



James Davidson-Brett
Pastoral Case Advisor

8/12/2020

Mission and Pastoral Measure 2011
Diocese of York
The benefice of Hemlington, the benefice of
Stainton with Hilton and the benefice of Brookfield

We have been asked to prepare a draft Pastoral Scheme in respect of pastoral proposals affecting these parishes.

I attach 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) preferably by email or by post to reach me no later than midnight on **15 February 2021**. 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 for whom we can identify an address – “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

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will normally be published on the Commissioners' website if the matter needs to be considered by us.

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. Meetings are normally held at Church House, Westminster, but during the current circumstances they may need to be held virtually via 'Zoom'. If a hearing is held, we will let you know the arrangements for attending (in person or virtually) and details will also appear on our website. 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 they consider all the representations on the basis of a paper prepared by their staff and any points raised at the meeting. If the Commissioners do 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.churchofengland.org/consultation 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.

James Davidson-Brett
Case Officer

Notes

1. PCC Secretaries

The draft Scheme is sent to you to ensure that the PCC as a body is able to make a representation on the draft if it wishes.

PCC Secretaries are asked to:

- i) print and display the Notice(s) **(to avoid spread of Covid-19, please display single-sided)** at or near the main door of both parish churches.
- ii) make arrangements for the Announcement (see 2. below) 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 (including any that are 'streamed').

Please e-mail or telephone me confirmation 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 confirming this.

Although the following are not legal requirements, to ensure that as many of those who habitually attend public worship, as is practicable, are aware of the contents of the Notice, you are also encouraged to take (or make arrangements for), where possible, such of the following steps as is appropriate in your parish:

- i) arrange for copies of the Notice to be posted to members of the worshipping community who are shielding or self-isolating (in accordance with the general advice to parishes this should be by the postal service and not hand delivered);
- ii) insert the Notice in the parish magazine or newsletter;
- iii) use Facebook/social media posts;
- iv) send emails; and
- v) spread by word of mouth, including pastoral telephone calls.

Please make a note of what you have been able to do regarding steps i) to v) above in case the consultation process is queried.

If you are no longer the PCC Secretary, please pass this communication to the current Secretary and let me have a note of his or her name and email/postal address.

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

2. The Announcement

Anybody taking services (including those that are 'streamed') during the Notice Period should ensure that the following announcement is made.

"A Notice giving the objects 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."

PCC Secretaries – please note that it is essential that:

- i) Notices are displayed; and
- ii) arrangements are made for Announcements.

3. Incumbents/priests-in-charge/rural deans

Please ensure that the required Notices are displayed and Announcements made.

If a PCC Secretary is not able to carry out these requirements, please could you arrange for these matters to be dealt with as soon as possible. Please also let me know if there has been a recent change of Secretary in any of the parishes.

Notice

Mission and Pastoral Measure 2011 Draft Pastoral Buildings Scheme The benefice of Hemlington, the benefice of Stainton with Hilton and the benefice of Brookfield

8/12/2020

The Church Commissioners have prepared a draft Scheme in respect of proposals sent to them by the Bishop for:

- *the termination of the plurality established for the benefice of Stainton with Hilton and the benefice of Brookfield;*
- *the union of the benefice of Hemlington and the benefice of Stainton with Hilton and their constituent parishes of Hemlington; and Stainton, but with the parish of Hilton continuing distinct;*
- *the transfer of the parsonage house of the benefice of Hemlington to the York Diocesan Board of Finance for diocesan purposes;*
- *the future patronage arrangements for the new benefice; and*
- *the new benefice of Stainton with Hemlington and Hilton and the benefice of Brookfield to be held in plurality by one incumbent, for the appointment of the first incumbent and her place of residence to be the parsonage house of the benefice of Brookfield and for the future patronage arrangements of the benefices so held in plurality.*

A copy of the draft Scheme may be inspected at the churches in the affected parishes.

The draft Scheme is on our website www.churchofengland.org/consultation or you may obtain a copy from me. **Large print and/or audio copies are available on request.** Anyone may make representations **for** or **against** all or any part of the draft Scheme (please include the reasons for your views) preferably by email or by post to reach me no later than midnight on **15 February 2020**. If I have not acknowledged its receipt, please ring or e-mail me. 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 for whom we can identify an address – “the primary petitioner”.

- When making a representation, please 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 Commissioners regarding your representation if they 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.
- If a hearing is held, anyone may attend the meeting of the Commissioners' Committee that considers the case and representors may have an opportunity to speak to it. 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 if a hearing is to be held nearer the time.
- The Committee 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.churchofengland.org/consultation for further information about the procedure.

James Davidson-Brett

Case Officer

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Church Commissioners, Church House, Great Smith Street, London SW1P 3AZ

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

This draft Scheme provides for:

- *the termination of the plurality established for the benefice of Stainton with Hilton and the benefice of Brookfield;*
- *the union of the benefice of Hemlington and the benefice of Stainton with Hilton and their constituent parishes of Hemlington; and Stainton, but with the parish of Hilton continuing distinct;*
- *the transfer of the parsonage house of the benefice of Hemlington to the York Diocesan Board of Finance for diocesan purposes;*
- *the future patronage arrangements for the new benefice; and*
- *the new benefice of Stainton with Hemlington and Hilton and the benefice of Brookfield to be held in plurality by one incumbent, for the appointment of the first incumbent and her place of residence to be the parsonage house of the benefice of Brookfield and for the future patronage arrangements of the benefices so held in plurality,*

in the diocese of York

DRAFT

PASTORAL SCHEME

This Scheme is made by the Church Commissioners this day of
20 in pursuance of the Mission and Pastoral Measure 2011
("the 2011 Measure"), the Right Reverend Paul, Bishop of Whitby, duly appointed
in that behalf pursuant to section 13 of the Dioceses, Pastoral and Mission
Measure 2007, having consented thereto.

Dissolution of plurality

1. The plurality which was established by an Order made by the Right Reverend and
Right Honourable Sentamu, lately Archbishop of York, in pursuance of the 2011
Measure on 26th day of August 2013 for the benefice of Stainton with Hilton and
the benefice of Brookfield in the diocese of York shall be terminated.

Union of benefices and parishes

2. (1) The benefice of Hemlington and the benefice of Stainton with Hilton
in the diocese of York shall be united to create a new benefice which shall be
named "The Benefice of Stainton with Hemlington and Hilton".

(2) The parish of Hemlington and the parish of Stainton shall also be united to create a new parish which shall be named "The Parish of Stainton with Hemlington".

(3) The area of the new benefice shall comprise the new parish of Stainton with Hemlington and the parish of Hilton, which parishes shall continue distinct.

Parish church

3. The church of Saint Peter and Saint Paul, being the parish church of the parish of Stainton, shall be the parish church of the new parish.

Archdeaconry and deanery

4. The new benefice and its constituent parishes shall belong to the archdeaconry of Cleveland and the deanery of Stokesley.

Designation of first incumbent

5. If immediately before this Scheme comes into operation the Reverend Claire Dianne Todd holds an ecclesiastical office in either of the benefices referred to in clause 2(1) hereof she shall be the first incumbent of the new benefice.

Assistant curates: consequential provision

6. If immediately before this Scheme comes into operation any person holds an office of assistant curate (however described) in either of the benefices and/or parishes referred to in clause 2 hereof he, she or they shall as consequence of the union of benefices and parishes effected by the Scheme hold such office or offices subject to the same terms of service in the new benefice of Stainton with Hemlington and Hilton.

Transfer of parsonage house

7. The parsonage house of the benefice of Hemlington (known as Saint Timothy's Vicarage, 31, Coatham Close, Hemlington, Middlesbrough, TS8 9JW), together with the site and appurtenances thereof and the grounds usually occupied and enjoyed therewith, shall without any conveyance or other assurance be transferred to the York Diocesan Board of Finance for diocesan purposes.

Patronage

8. The patronage of the new benefice shall be vested in the Archbishop of York in his corporate capacity.

Holding of benefices in plurality

9. (1) The new benefice of Stainton with Hemlington and Hilton created pursuant to clause 2(1) hereof and the benefice Brookfield shall be held in plurality by one incumbent.

(2) If pursuant to clause 5 hereof the Reverend Claire Dianne Todd becomes the first incumbent of the new benefice of Stainton with Hemlington and Hilton she shall be the first incumbent of the benefices so held in plurality.

(3) The incumbent of the benefices so held in plurality shall reside in the parsonage house of the benefice of Brookfield (known as 89, Low Lane, Middlesbrough, TS5 8EF).

(4) Subject to clause 9(2) hereof, the right of presentation to the benefices so held in plurality (and for the duration only of the plurality) shall be exercised by the Archbishop of York in his corporate capacity.

Coming into operation of this Scheme

10. This Scheme shall come into operation upon the first day of the month following the date of it being made by the Church Commissioners

In witness of which this Scheme has been duly executed as a deed by the Church Commissioners.

SIGNED by the Right Honourable Paul,)
Bishop of Whitby.)

Executed as a Deed by the Church Commissioners for England
acting by two authorised signatories:

Signature of Authorised Signatory

Signature of Authorised Signatory

Notes (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 benefice and parish of Hemlington was formed in 1993 from part of the area of the parish of Stainton. The church of St Timothy, Hemlington, the only church in the parish, is subject to severe structural challenges and was the subject of a recent draft pastoral scheme for closure and demolition. The parish has struggled in recent years and it has been agreed locally that the preferred way forward would be for the parish of Hemlington to re-unite with its mother parish.

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.

Clause 6

This clause has been included to ensure that any person holding an office of assistant curate (however described) shall as consequence of the union of the benefices and parishes effected by the Scheme hold such office or offices subject to the same terms of service in the new benefice. Although there is currently no such unnamed office holder in post, this clause is included in case any such office holder is appointed before this Scheme comes into operation.

Churches etc

This Scheme does not alter the existing status of any of the churches, chapels of ease or licensed places of worship in the affected parishes. (The church of St Timothy, Hemlington, was the subject of a recent draft pastoral scheme for closure and demolition which will be brought into effect shortly).

Clause 7 – Transfer of Parsonage House of Hemlington

The future of this house is under consideration. The transfer to the York Diocesan Board of Finance will allow the flexibility for this consideration to be progressed as the future of the wider site, which also includes the site of the church of St Timothy, becomes clearer.

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

<https://www.churchofengland.org/more/parish-reorganisation-and-closed-church-buildings/mission-and-pastoral-measure-2011-and-code#na>

Archbishop	Senior bishop with authority over a Province - of Canterbury and of York.
Archdeacon	An office held by a senior clergyman appointed by the bishop with an administrative responsibility over an archdeaconry. Some of his duties

are laid down by law but in other respects his duties 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 (s)he is appointed and may comprise one or more parishes. A benefice may be a rectory or vicarage from which the incumbent is called rector or vicar.
Bishop	In the Church of England the bishop is the central focus of organisation and ministry within his diocese. He is the chief pastor and authority and shares the cure of souls with all the incumbents of that diocese. He is also, in his own person, the chief representative of the diocese in the work of the wider church. He 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 but is within a parish that does have a parish church. Originally 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 augment the Diocesan Stipends Fund 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 curate, deacon, licensed lay worker, retired priest etc.
Interested Party	One of the statutory persons or bodies that the Diocesan Pastoral Committee is required to consult in accordance with s.6 / 21 of the Mission and Pastoral Measure 2011.
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 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 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.
Mission, Pastoral and Church Property Committee	A Committee of the Commissioners' Board of Governors which makes decisions on representations on pastoral, church buildings, houses and glebe matters. It is chaired by the Third Church Estates Commissioner.
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 new church or existing 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 incumbent.
Parsonage House	The official place of residence of an incumbent of a benefice. The house belongs to the incumbent in right of his or her 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 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 separate 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 given charge of a benefice by licence of the bishop. (S)he has not been presented and is not the incumbent but holds office under common tenure.

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	Where a team ministry is established 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. (S)he 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. (S)he shares the cure of souls with the team rector and other team vicars.