

Advisory Committees for the Care of Churches: Dioceses of Coventry and Leicester

Questions and Answers

Q. What is a 'faculty'?

A. A 'faculty' is the old fashioned word, dating back to the 11th Century when the rudiments of this system were first devised, for permission from the Diocese to make a change to a church building, its contents or anything within the 'curtilage' – that is, the boundary of the church and churchyard. A Faculty is needed for repairs, alterations, additions or disposals.

Q. What about Listed Building Consent?

A. In the modern context, the faculty system managed by the Church of England enables exemption from the need to obtain Listed Building Consent from the Local planning Authority (referred to as the "Ecclesiastical Exemption") – this does **NOT** exempt churches from needing Planning Permission for **anything** that affects the setting of the Listed Building e.g. extensions.

Q. What regulations govern the faculty system?

A. Our system is currently governed by the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 and the Faculty Jurisdiction Rules 2000. These have the status of Government legislation and are not just an internal requirement of the Church of England. The Faculty System applies to all church buildings – listed (which most are) or not.

Q. Who issues a Faculty?

A. A faculty is issued by the Diocesan Chancellor after consultation with the Diocesan Advisory Committee for the Care of Churches (DAC) and other bodies.

Q. Who is the Chancellor?

A. The Chancellor of the Diocese is the person who is legally responsible for approving or turning down the proposed changes to the Church. Each Diocese has one. The Chancellor is usually a barrister or judge.

Q. What is the DAC?

A. The Diocesan Advisory Committee for the Care of Churches (DAC) is the diocesan committee required within the Faculty process, to act as an advisory body on matters affecting places of worship in the diocese, having due regard to the Church's role as a local centre of worship and mission, relating to: -

- Their architecture, archaeology, art and history
- Their use, care, planning and design
- The use and care of their contents
- The use and care of churchyards

The DAC consists of members, appointed by the Bishop, who between them have knowledge of the history, development and use of church buildings, liturgy and worship, architecture, archaeology, art, history and experience of the care of historic buildings and their contents. They give their time free and are an invaluable source of advice to PCCs.

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The DAC is required to give advice to: -

- Parochial Church Councils, particularly in respect of proposals which will require a Faculty, as they develop their thinking about any projects they may have, or repairs or remedial works they may need to undertake. The Committee has a wide range of experts who can offer technical advice on the best way to proceed. The DAC also offers early advice to a PCC if it is considering a major re-ordering, the addition of new facilities (e.g. a WC or kitchen), or an extension
- Anyone else who is contemplating making an application for a private faculty
- The Diocesan Chancellor who is responsible for granting a Faculty

Q. What is a DAC Certificate?

A. A DAC Certificate certifies that the DAC has considered your proposals, and has decided either to recommend them, not recommend them, or doesn't have a view either way. It will also record any conditions that the Committee suggests be applied. These conditions are typically to do with the way the works are carried out, the materials that are to be used and very occasionally how you should modify your original proposals. This certificate goes with the formal faculty application and is used by the Chancellor to help him decide on granting the faculty.

Q. I'm confused by all this! Doesn't the DAC grant faculties?

A. No. The DAC advises the Chancellor on whether the proposed changes are, in its view, appropriate or suitable. The Committee makes its decision in the light of pastoral, heritage, practical, legal and where appropriate aesthetic considerations. The Chancellor decides whether a church's proposals can go ahead or not. He is guided by the DAC's views, and usually (but not always) goes along with the Committee's recommendations. The Chancellor is responsible for issuing a 'faculty' but delegates the decision on some straightforward matters to the Archdeacon. The Chancellor or Archdeacon are responsible for issuing a Faculty through the Diocesan Registrar and the process is identical.

Q. Do we need a faculty for everything?

A. No. Some minor works which involve no change to the fabric, fixtures, fittings and furnishings may be undertaken without faculty.

There are two categories: -

1. Routine maintenance such as clearing, cleaning, re-painting (as before) may be undertaken without a faculty and with no prior consultation with the DAC
2. Some works of minor repair and disposal of fixtures and fittings may be undertaken without a faculty, but **do require prior consultation with the DAC or Archdeacon**. This requires the completion of a simple Minor Works Form, which can be processed through the DAC office within days. Please see www.leicester.anglican.org/dac/minor_wks.htm or consult the DAC office for further details.

It is not the case that works required by the Quinquennial Inspection do not need a faculty. With very few exceptions, they do. To be on the safe side it is always best to contact the DAC Secretary about whether or not a Faculty is needed.

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- Q. Our church isn't listed, and it isn't old. Do we still need a faculty to undertake a reordering?**
- A.** Yes. All churches come under Faculty Jurisdiction. But it is true to say that it is on the whole a lot easier to make changes to an unlisted building than to a listed one, especially Grade I or Grade II* (the most important grades).
- Q. Who can I talk to about the faculty process?**
- A.** In the first instance, you should consult Ray Anderton, DAC Secretary, or his colleague Rupert Allen, DAC and Church Buildings Officer. They can be contacted at 1 Hill Top, Coventry (see List of Useful Addresses) and are available to help with information and advice about the faculty process and also for early advice on your church proposals.