



 THE CHURCH
OF ENGLAND

CHURCH
COMMISSIONERS

Katie Lowe
Pastoral Case Advisor

Our ref: NB46/181/kl

25 April 2019

Mission and Pastoral Measure 2011
Diocese of Leeds
Benefice of Knottingley and Kellington with Whitley
The Church of All Saints, Whitley

The Bishop of Leeds has asked us to prepare a draft Pastoral Scheme in respect of pastoral proposals affecting this church of All Saints, Whitley.

I enclose a copy of the draft Scheme. I am sending a copy to all the statutory interested parties, as the Mission and Pastoral Measure requires, and any others with an interest in the proposals.

Anyone may make representations **for** or **against** all or any part or parts of the draft Scheme (please include the reasons for your views) in writing or by email to reach me no later than **Thursday 6 June 2019**. If we have not acknowledged receipt of your representation before this date, please ring or e-mail me to ensure it has been received. For administrative purposes, a petition will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory – “the primary petitioner”.

If we do not receive representations against the draft Scheme, we will make the Scheme and it will come into effect as it provides. A copy of the completed Scheme will be sent to you together with a note of its effective date.

If we receive any representations against the draft Scheme, we will send them, and any representations supporting the draft Scheme, to the Bishop whose views will be sought. Individual representors and the primary petitioner will then receive copies of our correspondence with the Bishop (including copies of all the representations). They and individual petitioners may comment further. Copies of all of the representations received and associated correspondence will be published on the Commissioners' website if the matter needs to be considered by us.

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The Church Commissioners are a registered charity (number 1140097)

Those making representations should indicate whether they would like an opportunity to speak to the Commissioners regarding their representations in the event the Commissioners decide a hearing should be held regarding the case. If a hearing is held, anyone may attend the meeting(s) of the Commissioners that considers the case and representors may have an opportunity to speak to the Commissioners' Committee. Otherwise, if a hearing is not to be held, the case will be considered in private and you will be informed accordingly.

When we acknowledge representations we will let individual representors (and the primary petitioner) know the next few dates of our Committee's meetings. We will confirm the actual date of any hearing nearer the time. The Commissioners will decide if the draft Scheme should proceed when it considers all the representations on the basis of a paper prepared by the Commissioners' staff and any points raised at the meeting. If it does so decide, any representor or petitioner against the draft Scheme may seek leave from the Privy Council to appeal against the decision.

You will be informed of the Commissioners' decision and the reasons for it.

Please see www.ccpastoral.org for further information about the procedure.

PCC Secretaries, incumbents/priests-in-charge/rural deans, persons taking services during the Notice Period and local planning authorities should refer to the relevant notes below for important additional information concerning them.

Katie Lowe

Notes

PCC Secretaries

The draft Scheme is sent to you as PCC Secretary and you should ensure that the PCC as a body is able to make any comments on the draft if it wishes.

I enclose:

- (1) a yellow advice note regarding Notice(s) to be displayed and announcements to be made at services about the proposed reorganisation;
- (2) a blue copy (or copies) of the Notice;
- (3) an additional copy (or copies) of the draft Scheme, together with a glossary; and
- (4) a green acknowledgement form including the wording of the announcement and
- (5) a reply-paid envelope.

You are required to:

- i) display the Notice(s) at or near the main door of every parish church, chapel of ease or licensed place of worship in your parish; and

- ii) make arrangements for the announcement to be made at as many services as possible at every parish church, chapel of ease or licensed place of worship in your parish where a service is held during the notice period, as detailed in the yellow advice note.

The Commissioners are not able to complete the Scheme until all the legal requirements of the Measure are met. It is therefore essential that:

- (1) the Notices are displayed; and
- (2) arrangements are made for the announcements.

Please return the green form as soon as you have displayed the Notice(s) and made arrangements for the announcements to be made. Do not wait until the end of the notice period before returning the completed green form.

If you are no longer the PCC Secretary, please pass these papers to the current Secretary who should let me have a note of his or her name and address.

To anybody taking services during the Notice Period

Please ensure that the following announcement is made.

“A Notice giving details of proposed pastoral reorganisation affecting this parish has or will be displayed near the main door and on the Church of England website. The Notice includes the last date by which representations regarding the proposed reorganisation may be made to the Church Commissioners.”

If the Notice has not yet been displayed by the PCC Secretary please print one from the Church of England website at www.churchofengland.org/consultation.

Incumbents/priests-in-charge/rural deans

Please ensure that the Notices are displayed and the announcements made.

If the PCC Secretary of any parish is not available to carry out these requirements, please could you arrange for these matters to be dealt with by someone else as soon as possible. I can send you the relevant paperwork on request. Please also let me know if there has been a recent change of Secretary in any of the parishes.

Local planning authorities and parish councils

We serve notice on the local planning authority and parish council of the parish in which the affected church building is situated as interested parties under the Mission and Pastoral Measure. Although County and Town Councils are not defined as interested parties under this Measure, please copy this correspondence to either of these parties if you feel this would be helpful. Ward Councillors for the affected parish have been sent a copy of the draft Scheme.

Circulation List

The Statutory Advisory Committee of the Church Buildings Council
National Churches Trust
Commonwealth War Graves Commission
Historic England
Joint Committee
War Memorials Trust
The Revd Clive Flatters, Incumbent
The Revd Michael Marsh, Assistant Curate
The Revd Canon June Lawson, Incumbent of Pontefract St Giles, Patron
The Bishop of Leeds, Patron
Leeds Diocesan Board of Patronage
The Ven Peter Townley, Archdeacon of Pontefract
The Revd Margaret Gallgaher, Area Dean
Mrs Julie Bullen, Deanery Synod Lay Co-Chairman
Selby District Council, Local Planning Authority
Mr John Hunter, Parish Clerk, Whitley Parish Council
Councillor Debbie White, Ward Councillor
Mrs Vicki Yates, PCC Secretary for Kellington
Mrs Judith Calvert, Diocesan Mission and Pastoral Secretary

SUMMARY OF MAIN PROVISIONS OF DRAFT SCHEME (NOT PART OF THE DRAFT SCHEME)

This draft Scheme provides solely for the church of All Saints, Whitley, being a chapel of ease in the parish of Kellington in the diocese of Leeds, to be declared closed for regular public worship.

DRAFT

PASTORAL CHURCH BUILDINGS SCHEME

This Scheme is made by the Church Commissioners ("the Commissioners") this day of 201 in pursuance of the Mission and Pastoral Measure 2011, the Right Reverend Nicholas, Bishop of Leeds, having consented thereto.

Part I

Declaration of closure for regular public worship

1. (1) The church of All Saints, Whitley, being a chapel of ease in the parish of Kellington in the diocese of Leeds, shall be declared closed for regular public worship by this Scheme.

(2) The marriage register books (if any) appertaining to the said church shall be dealt with in accordance with section 62 of the Marriage Act 1949 and, subject to any provisions of the Parochial Registers and Records Measure 1978 that apply thereto and any directions thereunder, any other register books and records of that church which remain in parochial custody shall be dealt with as the Bishop shall direct.

Part II

Coming into operation of this Scheme

2. (1) Part I of this Scheme shall come into operation upon such date as the Commissioners, after consultation with the Bishop, shall determine.

(2) Part II of this Scheme shall come into operation upon the date on which it is made by the Commissioners.

In witness whereof the Church Commissioners have caused their Common Seal to be hereunto affixed.

SIGNED by the)
)
Right Reverend Nicholas,)
)
Bishop of Leeds.)

Executed as a Deed by the affixing of the)
Common Seal of the Church)
Commissioners in the presence of:-)

AUTHENTICATING OFFICER

Note by the Church Commissioners' office (not forming part of the draft Scheme)

The Commissioners have been told by the Bishop on the advice of his Diocesan Mission and Pastoral Committee that the rationale behind the diocesan proposals is as follows:

The chapel of ease of All Saints, Whitley, is one of two church buildings in the parish of Kellington. The Grade I parish church of St Edmund, Kellington is two miles away. In recent times, a single congregation, essentially comprising the same members, has alternated weekly between the two buildings.

The PCC, which has been struggling with the increasing financial burden of caring for two church buildings, can no longer sustain both buildings and is therefore seeking the closure of All Saints, Whitley for regular public worship. It is considered that the mission and pastoral needs of the whole parish can be met from Saint Edmund, Kellington.

Publication of this draft Scheme by the Commissioners does not mean that we have taken a view on the merits of the diocesan case. We have a duty to publish draft Schemes based on diocesan proposals.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop whose views will be sought. Individual representors will then receive copies of our correspondence with the Bishop (including copies of all the representations) and they may comment further in writing to us in light of the diocesan response if they so wish.

If there are no representations against the draft Scheme, we will make the Scheme and arrange for it to be brought into effect.

This Scheme, if implemented, would have the effect of closing All Saints, Whitley church for regular public worship and vesting it in the Leeds Diocesan Board of Finance for care and maintenance pending a decision on its future. Any such decision would be the subject of a second Scheme, called a Pastoral (Church Buildings Disposal) Scheme, which would be prepared and published by the Church Commissioners, and with regard to which an opportunity would be given for representations to be made. In terms of implementing this Pastoral Church Buildings Scheme subject to the consideration of any representations, the Commissioners will need to be satisfied that all aspects of title relating to the church, including access and any rights of way, are in order before they make the Scheme. Banns of marriage may not be called nor marriages solemnized in the church from the date of closure.

Glossary of words commonly used in Pastoral Reorganisation

Joint Parochial Church Council	Where a benefice comprises two or more parishes the parochial church councils of the individual parishes can form a joint parochial church council to act in the benefice as a whole in such matters as the individual PCCs together decide.
Leave to Appeal	Any person who makes a representation to the Commissioners against a pastoral scheme (but not a pastoral order) has a right to apply for leave to appeal to the Judicial Committee of the Privy Council against a decision of the Commissioners to proceed notwithstanding that representation.
Members ('Other') of a Team Ministry	May be clerical or lay (see s.34 of Mission and Pastoral Measure 2011). They share the pastoral care of the area with the team rector and team vicars, but NOT the cure of souls.
Mission and Pastoral Committee	A Committee of the Commissioners' Board of Governors which makes decisions on representations on pastoral, houses and glebe matters. It is chaired by the Third Church Estates Commissioner.
Mission and Pastoral Measure 2011	The Measure of the General Synod which authorises changes in pastoral reorganisation. Designed to "make better provision for the cure of souls". Part of the law of the land and equivalent to an Act of Parliament.
Parish	The basic geographical unit over which an incumbent has cure of souls. There may be several parishes within the area of one benefice.
Parish Centre of Worship	An unconsecrated Place of Worship designated by the bishop under s.43 of the Mission and Pastoral Measure 2011 whereupon for most purposes (other than marriage) it is regarded as a parish church.
Parish Church	A consecrated building in a parish in which, subject to canon law, the statutory services must be held. Parishioners have a right to be married, baptised etc. in the parish church. S.41(2) of the Mission and Pastoral Measure 2011 requires that any building which is to become a parish church must be approved by the bishop, subject to the bishop having consulted both the Diocesan Pastoral Committee and the Diocesan Advisory Committee.
Parochial Church Council	Representative body of parishioners elected from those on the electoral roll in accordance with the Church Representation Rules. Usually chaired by the incumbent.
Parsonage House	The official place of residence of an incumbent of a benefice. The house belongs to the incumbent in right of their office.
Pastoral Order	A document which effects changes in pastoral reorganisation made under the Mission and Pastoral Measure 2011. Differs from a pastoral scheme mainly in that it deals with lesser matters.
Pastoral Scheme	A document which effects more complex or significant changes in pastoral reorganisation made under the Mission and Pastoral Measure 2011.
Patron	The person or body owning an advowson (i.e. right to present a priest to a benefice) who may be a private individual or a corporation (ecclesiastical or lay).
Plurality	The holding of two or more benefices by one incumbent who then has the freehold of all the benefices. This can only be authorised by a scheme or order under the Mission and Pastoral Measure 2011.
Priest in Charge	A priest (who has not been presented by the patrons and does not become the incumbent) given charge of a benefice to which the right of presentation has been suspended.
Representations	The Mission and Pastoral Measure 2011 requires that any draft scheme or order be published and made available to the public. Any person can make written representations to the Commissioners either for or against what is proposed.
Team Council	In a team ministry a team council can be established, either under the authority of a scheme or under the Church Representation Rules. Such a council is similar to a joint parochial church council and provides a formal structure for all the parishes in the team to discuss matters of mutual concern.
Team Ministry	A special form of ministry whereby a team of clergy and possibly lay people share the pastoral care of the area of a benefice. Can only be established by a pastoral scheme.
Team Rector	The priest in a team ministry who heads the team and owns the property of the benefice but shares the cure of souls with the team vicars.
Team Vicar	A priest of incumbent status in a team ministry, other than the team rector, who shares the cure of souls with the team rector and other team vicars.

Glossary of words commonly used in Pastoral Reorganisation

A fuller version is available in the Code of Recommended Practice to the Mission and Pastoral Measure 2011

(<https://www.churchofengland.org/clergy-office-holders/pastoralandclosedchurches/mpm2011code.aspx>)

Archbishop	Senior bishop with authority over a Province. In England, either Canterbury or York.
Archdeacon	An office held by a senior member of clergy appointed by the bishop with an administrative responsibility over an archdeaconry. Some of their duties are laid down by law but in other respects vary according to diocesan practice: they include care for church property.
Archdeaconry	Sub-division of the diocese over which an archdeacon has administrative responsibility.
Benefice	An ecclesiastical office carrying certain duties. An incumbent's benefice is therefore not a geographical area (see parish) but the office to which the holder is appointed and may comprise one or more parishes. A benefice may be a rectory or vicarage and an incumbent is therefore either rector or vicar.
Bishop	In the Church of England the diocesan bishop is the central focus of organisation and ministry within a diocese. The Bishop is the chief pastor and authority and shares the cure of souls with all the incumbents of that diocese and is also the chief representative of the diocese in the work of the wider church. May be assisted by suffragan or assistant bishops.
Common Tenure	The basis on which all Church of England offices will eventually be held under the Ecclesiastical Offices (Terms of Service) Measure 2009. Existing holders of freehold offices may decide not to opt-in to Common Tenure but new office holders will be on Common Tenure.
Chapel of Ease	A consecrated church that it is not a parish church. Originally within a parish that had a parish church, for the ease of parishioners who could not attend the parish church.
Church Representation Rules	Schedule 3 to the Synodical Government Measure 1969 but updated as a separate booklet. They contain the mechanism for the setting up of representative bodies in the Church of England from parochial church councils to the House of Laity of the General Synod.
Cure of Souls	'Cure' means 'care'. The bishop has the universal cure of souls in a diocese but, subject to this, the incumbent of a benefice (or team rector and team vicar(s) in a team ministry) has the exclusive cure of souls within his or her parish or parishes. The expression should not be confused with the more general phrase 'pastoral care'.
Deanery	A sub-division of an archdeaconry usually comprising between 10 and 20 parishes.
Declaration of closure for regular public worship	The act of closing a church for public worship under the Mission and Pastoral Measure 2011.
Diocesan Board of Finance	A company constituted by the diocesan synod and regulated by the Companies Acts. A board of finance holds property for Church of England purposes, transacts business in that connection and acts as a committee of the diocesan synod. It normally also acts as the diocesan trust.
Diocesan Mission and Pastoral Committee	Statutory Committee established by the Mission and Pastoral Measure 2011. Its duty is to review the arrangement for pastoral supervision in the diocese and, as appropriate, to make recommendations to the bishop.
Diocese	One of 41 main territorial units of the Church of England over which a bishop has responsibility. Divided into archdeaconries, deaneries and parishes.
District Church Council	If a parish comprises two or more places of worship or churches then individual councils can be set up for the districts in which each place of worship or church is situated to exercise such functions as may be delegated by the parochial church council.
Glebe	Land or buildings vested in the Diocesan Board of Finance that either provides a rental income to help pay for stipends and clergy housing or provides housing for those involved in the cure of souls.
Group Council	Where a group ministry is established the parochial church councils of the individual parishes can form a group council to act in the area as a whole in such matters as the individual PCCs together decide.
Group Ministry	An arrangement, authorised by the Mission and Pastoral Measure 2011 whereby the clergy of two or more separate benefices can assist each other to make the best possible provision for the cure of souls in the area as a whole.
Incumbent	Holder of a benefice (which can be either a freehold or a Common Tenure office) – and can be either a rector or a vicar - with responsibility for the cure of souls. May be assisted by a curate, deacon, licensed lay worker, retired priest etc.
Interested Party	One of the statutory persons or bodies that the Diocesan Mission and Pastoral Committee is required to consult in accordance with s.6 / 21 of the Mission and Pastoral Measure 2011.



25 April 2019

Notice
Mission and Pastoral Measure 2011
Draft Pastoral Church Buildings Scheme

The Church Commissioners have prepared a draft Pastoral Scheme in respect of proposals sent to them by the Bishop of Leeds for the church of All Saints, Whitley, being a chapel of ease in the parish of Kellington to be declared closed for regular public worship. A copy of the draft Scheme may be inspected at the parish church of St Edmund, Kellington and at All Saints, Whitley. You may also access the draft Scheme on our website at www.churchofengland.org/consultation or obtain or inspect a copy during normal office hours by applying to me. **Large print and/or audio copies are available on request.**

- Anyone may make representations **for or against** all or any part or parts of the draft Scheme (please include the reasons for your views) in writing or by email to reach me no later than **Thursday 6 June 2019**. If we have not acknowledged receipt of your representation before this date, please ring 020 7898 1737 or e-mail katie.lowe@churchofengland.org to ensure it has been received. For administrative purposes, a petition will be classed as a single representation and we will only correspond with the sender of the petition, if known, or otherwise the first signatory – “the primary petitioner”.
- When making a representation, please also indicate the nature of your interest in the proposals (e.g. parishioner, member of parochial church council, etc) and whether you would like an opportunity to speak to the Committee regarding your representation if the Commissioners decide a hearing should be held regarding the case.
- If we receive representations against the draft Scheme, we will send them, and any representations supporting the draft Scheme, to the Bishop whose views will be sought. Individual representors and the primary petitioner will then receive copies of the correspondence with the Bishop (including copies of all the representations) and will be told whether a hearing is to be held. They and individual petitioners may comment further to the Commissioners. Copies of all of the representations received and associated correspondence will be published on the Commissioners’ website if the matter needs to be considered by the Commissioners.
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- The Commissioners’ will decide if the draft Scheme should proceed when it considers all the representations on the basis of a paper prepared by the Commissioners’ staff and any points raised at the meeting.
- The Commissioners will notify all representors of their decision and give a statement of the reasons for it.
- If they so decide, any representor or petitioner against the draft Scheme may seek leave from the Privy Council to appeal against the decision.
- Please see www.ccpastoral.org for further information about the procedure.

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