

3 February 2025

**Mission and Pastoral Measure 2011**  
**Diocese of London**  
**Benefice of Saint Botolph without Bishopsgate**  
**The Churchyard of Saint Botolph without Bishopsgate**

The Bishop of London has asked me to prepare a draft Pastoral Scheme in respect of pastoral proposals affecting the (closed) churchyard of the church of St Botolph without Bishopsgate.

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 the Church Commissioners at the following address no later than **Monday 17<sup>th</sup> March 2025**.

Rex Andrew  
Church Commissioners  
Church House  
Great Smith Street  
London SW1P 3AZ

Email: [rex.andrew@churchofengland.org](mailto:rex.andrew@churchofengland.org)  
Tel: 020 7898 1743

If they have not acknowledged receipt of your representation before this date, please ring or e-mail them to ensure it has been received. For administrative purposes, a petition will be classed as a single representation and they will only correspond with the sender of the petition, if known, or otherwise the first signatory for whom they can identify an address – “the primary petitioner”.

If the Commissioners do not receive representations against the draft Scheme, they 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 the Commissioners receive any representations against the draft Scheme, they 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 Commissioners’ 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 them.

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. Their 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, they will let you know the arrangements for attending (in person or virtually) and details will also appear on their website. Otherwise, if a hearing is not to be held, the case will be considered in private and you will be informed accordingly.

When the Commissioners acknowledge representations they will let individual representors (and the primary petitioner) know the next few dates of their Committee's meetings. They 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](http://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.**



Virginia Featherston  
Mission and Pastoral Manager  
[virginia.featherston@london.anglican.org](mailto:virginia.featherston@london.anglican.org)

## 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) (***please display single-sided where possible***) at or near the main door of **every** parish church, chapel of ease or licensed place of worship in your parish; (whether or not they are currently open for individual prayer or services); 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 and draft Scheme 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) display the draft Scheme with the Notice at every parish church, chapel of ease or licensed place of worship in your parish;
- iv) use Facebook/social media posts;
- v) send emails; and
- vi) 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 vi) 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.

## **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.

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

*This draft Scheme provides for the transfer of part of the (closed) churchyard of the parish church of St Botolph without Bishopsgate in the diocese of London to the London Diocesan Fund for sale to a developer in relation to the building known as "Broad Street House" to form part of a pedestrian accessway to/from Wormwood Street. It also provides for the apportionment of the net sale proceeds with two-thirds to go for ecclesiastical purposes of the parish and one-third to the London Diocesan Fund.*

**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 and Right Honourable Sarah, Bishop of London, having consented thereto.

**Appropriation of part of churchyard**

1. That part of the (closed) churchyard of the church of Saint Botolph without Bishopsgate, being the parish church of the parish of Saint Botolph without Bishopsgate in the diocese of London, which is indicated by yellow shading on the plan annexed hereto ("the land") shall be appropriated, subject as hereinafter provided, to use as a public pedestrian accessway with the right to utilise the air space above the subject land for an office building which will overhang the space to a height approved in the relevant planning consent and for purposes ancillary thereto ("the uses").

**Vesting and disposal**

2. (1) The land shall without any conveyance or other assurance vest in the London Diocesan Fund ("the Fund") and the Fund is hereby empowered to sell, lease or otherwise dispose of the land for the uses, subject to the following conditions:-

- (i) that the land shall not be used for any purpose other than the uses without the consent in writing of the Fund, given after consultation with the incumbent of the benefice ("the incumbent") or, in a vacancy of the said benefice, with the parochial church council of the parish ("the council") within the area of which (in each case) the land is for the time being situated;
- (ii) that no building or buildings shall be erected on or above the land except in accordance with plans, elevations and specifications of materials approved by the Fund after consultation with the incumbent or, in a vacancy of the said benefice, with the council;
- (iii) that nothing shall be done in or upon the land or any part thereof which may be or become a nuisance, annoyance or disturbance to the minister for the time being conducting or the congregation attending divine service in the said parish church or the remainder of the churchyard thereof;
- (iv) that any conveyance or lease of the land shall contain covenants on the part of the grantee to observe and perform the above-mentioned conditions.

(2) No use or development of the land shall take place and no sale, lease or other disposal of the land in pursuance of this Scheme shall be made by the Fund before the requirements of section 78(1) of the 2011 Measure and of Schedule 6 thereto in relation to the disposal of human remains, tombstones, monuments and other memorials within or on

the whole or any part of the land have been satisfied, or the Secretary of State has by Order under section 78(3) of the 2011 Measure dispensed with the aforesaid requirements so far as they concern the removal of human remains within the whole or any part of the land.

**Power to impose and enforce covenants**

3. The provisions of section 75(1) of the 2011 Measure with regard to the power to impose and enforce covenants shall apply in relation to any sale, lease or other disposal of the land by the Fund.

**Removal of legal effects of consecration**

4. The provisions of section 74(1) and (3) of the 2011 Measure (which provide for the legal effects of consecration and the faculty jurisdiction to cease to apply to land except where it is subsequently restored to its former use or is appropriated to another use for which consecration would be required) shall apply to the land as if it were land to which section 74(1) applied.

**Proceeds of disposal of land**

5. The proceeds of any sale, lease or other disposal of the land in pursuance of clause 2 hereof, after payment of the expenses incidental to this Scheme and any such disposal, and any income arising therefrom shall be applied as follows:-

- (i) two-thirds shall be held by the Fund upon trust to expend the net proceeds and any income arising therefrom, after consultation with the council, for or towards any ecclesiastical purpose affecting the parish (within the area of which the land is for the time being situated) or any part or parts thereof; and
- (ii) the remaining one-third shall be placed to the credit of the London Diocesan Pastoral Account.

**Coming into operation of this Scheme**

6. 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 Reverend and )  
Right Honourable Sarah, )  
Bishop of London. )

Executed as a Deed by the Church Commissioners for England

acting by two authorised signatories:

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Signature of Authorised Signatory

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Signature of Authorised Signatory

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**Notes by the Diocesan office (not forming part of the draft Scheme)**

The rationale behind the diocesan proposals is as follows:

**The proposals support the parish in responding to a request from a developer for the purchase of the land. This part of the churchyard is already dominated by the Landsec Building [aka Broad Street House] and this arrangement would give a considerable windfall to the parish to further its mission. The LDF would also benefit from the sale proceeds and this would go towards furthering its mission in the Diocese of London.**

**These draft proposals relate only to the appropriation of a part of the churchyard of the parish church of St Botolph without Bishopsgate to the London Diocesan Fund for sale to a developer.**

**The appropriation of part of the churchyard is in order for the developers (LandSec) to be able to knock down their current building and rebuild, to incorporate a pedestrian walkway from Wormwood Street. The walkway would be over the appropriated churchyard and underneath an overhang from the new build.**

**The scheme would transfer the subject piece of land from the incumbent of the benefice to the LDF to facilitate an onward sale to the developer with appropriate covenants and restrictions to protect the Church's interests. The proceeds from the sale would benefit both the parish [2/3 share] and the LDF [1/3 share].**

**This is part of a wider redevelopment project, details of which can be obtained via the link below:**

**<https://www.planning2.cityoflondon.gov.uk/online-applications/>**

**and then using the planning consent reference numbers: 23/00469/FULEIA & 23/00966/LBC**

Publication of this draft Scheme has been approved by the Church Commissioners but does not mean that they have taken a view on the merits of the diocesan case.

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

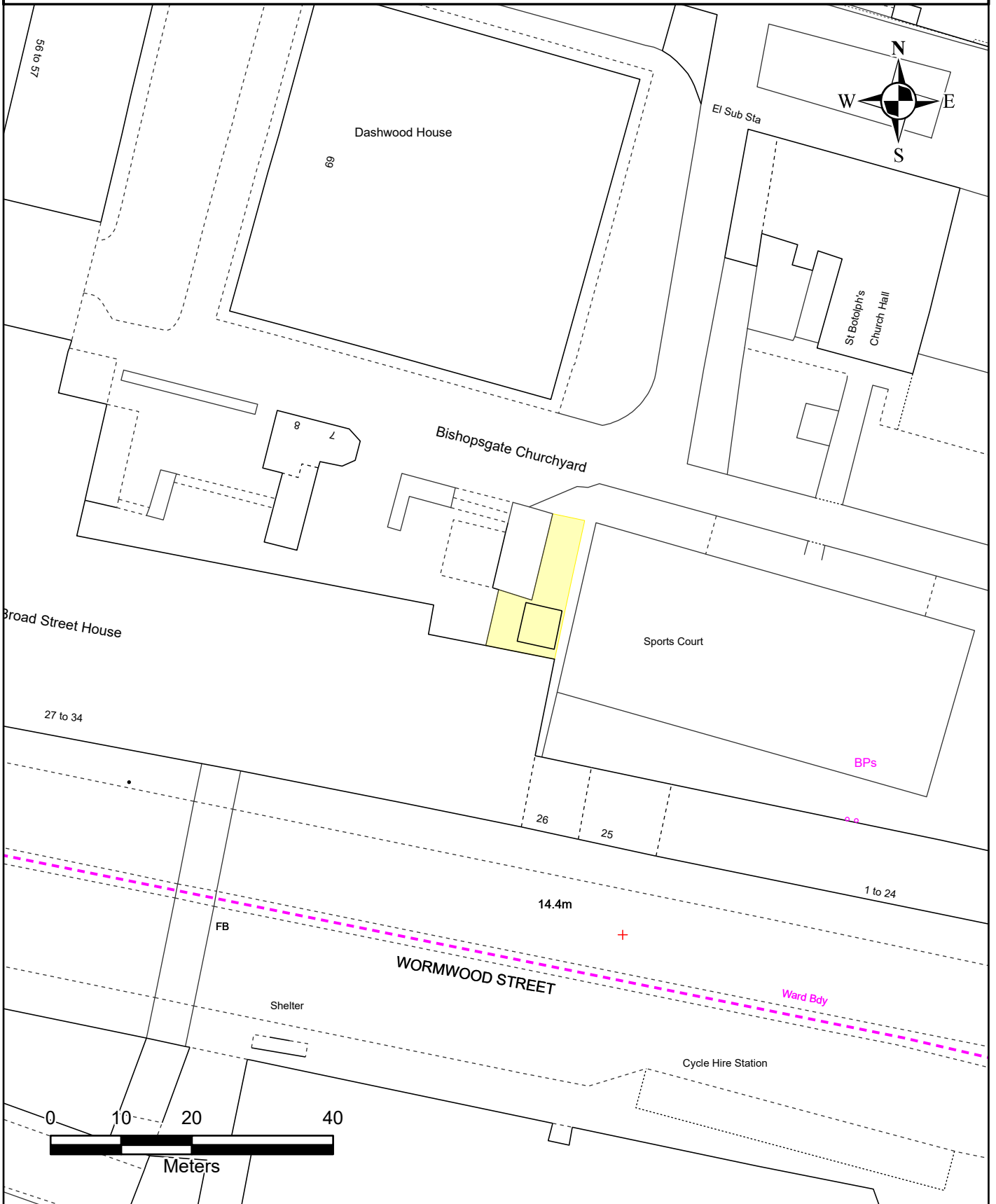
If there are no representations against the draft Scheme, the Commissioners will make the Scheme and arrange for it to be brought into effect.

#### Clause 4

The effect of clause 4 is that the land ceases to be subject to the legal effects of consecration and that the faculty jurisdiction of the consistory court ceases to apply to the land. But should any of the land ever be restored to its original use (as a churchyard, burial ground etc.) or appropriated to any other use for which consecration would be required the legal effects of consecration, and the faculty jurisdiction of the consistory court, are automatically reinstated in respect of the land that is restored for use as a churchyard etc or appropriated for another use for which consecration would be required.



# PART OF THE CHURCHYARD OF THE PARISH CHURCH OF ST BOTOLPH WITHOUT BISHOPSGATE



<b>Drawn by</b> T. Wood	<b>Scale</b> 1:750	<b>Date</b> 05/12/2024
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Tracings\40S\_Bishopsgate

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## 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.

## Glossary of words commonly used in Pastoral Reorganisation

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.
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	The basic geographical unit over which an incumbent has cure of souls. There may be several parishes within the area of one benefice.
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).

## Glossary of words commonly used in Pastoral Reorganisation

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.



# Notice

**Mission and Pastoral Measure 2011  
Draft Pastoral Scheme affecting the (closed) churchyard of the parish church of St Botolph  
without Bishopsgate in the diocese of London**

**3 February 2025**

The Church Commissioners have authorised the publication of a draft Scheme providing for the transfer of part of the (closed) churchyard of the parish church of St Botolph without Bishopsgate in the diocese of London to the London Diocesan Fund for sale to a developer in relation to the building known as “Broad Street House” to form part of a pedestrian accessway to/from Wormwood Street. It also provides for the apportionment of the net sale proceeds with two-thirds to go for ecclesiastical purposes of the parish and one-third to the London Diocesan Fund.

A copy of the draft Scheme may be inspected at the church of St Botolph without Bishopsgate. You may also access the draft Scheme on the Commissioners’ website at [www.ccpastoral.org](http://www.ccpastoral.org) or obtain or inspect a copy during normal office hours by applying to the Commissioners.

**Large print and/or audio copies are available on request.**

You may make representations either for or against all or any part of the draft Scheme in writing to Rex Andrew, Pastoral Division, Church Commissioners, Church House, Great Smith Street, London, SW1P 3AZ or, preferably, by email to [rex.andrew@churchofengland.org](mailto:rex.andrew@churchofengland.org) to reach him not later than midnight on **Monday 17 March 2025**.

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.

For details of this process see [www.ccpastoral.org](http://www.ccpastoral.org) or phone Rex Andrew on 020 7898 1743 or, preferably, email him.

The Church Commissioners are a registered charity (number 1140097)