Guidance Note

When to consult the CBC

The Faculty Jurisdiction Rules 2015 explain when the Church Buildings Council may or must be consulted over proposed works that are subject to faculty. This guidance note explains how the Rules are used in practice.

It is most often at an early stage that advice from the Church Buildings Council, along with that of the Statutory Consultees, can be most helpful.

Early referral can also save the potential for frustration caused if advice is received after considerable time and expense has gone into working up detailed proposals. Referrals should always be with the knowledge of the DAC (and will usually be from the DAC Secretary).

To help the Council to provide advice the parish must have made a start with preparing the Statements of Significance and Need (Rule 4.3). When these documents are not available (even in draft form) the Council will advise that they are prepared before giving substantive advice.

Early advice by Historic England and the amenity societies is dealt with by Rule 4.4 and schedule 2 of the Rules. However, the Council can often be usefully consulted at the same time as the amenity societies.

Consultation with the CBC under Rules 4.5(6) and 4.5(8) follows the issuing of the DAC Notification of Advice. However, when it is apparent that a matter falls under these Rules the Council welcomes consultation before the Notification of Advice is issued (for the reasons set out above).

Where Conservation, alteration or disposal of an article of special historic, archaeological or artistic interest, or commissioning new works of art (including stained glass) is proposed,

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Resource churches
The CBC supports the initiative for city center resource churches, recognizing that they are an important element for delivery of Renewal and Reform. For many church buildings this will involve making adaptations approved under faculty. The CBC can offer help at every stage in the process, from the initial selection of appropriate buildings to advice on the faculty process and on specific proposals for change. Early consultation with the CBC is encouraged as this can help to ensure a successful outcome.

The CBC has a guidance note on resource churches which can be found here: http://www.churchcare.co.uk/images/Guidance_Notes/Resource_churches.pdf

Other factors which should prompt a referral

• Novel or unusual proposals which may set a precedent that could help CBC to disseminate knowledge and experience

• cases where there are widely differing views

• cases where the DAC cannot provide expert advice, or such advice is at variance with others’ views,

• sensitive context (e.g. historic importance, major visitor attraction)

• untypical and historic building services installations.

Conservation issues
There is one situation where consultation with the CBC is mandatory; Rule 9.6 relating to articles of particular historic, architectural, archaeological or artistic interest and their introduction, conservation or disposal. This Rule clearly covers a potentially wide range of faculty applications. The following list indicates the type of thing that it is helpful to refer:

1. monuments (all historic monuments and nineteenth century and later monuments with special historic or local significance)

2. churchyard structures Listed Grade I and II*

3. timberwork (all historic timberwork and nineteenth century and later timberwork that provides an intact example of the architect’s or craftsman’s work)

4. historic metalwork (including external railings) and church plate

5. textiles (all historic textiles and nineteenth-century and

6. later works with known artist/maker),

7. historic books and manuscripts

8. wall paintings (all historic wall paintings and nineteenth century and later works with known artist/maker)

9. historic and/or artistically significant paintings on canvas and wood

10. historic and/or artistically significant stained glass and plain historic glazing (all historic stained glass and nineteenth century and later work with known artist/maker)

11. organs (particularly those that have a BIOS Historic Organs Certificate) that are intact examples of their builder’s work and/or instruments of outstanding character

12. bells (particularly works that involve change to or loss of a bell or bell frame

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identified on the Council's list of bells and bell frames of high historic significance). This includes proposed tuning and recasting; works that involve the loss of timber frames or conservation of frames including significant amounts of new material.

13. clocks (all proposals involving timber framed clocks; works involving change to or relocation of metal/metal and timber framed clocks; total loss of any clock.

**How the Council will respond to requests**

In the majority of cases considered by the Council a visit will be arranged to the church to discuss the proposals. The CBC will always be represented by an officer who will often be accompanied by a member of the Council. The visit is to ensure that the delegation have fully understood the proposals and seen the site at first hand in order to report to the CBC to enable a full discussion of the scheme and relevant issues.

The CBC officer will arrange the visit with a representative from the Parish, liaising with the DAC Secretary, and will welcome the attendance of the incumbent, churchwardens, architect and anyone else involved in the proposed works as well as representatives from the DAC. Some DACs may wish to arrange meetings of all interested parties at an early stage. This is usually very productive and wherever possible the CBC will arrange for an officer, at least, to be in attendance.

The report of the visit will be discussed at the next CBC meeting and the resulting advice will be sent in writing to the DAC within 10 days of the meeting.

The CBC meets on seven occasions throughout the year. Dates of the CBC meetings are available on ChurchCare together with contact email addresses for all members of staff. Please note that the Council is not subject to the 28 day time limit imposed on the other consultees but will normally deal with referrals at the next available Council meeting. If a matter is deferred to the DAC this will be indicated within 28 days, and usually sooner.

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