



 THE CHURCH
OF ENGLAND

CHURCH
COMMISSIONERS

Katie Lowe
Pastoral Case Advisor

Our ref: NB9/23J

21 February 2022

**Mission and Pastoral Measure 2011
Diocese of Chester
Benefice of Barthomley
Church of All Saints, Balterley**

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

I attach a copy of the draft Scheme and a glossary of terms used together with the Notice. 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) by post or, preferably, by email to reach me no later than midnight on **Monday 4 April 2022**. 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 will normally 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. 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.

Katie Lowe

Notes

1. PCC Secretaries

The draft Scheme is sent to you as PCC Secretary. Please ensure that it is drawn to the attention of the other members so the PCC as a body is able to make any comments on the draft if it wishes.

You are required as soon as possible 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 **every** parish church, chapel of ease or licensed place of worship in your parish; (if you are unable to print the Notice(s) please get in touch with me and I will make arrangements for copies to be sent to you for display);
- 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.

Further action required as there is a proposed church closure

In addition to the above, a copy of the draft Scheme must be made available for inspection in the locality – the arrangements for this will already have been made with the parish concerned.

If you are the person doing this, will you please let me know that you have taken this additional step.

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

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.

4. 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.

5. Circulation List

The Statutory Advisory Committee of the Church Buildings Council
National Churches Trust
Commonwealth War Graves Commission
Historic England (regional office)
Joint Committee
Royal Commission on the Historical Monuments of England
War Memorials Trust
Society of Genealogists
Lord O'Neill, patron
The Ven Ian Bishop, Archdeacon of Macclesfield
The Revd Peter Ennion, priest-in-charge
Mrs Charlotte Chatterton, PCC Secretary
The Revd Steve Clapham, Rural Dean of Congleton
Mr William Ball, Congleton Deanery Lay Chair
Mr Shawn Fleet, Local Planning Officer
The Rt Revd Mark Tanner, Bishop of Chester
The Rt Revd G K Sinclair, Bishop of Birkenhead
Mrs Lynne Evans, Churchwarden
Mrs Christine Bailey, Churchwarden
Cllr Gary White, Ward Councillor
Cllr Simon White, Ward Councillor
Mrs Liz Geddes, Diocesan Director of HR
Mr Alan Kempster-Down, Diocesan Property Officer
Mrs Lisa Moncur, Diocesan Registrar
Mrs Caroline Hilton, DAC Secretary

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

This draft Scheme provides for the church of All Saints, Balterley, being a chapel of ease in the parish of Barthomley in the diocese of Chester, to be declared closed for regular public worship and appropriated for office use.

Further details of the background to these proposals are set out in the accompanying explanatory note.

DRAFT

PASTORAL CHURCH BUILDINGS SCHEME

This Scheme is made by the Church Commissioners ("the Commissioners") this day of 202 in pursuance of the Mission and Pastoral Measure 2011 ("the 2011 Measure"), the Right Reverend Mark, Bishop of Chester, having consented thereto.

PART I

Declaration of closure for regular public worship

1. (1) The church of All Saints, Balterley ("the building") being a chapel of ease in the parish of Barthomley in the diocese of Chester, 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

Appropriation and disposal

2. The building and the land annexed or belonging thereto shown hatched on the annexed plan (together referred to as the property) shall be appropriated to office use and for purposes ancillary thereto.

3. The Commissioners are hereby empowered to sell the property for the said use.

Contents

4. The contents of the building shall be disposed of as the Bishop shall direct subject, so far as it is required, to listed building consent being granted.

PART III

Coming into operation of this Scheme

5. (1) Parts I and II of this Scheme shall come into operation upon such date or dates as the Commissioners shall determine following the making of this Scheme and different provisions of the Scheme may be brought into operation on different dates and the Commissioners shall not be obliged to bring Parts I and II of this Scheme or any clauses thereof into operation until such time as they are satisfied that the conditions specified in the Schedule hereto have been complied with but may do so if they so determine.

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

Schedule: Conditions

- (i) That Planning Permission has been obtained for the proposed use.
- (ii) That Listed Building Consent has been obtained for such alterations as are necessary to enable the implementation of the proposed use.

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

SIGNED by the)
)
Right Reverend Mark,)
)
Bishop of Chester.)

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

Signature of Authorised Signatory

Signature of Authorised Signatory

BALTERLEY ALL SAINTS



91.2m

Balterley

All Saints' Church

MP

GP

B 5500

LB

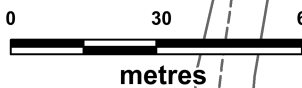
The Old Smithy

Bell Cottage

95.8m

Bell Farm

94.7m



Rev
No.

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**EXPLANATORY NOTE
MISSION AND PASTORAL MEASURE 2011
DRAFT PASTORAL CHURCH BUILDINGS SCHEME
BALTERLEY ALL SAINTS
DIOCESE OF CHESTER**

This note accompanies a draft scheme under the Mission and Pastoral Measure 2011 which makes provision for the future of a church building, The Church Commissioners provide this information so that interested parties can understand the background to the proposals, make a reasoned judgement on the merits of the draft scheme and, if they see fit, a reasoned expression of support or objection to it.

The Current Proposals

The Bishop of Chester has approved proposals for the closure of All Saints, Balterley and has recommended to the Commissioners the sale of the church building and annexed land for office use.

The Commissioners, having considered the proposals for the future of the property, deem it appropriate to proceed to the next stage which is to consult on the draft Pastoral Church Buildings Scheme.

The draft scheme, which this note accompanies, contains provisions for the church building and annexed land to be sold for office use and for the contents to be disposed of as the Bishop shall direct.

Background

All Saint Church is a chapel of ease within the parish of Barthomley. Attendance at public worship has been limited to one mid-week service for a very small and aging congregation. With little prospect of a significant increase in the worshipping congregation, the Parochial Church Council has agreed that All Saints should close for regular public worship and the building appropriated to a suitable future use.

The Building

Constructed of red Accrington brick with ashlar sandstone dressings under a roof of plain clay tiles; All Saints is a well-built memorial chapel in an attractive rural setting. The 'homely' interior features exposed timber roof beams, walls of 'fairface' brick and floors of tile, stone and woodblock. Designed by church architects Austin and Paley, All Saints was consecrated in 1901 as a chapel-of-ease to Barthomley St Bertoline. It is a Grade II listed building.

The Views of the Statutory Advisory Committee

The Commissioners statutory advisors, the Statutory Advisory Committee of the Church Buildings Council (SAC) have indicated that All Saints merits preservation by conversion to a suitable new use that will protect its character and interest.

Planning and Access

The Local Plan for this area expresses a preference that redundant buildings (such as this one) in rural locations should be retained for business or employment use. The proposed office use is in line with this policy and is also consistent with the local planning authority's concern that any 'harm' to this heritage asset should be kept to a minimum. The proposed use is also the one most likely to satisfy highways requirements for vehicular access and on-site car parking.

Burials and the Churchyard

There are no burials in the church or churchyard.

The Diocesan Rationale

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 that regular public worship can no longer be sustained in this location due to a decrease in the size of the congregation, and that consequently All Saints Church Balterley needs to close and the building put to an appropriate future use.

Making the Draft Scheme

Before they make the Scheme, the Commissioners will need to be satisfied that planning permission and listed building consent will be available for the proposed office use

Banns of marriage may not be called nor marriages solemnized in the church from the date of closure.

Correspondence

Further information on the proposed closure and the proposed sale of the church building for office use can be obtained from the Closed Churches Case Officer, Norman Bilsborough, by e-mail at norman.bilsborough@churchofengland.org or by telephone at 07825 854935.

Representations against or in support of the draft Scheme

Anyone may make a representation for or against any provision of the draft Scheme.

Representations must be made in writing or by e-mail and should be sent to:

**Katie Lowe
Pastoral Division, Church Commissioners
Church House
Great Smith Street
London SW1P 3AZ**

or by e-mail to: katie.lowe@churchofengland.org

Any communication received after 4 April 2022 cannot be treated as a representation.

If we receive representations against the draft Scheme, we will send all representations, both for and against, to the Bishop, whose view 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 no representations against the Scheme are received and all the other consents to achieve the proposed use are in place, the Commissioners shall make the Scheme and bring it into effect as provided for in the scheme.

Information on the Mission and pastoral Measure 2011 and its procedures can be found on the Church Commissioners' website at www.ccpastoral.org where there are also links to download copies of these notes and the draft scheme.

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/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 clergy person appointed by the bishop with an administrative responsibility over an archdeaconry. Some of his/her duties are laid down by law but in other respects his/her 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/her diocese. He/She is the chief pastor and authority and shares the cure of souls with all the incumbents of that diocese. He/She is also, in his/her own person, the chief representative of the diocese in the work of the wider church. He/She may be assisted by suffragan or assistant bishops.
Bishop's Pastoral Order	An amendment made in 2018 to the Mission and Pastoral Measure 2011 to enable fairly minor matters to be dealt with by the Bishop at the local/diocesan level and for which there are no rights of objection. e.g. changing the name of a benefice or parish.
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. (not going to mention here about continuing to retain freehold on e.g. a union, but not when named 1st TR or TV of a new TM – as likely to be unnecessarily confusing for a 'glossary' – which just 'glosses' on certain matters)
Chapel of Ease	A consecrated church that it is not a parish church but is within a parish that (normally) 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 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

Glossary of words commonly used in Pastoral Reorganisation

	rector or a vicar - with responsibility for the cure of souls. May be assisted by curate, deacon, licensed lay worker, retired priest etc.
Joint Council	A provision brought about by the Church Representation and Ministers Measure 2019, which may only be established under the Church Representation Rules, and deals with matters that may be delegated to it by the PCCs concerned. Please note that it is now no longer possible for any new group councils, team councils or joint PCCs to be established under the CRRs (or for a time-limited permissive option under the Mission and Pastoral Measure 2011 process).
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 unless there are other churches in the benefice where this can happen and/or certain other dispensations have been provided for under the Canons. 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. A Pastoral Church Buildings Scheme is required where a closure of church building is being proposed – or a Pastoral (Church Buildings Disposal) Scheme if it deals with an already closed (former) church building
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. This can only be authorised by a scheme or order or Bishop's Pastoral Order under the Mission and Pastoral Measure 2011.
Priest in Charge	A priest given charge of a suspended 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.
Restriction/Suspension of presentation	Where a patron's right of presentation is restricted (where consultation about pastoral reorganisation has begun or the bishop has asked the DMPC to consider it) or suspended (where pastoral reorganisation or replacement of parsonage house may be considered).
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

Glossary of words commonly used in Pastoral Reorganisation

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.



21 February 2022

Notice
Mission and Pastoral Measure 2011
Draft Pastoral Scheme

The Church Commissioners have prepared a draft Scheme in respect of proposals sent to them by the Bishop of Chester for the church of All Saints, Balterley, being a chapel of ease in the parish of Barthomley in the diocese of Chester, to be declared closed for regular public worship and appropriated for office use. A copy of the Scheme may be inspected at St Bertoline's Church and at All Saints, Balterley.

The draft Scheme is also 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) by post or, preferably, by email to reach me no later than midnight **on Monday 4 April 2022**. 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.

Katie Lowe

Tel: 020 7898 1737

Email address: katie.lowe@churchofengland.org

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