

**Tuesday 24 November 2020**

**9.15 a.m. to 1.00 p.m.**

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**ORDER PAPER II**

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**WORSHIP**

**VISION AND STRATEGY (GS 2180)**

- 6** Presentation under SO 107.

*Note: The Business Committee has determined under SO 107(3) that this presentation should include an opportunity for questions.*

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**SPECIAL AGENDA I**

**LEGISLATIVE BUSINESS**

**DRAFT CATHEDRALS MEASURE (GS 2136B)**

**Draft Measure for Final Drafting and Final Approval  
(Revised at the February 2020 group of sessions)**

**Report by the Steering Committee (GS 2136Z)**

*A member of the Steering Committee to move:*

- 504** ‘That the Synod do take note of this Report.’

*Note: If item 504 is carried, any drafting amendments are deemed to have been made under SO 61(7)(a). The special amendments will be moved subsequently (SO 61(8)).*

*A member of the Steering Committee to move:*

- 509** Clause 2, page 1, line 13, leave out subsection (2) and insert—  
“(2) For each cathedral, the body corporate established by virtue of section 9(1)(a) of the Cathedrals

Measure 1999 is to continue to exist and is to consist only of the Chapter.”

## **Clause 2**

Clause 2, page 1, line 14, leave out “In consequence of that,”.

Clause 2, page 1, line 23, leave out subsection (6).

## **Clause 3**

Clause 3, page 1, line 28, after “Canons” insert “(but, by virtue of section 2(2), neither that body nor its members form part of the body corporate for the cathedral)”.

## **Clause 20**

Clause 20, page 12, line 23, leave out subsection (1).

Clause 20, page 12, line 27, before “Neither” insert “In the case of each cathedral,”.

Clause 20, page 12, line 33, leave out subsections (4) and (5) and insert—

“(4) If the Chapter of a cathedral ceases to exist, the trusteeship of the cathedral church building and of any outstanding inventory object is transferred to the diocesan board of finance; it cannot otherwise be transferred from the Chapter.

(5) If the trusteeship referred to in subsection (4) has already been transferred under that subsection, the diocesan board of finance or any subsequent transferee may not transfer the trusteeship without having obtained the consent of the bishop of the diocese.”

Clause 20, page 12, line 40, leave out from “trust” to end of line 2 on page 13 and insert “the trusts on which they were held immediately before the transfer took place (and for no other purpose)”.

Clause 20, page 13, line 6, leave out “under section 24” and insert “for the purposes of section 24(1)(a)”.

## **Schedule 1**

Schedule 1, page 34, line 19, at end insert—

“Transfer of Council’s trusteeships etc.

- 8 (1) The trusts of any charity the property of which was, immediately before the commencement of section 2(3), vested in or under the management or control of the Council for a cathedral, whether with or without other persons, are to have effect with the replacement of the Council by the Chapter in its capacity as the body corporate for the cathedral.
- (2) The trusts of any charity the property of which was, immediately before the commencement of section 2(3), vested in or under the management or control of one or more members of the Council for a cathedral in their capacity as such, whether with or without other persons, are to have effect with the replacement of each member concerned by a member of the Chapter whom it has appointed for the purpose.
- (3) Any power to make an appointment or to give consent which was conferred on the Council for a cathedral by an instrument or other document made before the commencement of section 2(3) is transferred to the Chapter for it to exercise in its capacity as the body corporate for the cathedral.
- (4) Any power to make an appointment or to give consent which was conferred on the Chair of the Council for a cathedral in his or her capacity as such by an instrument or other document made before the commencement of section 2(3) is transferred to the Dean as Chair of the Chapter for him or her to exercise in that capacity.”

## **Schedule 2**

Leave out Schedule 2.

## **Schedule 3**

Schedule 3, page 36, line 15, after “Canons” insert “(but, by virtue of section 2(2), neither that body nor its members form part of the body corporate for the cathedral)”.

*A member of the Steering Committee to move:*

**510 Clause 10**

Clause **10**, page **7**, line **5**, at end insert—

“(5A)The bishop must, in the exercise of functions as Visitor, have due regard to any guidance issued by the Church Commissioners in relation to the Visitor’s functions.”

*A member of the Steering Committee to move:*

**511 Clause 24**

Clause **24**, page **14**, line **43**, at end insert—

“(2A)The Chapter may not exercise the power under subsection (1)(d) to use money forming part of the endowment for the improvement or development of property which does not itself form part of the endowment.”

*A member of the Steering Committee to move:*

**512 Clause 46**, page **27**, line **9**, leave out “31 March 2023” and insert “three years after the date on which this Measure is passed”.

*A member of the Steering Committee to move:*

**513** After Clause **48**, insert the following New Clause—

**“48A Special provision for Ripon Cathedral**

- (1) This section applies to the Cathedral Church of St Peter and St Wilfrid, commonly known as Ripon Cathedral and one of the cathedrals of the diocese of Leeds.
- (2) The functions of the PCC of the parish for which the Cathedral is the parish church are transferred to the Chapter of the Cathedral.

- (3) On the transfer under subsection (2), all relevant property of the PCC is transferred to the Chapter of the Cathedral without any instrument or other formality being required; and for this purpose, the “relevant property” of the PCC is—
- (a) the property held by the PCC,
  - (b) the property vested in the diocesan authority under section 6(2) of the Parochial Church Councils (Powers) Measure 1956 or vested in that authority as custodian trustee on behalf of the PCC, or
  - (c) any other property held on trust for the PCC.
- (4) A bequest or other gift which is expressed as a gift to the PCC, and which takes effect on or after the day on which this section comes into force, takes effect as a gift to the Chapter of the Cathedral.
- (5) “PCC” means parochial church council.”

#### **Clause 45**

Clause 45, page 26, line 29, at end insert—

“(6) The Cathedral Church of St Peter and St Wilfrid, commonly known as Ripon Cathedral and one of the cathedrals of the diocese of Leeds, does not come within subsection (2) but is nonetheless to be treated for the purposes of this Measure as being a parish church.”

#### **Clause 52**

Clause 52, page 29, line 24, at end insert—

“(3A) Accordingly, sections 45(6) and 48A come into force on the day on which the provisions referred to in subsection (3) come into force in accordance with that subsection in relation to the Cathedral Church of St Peter and St Wilfrid, commonly known as Ripon Cathedral and one of the cathedrals of the diocese of Leeds.”

*A member of the Steering Committee to move:*

**514 Schedule 5**

Schedule 5, page 38, line 22, at end insert—

“6A Section 40 (Newcastle Chapter Endowment Fund) is repealed.”

**Clause 47**

Clause 47, page 27, line 34, leave out “transfer date” and insert “date on which this section comes into force”.

Clause 47, page 27, line 36, leave out subsection (2).

**Clause 52**

Clause 52, page 29, line 8, leave out “and 48” and insert “to 48”.

Clause 52, page 29, line 13, at end insert—

“(h) paragraphs 6, 6A and 8(1), (2) and (4) of Schedule 5 (amendments to Cathedrals Measure 1963) and section 49(1) so far as it gives effect to those paragraphs.”

*A member of the Steering Committee to move:*

**515 Schedule 5**

Schedule 5, page 38, line 31, leave out paragraph 8 and insert—

“8(1) Section 44 (Southwark) is amended as set out in sub-paragraphs (2) and (3).

(2) Subsection (1) ceases to have effect.

(3) In subsection (2), for “section twenty of this Measure on the capitular body of the said cathedral church” substitute “sections 21 and 22 of the Cathedrals Measure 202- (acquisition and disposal of land) on the Chapter of the cathedral church of Southwark”.

(4) In consequence of the repeal made by subparagraph (2), it is hereby declared that the cathedral church building of the diocese of Southwark is vested in the Chapter of the cathedral.”

*A member of the Steering Committee to move:*

**505** ‘That the Measure entitled “Cathedrals Measure” be finally approved.’

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