</a>	5(4)	Notice of decision on representations concerning proposed demolition of superfluous parsonage outbuilding(s)
<a href="#">Form 5</a>	11	Notice of intention to inspect or repair
<a href="#">Form 6</a>	13(4)	Notice seeking payment for repairs caused by deliberate damage
<a href="#">Form 7</a>	20(2)	Notice concerning unauthorised felling, lopping or topping of trees
<a href="#">Form 8</a>	21(3)	Notice of intention to refuse consent to unauthorised additions or alterations
<a href="#">Form 8A</a>	21(1)	Notice requiring restoration of unauthorised additions or alterations

## Repair of Benefice Buildings Measure 1972

### Form 1: Diocesan Surveyor's Specimen Report under Section 4 of the Measure

*Please insert, amend and delete text as necessary. This Form covers only the statutory minimum requirements of the 1972 Measure and dioceses are free to include any other matters on which the Diocesan Surveyor is expected to report.*

**Date of Report:**

**Benefice:**

**Diocese:**

**Address of Parsonage or Team Vicarage or other Clergy Residence:**

---

---

---

I have inspected this property (including any outbuildings/garden etc.) and report as follows:

1. The repairs specified in **Schedule 1** to this report are necessary and I estimate their cost will be £ .

The specified repairs should be carried out [immediately] [within 6 months] [other timescale, including different periods for certain aspects of the repairs].

2. The repairs specified in **Schedule 2** to this report are necessary by reason of damage caused or aggravated by a deliberate act or acts of the [previous] occupant(s) and I estimate the [additional\*] cost of those repairs at £ .  
(\*in cases of aggravation)

3. The improvements specified in **Schedule 3** to this report appear to me to be expedient and I estimate their cost will be £ .

4. In my opinion this property [should] [should not] be replaced.



5. The following outbuilding belonging to the house appears to me to be superfluous:

---

---

---

6. I make the following comments on:

(a) the state of the interior decoration of the house:

---

---

---

(b) the state of fixtures and fittings in the house:

---

---

---

7. Additions to or amendments of the list of fixtures and fittings in the house is attached as **Schedule 4**.

8. Additions to or amendments of the list of the trees of the house is attached as **Schedule 5**.

9. The house should be insured for £ .

10. The house is liable to the following special risks:

---

---

---

11. First report on house only

I attach to this report:

(a) **Schedule 6** - a list of fixtures and fittings in the house.

(b) **Schedule 7** - a list of trees in the garden which should be preserved.

Name: .....

Signed: ..... Date: .....

Diocesan Surveyor

Schedule 1 (Repairs)

Schedule 2 (Repairs due to damage caused by occupant(s))

Schedule 3 (Improvements)

Schedule 4 (Amendments to list of fixtures and fittings)

Schedule 5 (Amendments to list of trees)

Schedule 6 (List of fixtures and fittings – first report only)

Schedule 7 (List of trees – first report only)

**Note**

The use of the term ‘house’ in this specimen Surveyor’s Report includes any buildings, gardens, orchards, paddock, walls, fences and appurtenances belonging to the subject property.

**Repair of Benefice Buildings Measure 1972**

Form 2: Notice to incumbent/sequestrators/ team vicar sending a copy of the surveyor’s [periodic] [interim] report

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972  
[Parsonage House] [Team Vicarage] at**

On behalf of the Parsonages [Board][Committee] I enclose a copy of the diocesan surveyor’s report on this house dated .....

Date not less than one month from the date on which this letter is sent.

The [Board][Committee] will consider any written representations made by you in respect of any aspect of this report which are received in this office no later than..... Please note that any representations received after this date will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

You also have the right to meet the [Board][Committee] or, at its discretion, its representative(s) to discuss the matter.

If you make no representations by the due date the [Board][Committee] will confirm the surveyor’s report with or without variation at its discretion and arrangements will be made in due course to carry out the necessary repairs to the property.

Please see section 3.6 of the Repair of Benefice Buildings Measure 1972 Code of Recommended Practice at [ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc](http://ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc) for further information about the procedure.

Yours sincerely

Name:

Post held:

## Repair of Benefice Buildings Measure 1972

Form 2A: Notice of decision on representations concerning surveyor's  
[periodic] [interim] report

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

### Repair of Benefice Buildings Measure 1972 [Parsonage House] [Team Vicarage] at

The Parsonages [Board][Committee] has now considered your representations concerning the recent report of the diocesan surveyor on this house. It has decided

Enter the decision

---

---

---

### Either

The [Board][Committee] has accordingly confirmed the surveyor's report [without variation] [subject to the following variations] [in order to meet your representations].

Include this para. if the report is varied to meet the representations or otherwise

---

---

---

---

The [Board][Committee] will make arrangements in due course to carry out the necessary repairs specified in the report [as so varied].

### Or

As the [Board][Committee] proposes to vary the surveyor's report other than for the purpose of meeting your representations, you are entitled to make representations with respect to the [Board's][Committee's] proposal(s). Any representations which you may wish to make on this matter should be sent to me not later than..... Please note that any representations received after this date will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

Include this para. if the report is varied other than to meet the representations

Date not less than one month from the date on which this notice is sent

You also have the right to meet the [Board][Committee] or, at its discretion, its representative(s) to discuss this matter.

Please see section 3.6 of the Repair of Benefice Buildings Measure 1972 Code of Recommended Practice at [ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc](http://ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc) for further information about the procedure.

Yours sincerely

Name:

Post held:

**Repair of Benefice Buildings Measure 1972**

Form 3: Notice of repairs not to be carried out

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

It appears to the Parsonages [Board][Committee] and the Bishop of..... that this house should be [sold] [exchanged] [demolished] and for that reason it is not [necessary] [desirable] to carry out [some of] the repairs specified in the last surveyor’s report. For that reason the [Board][Committee] has proposed that the following repairs should not be carried out:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date not less than one month from the date on which this notice is sent

You are entitled to make representations to the [Board] [Committee] on the question of which repairs are not to be carried out. Any representations which you may wish to make on this subject should be sent to me not later than ..... Please note that any representations received after this date will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown). You also have the right to meet the [Board][Committee] or, at its discretion, its representative(s) to discuss this matter.

If you make no representations by the due date the [Board] [Committee] will make arrangements in due course to carry out such of the remaining repairs specified in the report as are necessary.

However, should any representation not be capable of being resolved at the diocesan level at this stage:

- it will be passed to the Church Commissioners who will share it with the Diocesan [Board][Committee] and ask for its views. It will also be shared with the Commissioners’ Pastoral Committee.
- You will receive the Commissioners’ correspondence with the [Board][Committee] and will be able to comment further to the Commissioners if you wish.

- You may attend the meeting of the Commissioners' Pastoral Committee that considers the case and may also request an opportunity to address the Committee to speak to your representation.
- When the Commissioners acknowledge your representation they will let you know the next few dates of the Committee's meetings. They will confirm the actual date nearer the time.
- The Pastoral Committee will consider your representations on the basis of a paper prepared by the Pastoral Division staff and any points raised at the meeting.

Please see [ccpastoral.org/reps](http://ccpastoral.org/reps) for further information about the procedure.

Yours sincerely

Name:

**Post held:**

## Repair of Benefice Buildings Measure 1972

Form 3A: Notice of decision on representations concerning repairs not to be carried out

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

### Repair of Benefice Buildings Measure 1972 [Parsonage House] [Team Vicarage] at

The Parsonages [Board][Committee] has now considered your representations concerning its proposal not to carry out certain repairs specified in the diocesan surveyor's recent report on the grounds that it proposes to [sell] [exchange] [demolish] the house. It has decided

Enter the  
Board's  
decision on the  
representations

---

---

---

If you are not satisfied with this decision then you may appeal to the Church Commissioners who are required by the Measure to decide the matter after consultation with you and the [Board][Committee].

If you wish to appeal you should write within one month of receiving this letter outlining the grounds of your appeal to:

The Pastoral and Redundant Churches Secretary  
Church Commissioners  
1 Millbank  
LONDON  
SW1P 3JZ  
Email: [pastoral@c-of-e.org.uk](mailto:pastoral@c-of-e.org.uk)

Please note that any appeal received after one month has expired will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

Once the Church Commissioners receive your appeal:

- they will share it with the Diocesan [Board][Committee] and ask for its views. It will also be shared with the Commissioners' Pastoral Committee.
- You will receive the Commissioners' correspondence with the [Board][Committee] and will be able to comment further to the Commissioners if you wish.



- You may attend the meeting of the Commissioners' Pastoral Committee that considers the case and may also request an opportunity to address the Committee to speak to your representation.
- When the Commissioners acknowledge your representation they will let you know the next few dates of the Committee's meetings. They will confirm the actual date nearer the time.
- The Pastoral Committee will consider your representation on the basis of a paper prepared by the Pastoral Division staff and any points raised at the meeting.

Please see [ccpastoral.org/reps](http://ccpastoral.org/reps) for further information about the procedure.

Yours sincerely

Name:

Post held:

**Repair of Benefice Buildings Measure 1972**

Form 4: Notice to incumbent/sequestrators/ team vicar of proposed demolition of superfluous parsonage outbuilding(s)

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972  
[Parsonage House] [Team Vicarage] at**

On behalf of the Parsonages [Board][Committee] I enclose a copy of the diocesan surveyor’s report on this house dated ..... which recommends that the following parsonage outbuilding(s) appear to be superfluous:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The [Board][Committee] now proposes that [this] [these] building(s) should be demolished and will consider any written representations from you in respect of this proposal which should be received in this office no later than ..... Please note that any representations received after this date will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

Date not less than one month from the date on which this letter is sent.

If the [Board][Committee] subsequently decides to confirm its proposal notwithstanding any objections you may make, then you would be entitled to appeal to the Church Commissioners who are authorised by the Measure to decide the matter after consultation with you and the [Board][Committee].

If you wish to appeal you should write within one month of receiving this letter outlining the grounds of your appeal to:

The Pastoral and Redundant Churches Secretary  
Church Commissioners  
1 Millbank  
LONDON  
SW1P 3JZ  
Email: [pastoral@c-of-e.org.uk](mailto:pastoral@c-of-e.org.uk)

Please note that any appeal received after one month has expired will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

Once the Church Commissioners receive your appeal:

- they will share it with the Diocesan [Board][Committee] and ask for its views. It will also be shared with the Commissioners' Pastoral Committee.
- You will receive the Commissioners' correspondence with the [Board][Committee] and will be able to comment further to the Commissioners if you wish.
- You may attend the meeting of the Commissioners' Pastoral Committee that considers the case and may also request an opportunity to address the Committee to speak to your representation.
- When the Commissioners acknowledge your representation they will let you know the next few dates of the Committee's meetings. They will confirm the actual date nearer the time.
- The Pastoral Committee will consider your representations on the basis of a paper prepared by the Pastoral Division staff and any points raised at the meeting.

Please see [ccpastoral.org/rep](http://ccpastoral.org/rep)s for further information about the procedure.

Yours sincerely

Name:

Post held:

## Repair of Benefice Buildings Measure 1972

Form 4A: Notice of decision on representations concerning proposed demolition of superfluous parsonage outbuilding(s)

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

### Repair of Benefice Buildings Measure 1972 [Parsonage House] [Team Vicarage] at

The Parsonages [Board][Committee] has now considered your representations concerning its proposal to demolish the parsonage outbuilding(s) referred to in my letter dated ..... (Form 4). It has decided

Enter the  
decision

---

---

If you are not satisfied with this decision then you may within one month of receiving this notification appeal to the Church Commissioners who are required by the Measure to decide the matter after consultation with you and the [Board][Committee].

If you wish to appeal you should write within one month of receiving this letter outlining the grounds of your appeal to:

The Pastoral and Redundant Churches Secretary  
Church Commissioners  
1 Millbank  
LONDON  
SW1P 3JZ  
Email: [pastoral@c-of-e.org.uk](mailto:pastoral@c-of-e.org.uk)

Please note that any appeal received after one month has expired will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

Once the Church Commissioners receive your appeal:

- they will share it with the Diocesan [Board][Committee] and ask for its views. It will also be shared with the Commissioners' Pastoral Committee.
- You will receive the Commissioners' correspondence with the [Board][Committee] and will be able to comment further to the Commissioners if you wish.

- You may attend the meeting of the Commissioners' Pastoral Committee that considers the case and may also request an opportunity to address the Committee to speak to your representation.
- When the Commissioners acknowledge your representation they will let you know the next few dates of the Committee's meetings. They will confirm the actual date nearer the time.
- The Pastoral Committee will consider your representations on the basis of a paper prepared by the Pastoral Division staff and any points raised at the meeting.

Please see [ccpastoral.org/rep](http://ccpastoral.org/rep)s for further information about the procedure.

Yours sincerely

Name:

Post held:

**Repair of Benefice Buildings Measure 1972**

Form 5: Notice of intention to inspect or repair

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

[As you are aware] the [Parsonages Board/Committee] [diocesan surveyor] has sought without success to agree with you a mutually convenient appointment to carry out [an inspection of] [repairs to] this house.

On behalf of the [Board][Committee] I am therefore writing to give you notice in accordance with Section 11 of the Measure that the said [inspection] [repairs] will be carried out on ..... at..... .

Yours sincerely

Name:

Post held:

## Repair of Benefice Buildings Measure 1972

Form 6: Notice seeking payment for repairs caused by deliberate damage

Please insert, amend and delete text as necessary
---

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

I refer to the recent report of the diocesan surveyor on this house [a copy of which was sent to you on ].

[As you know] the report identified the need for certain repairs which are necessary as a result of damage caused or aggravated by a deliberate act on your part [or that of a member of your family or a person or persons who are your responsibility]. These repairs have now been carried out [together with the other repairs specified in the report] and, in accordance with Section 13(4) of the Measure, the Parsonages [Board][Committee] hereby gives notice that you are required to meet [part] [all] of the cost of such repairs.

I enclose a schedule of the repairs carried out together with the costs certified by the diocesan surveyor which are attributable to you and look forward to receiving payment [as soon as possible] [by ]. [Please make your cheque payable to .]

No doubt you will let me know if you feel that you are not responsible for meeting any part or all of these costs but please note that the [Board][Committee] reserves the right to take whatever proceedings it considers are necessary in order to recover the sums owed to it.

Yours sincerely

Name:

Post held:

**Repair of Benefice Buildings Measure 1972**

Form 7: Notice concerning unauthorised felling, lopping or topping of trees

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

It has come to the attention of the Parsonages [Board][Committee] that the following tree[s] belonging to this house and included in a schedule to the diocesan surveyor's report on the property dated ..... has/have been [felled] [lopped] [topped] without the [Board's][Committee's] consent under Section 20(1) of the Measure:

Enter details of tree(s) concerned

---

---

---

I understand that the action taken was not necessary to avoid immediate danger to the occupants of the house or any other building or to the general public. On behalf of the [Board][Committee] I therefore give notice in accordance with Section 20(2) that you are required to pay to it the sum of £..... which is [a proportion of] the amount of the [resulting depreciation of the house] [net value of the timber] as estimated by the diocesan surveyor and agreed by the [Board][Committee] as appropriate to be paid in this case. [Please make your cheque payable to .....]

No doubt you will let me know if you feel that you are not responsible for any part or all of these costs but please note that the [Board][Committee] reserves the right to take whatever proceedings it considers are necessary in order to recover the sums owed to it.

Yours sincerely

Name:

Post held:



**Repair of Benefice Buildings Measure 1972**

Form 8: Notice of intention to refuse consent to unauthorised additions or alterations

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

It has come to the attention of the Parsonages [Board][Committee] that the following additions and/or alterations to this house have been carried out without the Board's/Committee's consent:

Enter details of unauthorised additions or alterations

\_\_\_\_\_

The [Board][Committee] proposes to withhold its consent to these works and to serve notice requiring you to restore this property to its original condition under Section 21 of the Measure. Please note that you would be liable to meet the cost of any such restoration. The [Board][Committee] reserves the right to take whatever proceedings it considers are necessary in order to restore the property and to recover any costs it incurs if you fail to comply with such a notice.

Date not less than one month from the date on which this notice is sent

However, before any such notice is served, you are entitled under Section 21(5) of the Measure to make written representations with respect to the [Board's][Committee's] proposal. Any such representations should be sent to me not later than ..... Please note that any representations received after this date will not be considered unless there are exceptional circumstances for doing so (e.g. postal strike, fax or email breakdown).

You also have the right to meet the [Board][Committee] or, at its discretion, its representative(s) to discuss this matter.

Please see Section 3.6 of the Repair of Benefice Buildings Measure 1972 Code of Recommended Practice at [ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc](http://ccpastoral.org/parsglebeadmin/rbbmcode/rbbmcode.doc) for further information about the procedure.

Yours sincerely

Name:

Post held:

**Repair of Benefice Buildings Measure 1972**

Form 8A: Notice requiring restoration of unauthorised additions or alterations

Please insert, amend and delete text as necessary

Diocesan Parsonages [Board][Committee]

Dear

**Repair of Benefice Buildings Measure 1972**  
**[Parsonage House] [Team Vicarage] at**

The Parsonages [Board][Committee] has decided to withhold its consent to the unauthorised additions and/or alterations to the house referred to in my letter dated ..... (Form 8). The [Board][Committee] came to this decision after careful consideration of your representations.

On behalf of the [Board][Committee] I therefore give notice in accordance with Section 21(1) of the Measure that you are required to restore this property to its original condition and to bear the cost of such works yourself. These works should be carried out by ..... at the latest and will be subject to inspection by the diocesan surveyor.

Please note that the [Board][Committee] reserves the right to take whatever proceedings it considers are necessary in order to carry out the works itself if you fail to do so and to recover the cost from you.

Yours sincerely

Name:

Post held:

## **Annex B: (Specimen) Management Scheme**

### **Repair of Benefice Buildings Measure 1972**

Diocese of \_\_\_\_\_

Scheme under the Measure

#### **A: Where a separate Board is to be appointed**

##### **Appointment of Diocesan Parsonages Board**

1. A Board (“the Board”) to be known as “the Parsonages Board for the diocese of .....” is hereby established for the purpose of the furtherance of the work of the Church of England by the exercise of its functions under the Repair of Benefice Buildings Measure 1972 (“the Measure”).

##### **Membership of the Board**

2. *Here the diocese should give details of the composition of the Board including powers to co-opt members, for example clergy spouses. All the archdeacons must be ex-officio members and not less than one-third of the remaining members should be clergy elected by the beneficed, and, if the Scheme so provides, the licensed clergy of the diocese, and not less than one-third shall be lay persons. Otherwise, the membership of the Board and the method of election or appointment and term of office of its members (other than ex-officio members) needs to be prescribed here.*

##### **Constitution and Procedure of the Board**

3. Subject to the provisions of the Measure and of the preceding paragraphs of this Scheme, the constitution and procedure of the Board shall be as prescribed in Schedule 1 to this Scheme.

##### **Appointment of Secretary**

4. A Secretary to the Board shall be appointed by .....and the Secretary’s remuneration and terms of service shall be determined from time to time by .....

**B: Where the Diocesan Board of Finance is designated as the Board**

**Designation of Parsonages Board**

5. The ..... Diocesan Board of Finance is hereby designated as the Parsonages Board for the diocese of ..... for the purposes of the furtherance of the work of the Church of England by the exercise of its functions under the Repair of Benefice Buildings Measure 1972 (“the Measure”) and references in this scheme to “the Board” shall be construed as referring to the Diocesan Board of Finance in the exercise of such functions.

**Delegation of the Board’s Functions**

6. The functions of the Board under the Measure shall be delegated to a Committee/Committees of the Diocesan Board of Finance constituted as provided in Schedule 2 hereto and such Committee(s) may include persons other than members of the Board.

**C: All Schemes**

**Appointment of Diocesan Surveyors**

7. The Board shall appoint such number of fit persons as defined by S.1(2) of the Measure to be surveyors for the purposes of the Measure as it shall from time to time determine and the remuneration and terms of service of such surveyors shall be determined from time to time by .....

**Annual Estimates of Expenditure**

8. The Board shall submit to the Diocesan Synod annual estimates of the expenditure of the Board for the ensuing year together with proposals for meeting that expenditure.

[ Add if there is an independent Parsonages Board - Before submitting the estimates to the Synod the Board shall consult the Diocesan Board of Finance].

**Optional**

**Extension of the Functions of the Board**

9. (1) The Board may execute works of interior decoration of parsonage houses by agreement with the incumbent.
- (2) The Board may execute works of improvement, demolition or erection of parsonage houses in pursuance of the powers conferred by Sections 1, 2 and 2A of the Parsonages Measure 1938 by agreement with the persons on whom those powers are conferred.
- (3) The Board may request a diocesan surveyor to inspect any building (other than a parsonage house) in the diocese used as a residence by

any clergyman or lay worker of the Church of England serving in the diocese and to report to the Board on such inspection.

- (4) The Board may execute works of repair, interior decoration, improvement, demolition or erection of any buildings in the diocese held for charitable purposes connected with the Church of England, by agreement with the persons having the management or control of such buildings.
- (5) The cost of any works mentioned in this paragraph of this Scheme and the cost of the inspections and reports mentioned in subsection (3) thereof, including any administrative cost attributable to such works, inspections and reports, shall be met by any fund or funds capable of being used for the purposes in question and before taking any steps in connection with such works, inspections and reports the Board shall satisfy itself that funds are available to meet the cost thereof .
- (6) In this paragraph of this scheme references to parsonage houses and to buildings used or held for certain purposes shall include references, where appropriate, to buildings intended to be used as parsonage houses or to be used or held for such purposes.
- (7) In connection with the exercise of the powers contained in this paragraph of this Scheme .....( *insert here any other necessary provisions relating to the administration of the functions authorised by this paragraph*).

**Optional**

**Regulation of Inspections, Reports and Repairs**

10. The Board may at any time publish Regulations concerning:-
  - (a) inspections of buildings of a benefice by diocesan surveyors and the making of reports following on such inspections;
  - (b) the execution of repairs to buildings of a benefice, including the supervision thereof by diocesan surveyors and otherwise and any other matters required for ensuring efficiency and economy in such execution;

but such Regulations shall not be effective unless and until they have been laid before and approved by the Diocesan Synod.

**Optional**

**Payments by Parochial Church Councils**

11. *Here the Scheme may provide for the other financial provisions relating to parochial contributions set out in Section 19 of the Measure. The broad range is as follows:*
  - (a) *for payment by parochial church councils of parishes in the diocese of such annual contributions towards the estimated expenditure of the Board*

*as may be determined in accordance with the Scheme, but not exceeding in any year a total amount approved by the Synod; or*

*(b) for the direct payment by such parochial church councils of the whole or part of the cost of repairs to the parsonage houses of their own parishes, and for excluding that cost or part thereof from the annual estimates of the Board; or*

*(c) for a combination of such contributions and direct payments as aforesaid; and*

*(d) for refunding to any parochial church council any part of a contribution not required by the Board.*

*We suggest that, in the interests of flexibility, most dioceses will want to set out the whole range, rather than limit themselves to a particular option. In the latter case, an amending Scheme would be needed to introduce other options.*

*Please note that payments made by Parochial Church Councils in this respect cannot be used for capital purposes e.g. demolition, purchase, building or improvements. These works need to be funded by other means e.g. Diocesan Pastoral Account, Diocesan Stipends Fund Capital Account; and the Commissioners' Bridging/Fixed Term Loans.*

**Interpretation**

12. In this Scheme, unless the context otherwise requires, the expressions to which meanings are assigned by Section 31(1) of the Measure shall have the meanings thereby respectively assigned to them.

**Operative Date of Scheme**

13. The provisions of this Scheme shall come into operation on .....and the Scheme made by the Diocesan Synod of the diocese of .....on ..... shall thereupon be revoked.

**Making of Scheme**

14. This Scheme is made by the Diocesan Synod of the diocese of ..... at a meeting held on .....

In witness thereof it has been signed by ....., Chairman of the meeting duly authorised to that end by resolution of the said meeting.

Signed: .....

Date .....

## **Schedule 1**

### **Constitution and Procedure of Board**

*Here provision can be made, according to each diocese's requirements, for such matters as:-*

*Date, place and frequency of meetings*

*Appointment or election of chairman and vice-chairman*

*Quorum*

*Notice of meetings and special meetings*

*Keeping of minutes*

*Custody of seal and rules of affixing thereof*

*How questions are to be determined (e.g. by simple majority)*

*Powers of delegation*

*Appointment of committees and the exercise of their functions*

*Opening of banking accounts and powers to draw thereon*

*Decisions concerning investments*

*Appointment of officers and other staff (e.g. auditors) and their remuneration and terms of service*

*Power to enter contracts*

*Power to hold property*

*Power to borrow money*

*Power to execute works*

*Ancillary matters*

*Etc. – This list is not intended to be exhaustive.*

## **Schedule 2**

### **Constitution and Procedure of Committee(s) to Exercise the Functions of the Board**

*Here provision may be made for the membership of the Committee(s) and for its/their constitution and procedures based on the relevant elements of Schedule 1 hereto. Regard shall be had to the need for adequate representation of the clergy and laity.*

REPAIR OF BENEFICE BUILDINGS MEASURE 1972										PARSONAGES MEASURES 1938 AND 1947	
Annex C: Summary of Legal Position											
PROPOSAL	OUTCOME OF PERIODIC REPORT	PERIODIC REPAIRS NOT TO BE CARRIED OUT	DEMOLITION OF SUPERFLUOUS PARSONAGE OUTBUILDING	INTERIM REPAIRS TO BE CARRIED OUT	RIGHT OF ENTRY TO CARRY OUT INSPECTION OR NON-URGENT REPAIRS	ALTERATIONS ARISING FROM INSURANCE CLAIM	SEEK PAYMENT FOR DAMAGE	FELLING OF TREES	ADDITION, ALTERATION	IMPROVEMENT	DIVISION, ENLARGEMENT, IMPROVEMENT (IN A VACANCY)
SECTIONS OF 1972 & 1938 MEASURES	4	5(2)	5(4)	8	11	12	13(4)	20	21	2	2A
RECOMMENDED FORM(S)	RBBM Forms 2,2A	RBBM Forms 3,3A	RBBM Forms 4,4A	RBBM Forms 2,2A	RBBM Form 5	RBBM N/A	RBBM Form 6	RBBM Form 7	RBBM Forms 8,8A	PARS. MEASURE Form 1	PARS. MEAS. Form 1
A. <u>Person who acts:</u>											
a) Benefice Full	DPB	DPB	DPB	DPB	DPB	DPB	DPB	DPB	Incumbent/TV Sequestrators	Incumbent Bishop	Bishop authorises Sequestrators
b) Benefice Vacant (See note 1)	DPB	DPB	DPB	DPB	DPB	DPB	DPB	DPB			
B. <u>Consents required:</u>											
a) Incumbent/Team Vicar or Sequestrators [in a vacancy]	N	N	N	See note 4	N	Y	N	N	N	N	N
b) Church Commissioners	N	N	N	N	N	N	N	N	See note 7	See note 9	See note 9
c) Diocesan Parsonages Board	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
d) Bishop	N	Y	N	N	See note 5	N	See note 5	N	N	Y	N
e) Team Ministry member living in the house	N	N	N	N	N	See note 3	N	N	N	N	Y
C. <u>Notices to be served on:</u>											
a) Incumbent/Team Vicar or Sequestrators [in a vacancy]	Y	Y	Y	See note 4	Y	N	See note 6	Y	N	N	N
b) Patron(s)	N	N	N	N	N	N	N	N	N	Y	Y
c) PCC(s) [or Churchwardens in a vacancy]	N	N	N	N	N	N	N	N	N	Y	Y
D. <u>Additional consultations required:</u>											
a) Every member of a Team Ministry (See note 2)	N	N	N	N	N	N	N	N	See note 3	Y	Y
b) Team ministry member living in the house	See note 3	See note 3	See note 3	See note 3	See note 3	See note 3	See note 3	Y	Y	N	N
c) Patron(s)	N	N	N	N	N	Y	N	N	Y	N	N
E. Incumbent's/TV's/Sequestrators' right to make representations to the Diocesan Parsonages Board	Y	Y	Y	See note 4	N	N	See note 6	N	See note 8	N	N
F. Incumbent's/TV's/Sequestrators' right of appeal to the Commissioners	N	Y	Y	N	N	N	N	N	N	N	N



Notes

1. It is recommended that the consultative procedures under D above be undertaken by the Parsonages Board (DPB) except where it is proposed to carry out (a) additions or alterations under the RBBM or (b) improvements etc. under the Parsonages Measures. In such cases the consultations are the responsibility of the incumbent/team vicar (or sequestrators in a vacancy). The party acting should have regard to the views of those consulted before taking any action on the proposal.
2. Team Ministry members are (a) team rector; (b) team vicars; and (c) other people licensed by the Bishop to serve as members of the team (e.g. curates and lay readers). However, not all assistant staff licensed to a particular area will necessarily be additionally licensed as members of the team.
3. This is recommended but not statutory.
4. The serving of notice and the express consent of the incumbent/team vicar/sequestrators is only required where the Parsonages Board proposes to carry out repairs which are not specified in any interim report on the parsonage. As such, dioceses cannot effect such repairs without that consent.
5. It is strongly recommended that the Bishop be consulted in all cases where the Parsonages Board proposes to exercise its powers of entry or powers to seek reimbursement from clergy, although this is not a statutory requirement.
6. Notice is served only on the incumbent/team vicar (or former incumbent/team vicar) and not on the sequestrators who are not liable for deliberate damage caused by previous occupants. The 1972 Measure allows for the person suspected of causing such damage to show that s(he) is not responsible for the cost of repairs arising from the damage but there is no formal right of representation to the Parsonages Board.
7. The Commissioners' consent is only required where (a) a loan from them or (b) capital held on a Parsonage Building Fund is needed.
8. The Parsonages Board has the right to refuse to give its consent to any unauthorised additions or alterations carried out by the incumbent/team vicar but, before doing so, it must serve notice on the incumbent/team vicar inviting him or her to make representations against its intended refusal. The Board's decision is final. The Board also has powers to reinstate unauthorised works and charge the occupier with the cost.
9. The Commissioners' consent is only required where (a) a loan from them or (b) capital held on a Parsonage Building Fund is needed or (c) when the proposal does not meet certain criteria (including proposals where representations have been received from the patron(s) and/or PCC(s)/Churchwardens of the benefice concerned).

## Repair of Benefice Buildings Measure 1972

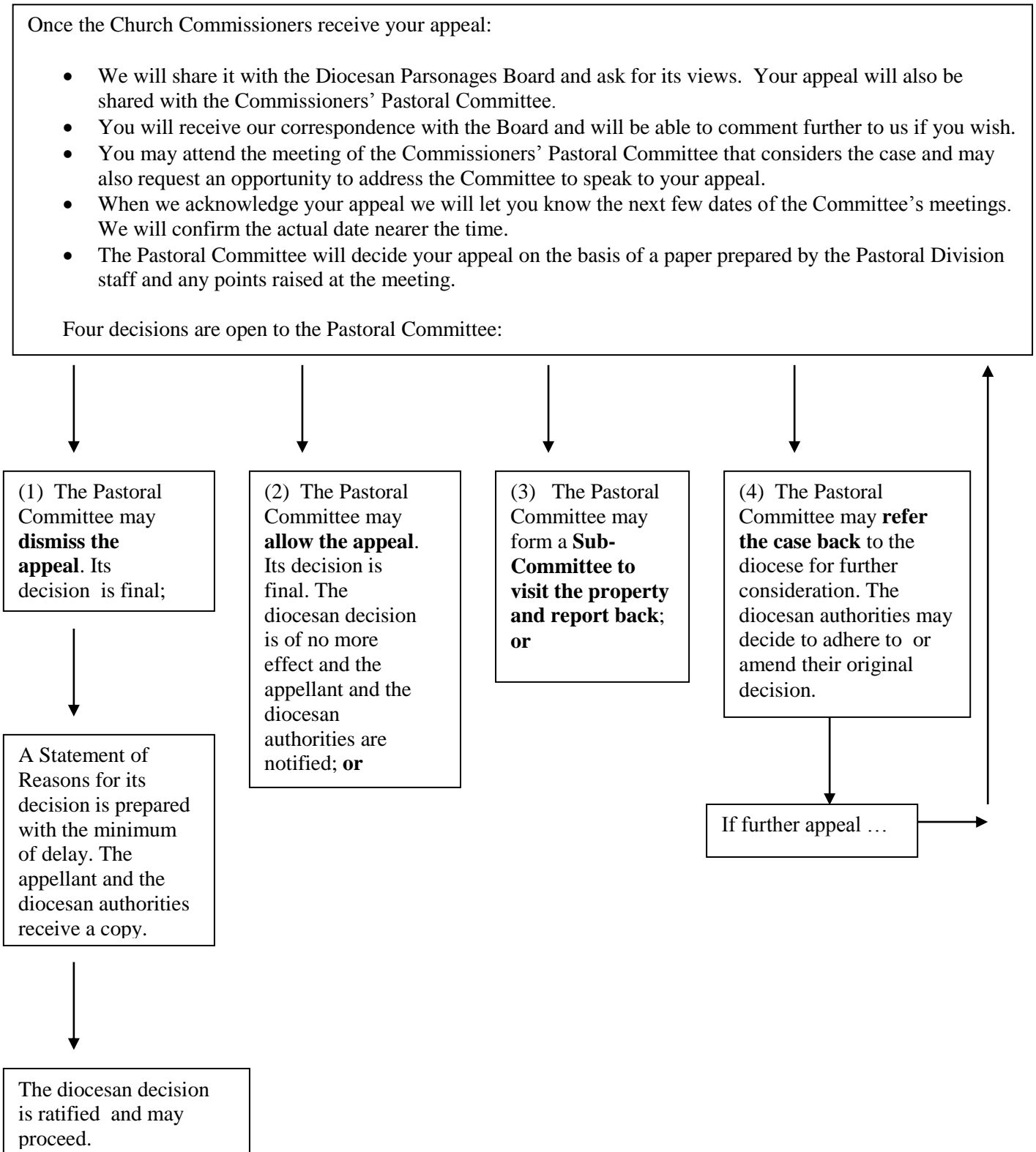
### Annex D: Summary of Main Duties and Rights of Parsonages Board and Incumbent/Team Vicar

	Diocesan Parsonages Board	Form No.	Incumbent/Team Vicar
1.	Diocesan Surveyor carries out inspection of parsonage.	<a href="#">1</a>	Has to allow access to parsonage.
2.	Serves notice on incumbent/team vicar inviting representations on Surveyor's Report.	<a href="#">2</a>	Has at least one month in which to make representations to the Board on Surveyor's Report;  Has the right to meet the Board to discuss the matter.
3.	Considers any representations on any variations and confirms Report with or without variation.	<a href="#">2A</a>	
	<b>OR</b>		
4.	Considers any representations received and serves notice of Board's decision inviting representations if any variations to Report are not designed to meet earlier representations. Confirms Report with or without variation.	<a href="#">2A</a>	Has at least one month in which to make representations to the Board on any variations to Report not designed to meet earlier representations;  Has the right to meet the Board to discuss the matter.
5.	Serves notice of intention <u>not</u> to carry out repairs where house is to be sold, exchanged or demolished.	<a href="#">3</a>	Has at least one month in which to make representations to the Board on any repairs <u>not</u> to be carried out to such properties;  Has the right to meet the Board to discuss the matter.
6.	Considers any representations received and serves notice of decision concerning repairs <u>not</u> to be carried out.	<a href="#">3A</a>	If proposals to proceed notwithstanding representations, has at least on month to appeal to the Commissioners whose decision is final.
7.	Serves notice of intention to demolish superfluous parsonage outbuilding.	<a href="#">4</a>	Has at least one month to make representations to the Board.
8.	Considers any representations and serves notice of decision on demolition of superfluous parsonage outbuilding.	<a href="#">4A</a>	If proposals to proceed notwithstanding representations, has at least on month to appeal to the Commissioners whose decision is final.
9.	Serves notice on incumbent/team vicar of intention to inspect or carry out repairs where it has not been possible to agree a mutually convenient appointment.	<a href="#">5</a>	Can expect the Board to do its best to agree a mutually convenient appointment to inspect or carry out repairs but has the right to receive at least 14 days notice in the absence of such agreement (except in an emergency).
10.	Serves notice on incumbent/team vicar seeking payment for repairs caused by deliberate damage. Has the right to take proceedings to enforce	<a href="#">6</a>	No formal right of representation but has the right to meet the Board to discuss the matter.

*Annex D: Summary of Main Duties and Rights*

	claim and recover costs if necessary.		
11.	Serves notice on incumbent/team vicar seeking reimbursement of loss following unauthorised felling, lopping or topping of trees. Has the right to take proceedings to enforce claim and recover costs if necessary.	<a href="#">7</a>	Has the right to dispute the amount of any loss claimed by the Board in respect of the alleged depreciation of the parsonage or the value of removed timber.
12.	Serves notice of intention to refuse consent to unauthorised additions or alterations to parsonage.	<a href="#">8</a>	Has to obtain Board's prior consent to any additions and alterations. Has at least one month in which to make representations to the Board where such consent is to be refused.  Has the right to meet the Board to discuss the matter.
13.	Considers any representations received and, if consent is refused, serves notice requiring restoration of unauthorised additions or alterations. Has the right to take proceedings to enforce claim and recover costs if necessary.	<a href="#">8A</a>	Has to restore parsonage to original condition (or to such a standard as may be agreed with the Board) and pay any associated costs.
14.	Advises incumbent/team vicar on statutory notices and acts on his or her behalf if so requested.	N/A	Has to notify the Board of any matters affecting the parsonage and of any statutory notices received. Has the right to seek advice from the Board on any matters arising and ask it to act on his or her behalf.

**Procedure followed by Church Commissioners upon receipt of an Appeal against a diocesan decision not to carry out certain repairs or to demolish superfluous outbuildings**



Please see [ccpastoral.org/reps](http://ccpastoral.org/reps) for further information about the procedure.

