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**DATGLOI EIN**  
**POTENSIAL**  

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**UNLOCKING OUR**  
**POTENTIAL**  
DIOCESE OF ST ASAPH

# Toolkit No. 7

## Property Matters



*Grateful thanks to the  
Property Department of the Representative Body of the Church  
in Wales for their assistance in the development of this toolkit.*

Throughout this document, the following abbreviations are used:

**RB** – the Representative Body of the Church in Wales

**MAC** – the Mission Area Conference (the legal entity, the trustee board)

**DPB** – Diocesan Property Board (Provision of church buildings and parsonages)

**DAC** – Diocesan Advisory Committee (Faculties)

**DBF** – Diocesan Board of Finance (Management of Diocesan funds)



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## **DAY-TO-DAY CARE OF CHURCHES**

### **Ownership and Management**

Most churches are held in trust by the Representative Body of the Church in Wales. To assist Mission Areas with the management of their churches, the Property Department has produced advice and guidance on many property issues which can be found here [Guidance & Policy](#)

### **Parochial Administration Handbook**

Chapter 2 of the Parochial Administration Handbook deals with the management of property. If you would like to go to this section of the Handbook, please click here [Parochial Administration Handbook – Chapter 2 – Management of Property](#)

### **Quinquennial Inspections**

Inspections of church property are done every five years and are now carried out by the Diocesan Churches Inspector who will produce a report for the MAC or Property Sub-committee and the Church wardens.

### **Routine Maintenance**

The Quinquennial Inspection report should be the starting point for any maintenance plan and it is expected that the MAC (or the Property Sub-committee) will be familiar with the contents of QI reports for the sites for which it is responsible.

It is recommended that Mission Areas establish a regular routine inspection and maintenance programme for their churches (they may wish to delegate this to the Property Sub-committee or to each Church Committee). In this way problems can be spotted and rectified quickly before they turn into expensive and major repair work in the future. The topics below are some of things that you should consider as part of your programme.

Carrying out routine maintenance tasks on a regular basis helps to avoid costly repair bills in the future. It is therefore important that you follow a routine maintenance plan to ensure the continuing survival of your place of worship. The Society for the Protection of Ancient Buildings (SPAB) Faith in Maintenance (FiM) website has some useful information on this topic, including a handy maintenance checklist and calendar.

[FiM Managing Maintenance Guidance](#)  
[FiM Maintenance Checklist](#)  
[FiM Calendar](#)

### **Electrics**

Every electrical installation (wiring, sockets, light switches, etc.), whether in a church, hall or domestic dwelling, deteriorates with use and over time. It is therefore important to get it inspected on a regular basis to ensure that users are not put at risk. The Diocesan Churches Inspector will arrange for a qualified electrical engineer to attend the Church to undertake an assessment of the fixed electrical installation in the Church building (note – this does not include attached Church Hall buildings)

during your Quinquennial year. The results will be sent to you once the engineer's report has been received. This report will contain details of any urgent repair works that may be required to ensure the safe ongoing use of the system. These repairs will need to be arranged by the MA and Wardens'.

It is also important to ensure that all portable electrical appliances in your place of worship are in good condition to protect the people who use them. It is recommended that these items (e.g. fan heaters, kettles, etc.) are tested on a regular basis. Click on the following link to view the Health & Safety Executive (HSE) guidance on this subject:

[HSE Portable Appliance Testing \(PAT\)](#)

## **Asbestos**

Every church should have an asbestos register on site, so anyone inspecting or working on the building can use it to identify where the risks are known to be greater. Prior to undertaking any works to the church building the starting point should always be the asbestos register.

However, those managing the buildings do need to be aware that, in most cases, these reports are based on a visual inspection only – no areas of the building were opened up to confirm that they didn't also contain asbestos-based materials. As such, prior to any alteration works being carried out that might involve opening up, drilling into, or entering, voids (such as ducts or flues in boiler rooms, cable-runs, ceiling voids, etc), or replacing elements of the building such as heating boilers, for example, a more intrusive 'refurbishment' survey should be carried out. Apparently harmless elements of buildings such as the rope gaskets sealing boiler flues were often made from asbestos fibres as recently as the 1990s.

Helpful guidance is available on the HSE website – link attached here:

<http://www.hse.gov.uk/asbestos/building-owner.htm>

If asbestos is found in your building it isn't necessarily a cause for panic. Many buildings contain asbestos and, as long as it is carefully managed and in good condition, it can generally stay there. An Asbestos Management Plan must be kept on site to help you, and anyone who is working in or on the building, to manage the associated risks. This must be viewed as an ongoing process and kept up to date.

Whilst everyone working on a building is responsible for their own safety, the Wardens and MAC do have an overarching responsibility for the safety of all those entering their premises – for worship, to do routine maintenance, or to undertake major reordering works.

## **Fire Safety**

It is important to make sure you comply with Health & Safety legislation when taking fire precautions in your church, such as the provision of fire extinguishers. The Ecclesiastical Insurance Group (EIG) has a range of information on fire in churches on its website. Click on the following link to go to the fire guidance:

[EIG Fire in Churches Guidance](#)

## **Lightning Protection for Churches**

The Ecclesiastical Insurance Group (EIG) has produced a guide to lightning protection for churches which can be downloaded below. There is also more comprehensive information available on their website.

[Lightning Protection for Churches](#)

[Click here to go to the EIG Insurance website](#)

## **Cleaning**

Cleaning the interior of a place of worship is just as important as looking after its external fabric. Most “off the shelf” cleaning products are not suitable for use on internal fixtures and fittings. The Society for the Protection of Ancient Buildings (SPAB) has produced a short guide on cleaning tips for the most common materials found in places of worship. The Church of England also has some comprehensive advice on caring for historic furnishings and artwork on its ChurchCare website.

[SPAB Cleaning Tips](#)

[ChurchCare Caring for Your Treasures](#)

## **Accessibility**

Under the Equality Act 2010, introduced by the UK government, building occupiers/owners have a legal responsibility to ensure that reasonable adjustments are made to their premises to ensure that people with disabilities are not disadvantaged.

Disabilities can manifest in all manner of ways, including the likes of mobility restrictions and visual and audio impairment.

Whilst in some cases – particularly in some listed buildings – this can be quite complicated (hence the word ‘reasonable’), in many cases simple adjustments can make all the difference in terms of how welcome people feel in your church, and such alterations need not be costly.

Wardens should undertake an audit of the premises, including the access paths to the building, but also consider things such as printed materials used during services and other activities. Are large-print versions available, for example? Does your proposed reordering scheme allow for the installation of a hearing loop system? Could a ramp be fitted to the front step? Is black print on white the best combination for those who might be visually impaired? Are changes in floor levels easy to see?

Where changes are identified as required, but to do so would be ‘unreasonable’ (perhaps due to sheer scale of cost or impact on the historic fabric of the building) this decision must be recorded and retained as a part of the ongoing access audit.

For those embarking on reordering schemes, as well as DAC approval you will require Building Control approval from your Local Authority. In the UK Building Regulations cover all aspects of building safety including whether the building meets the required access standards. You should ensure that your appointed Architect includes liaison with the Building Control officer at the Council as part of the project

proposed, and that their fees include the management of this process on your behalf if this is not something you wish or are able to supervise yourselves.

### Logbook, Terrier and Inventory

Every church should have a Log Book, Terrier and Inventory to record the outcome of routine maintenance inspections and building work, quinquennial inspection reports, faculties, churchwarden returns, property owned or held in trust by the church and an inventory of its contents. A loose-leaf folder is recommended for this which needs to be kept up-to-date and stored in a secure dry place.

These documents are particularly useful for insurance and valuation purposes and may be requested by the Ecclesiastical Insurance Group when assessing your annual insurance premium or in relation to a claim. Likewise, the Diocesan Churches Inspector will request them when carrying out the church's five-yearly inspection, to establish what work has been carried out since the last visit.

It is essential that these documents are also available for inspection by the Archdeacon as required. They will prove invaluable for meeting the requirement to check and inspect church plate, etc., at the time of a vacancy and to monitor movement of items between churches.

A duplicate of the Logbook, Terrier and Inventory and copies of updates, should be sent to the Representative Body who keep a library for the Province.

### Church Contents

The Contents of a church are generally owned by the Representative Body and permission (in the form of a faculty) will therefore be needed for their sale, disposal or relocation. Further information with regard to the contents of churches and guidance on their care, management and disposal can be found at the following link: <https://www.churchinwales.org.uk/structure/representative-body/property/guidance-and-policy/>

### Sales and Lettings

For sales of churches, please see the section on closure and redundancy for more details. Occasionally, churches (or parts of churches) may be let out (e.g. on a rental agreement) to third parties. Any Mission Areas considering this option for their church buildings should get in touch with the Property Department.

### Insurance

All Church in Wales churches are covered by the Ecclesiastical Insurance Group (EIG) guard policy. The policy is a Group Scheme which means that all churches are valued by EIG and a premium established for each. This is collected from Mission Areas by the Diocese. Cover includes property damage, loss of income following an insured event, theft by Church officials, public liability, employers' liability and more. Details of the Parishguard policy can be found on EIG's website: <https://www.ecclesiastical.com/churchmatters/churchinsurance/insurance-for-your-church/index.aspx>

Each Mission Area or Church should contact the EIG in the event of a claim and negotiate settlements directly with them. The claims number is **0345 603 8381**. The Property Department will try to assist with claims if they prove difficult to settle.

In order to encourage the MAC to look after their places of worship and thus minimise insurance claims and keep premiums as low as possible, EIG produce a comprehensive range of information which is available on their website

<https://www.ecclesiastical.com/churchmatters/index.aspx>

### Use by Third Parties

Increasingly, Mission Areas are looking to use church buildings for a wide variety of activities. Where these are organised directly under the control of the MAC there are few issues beyond ensuring activities are undertaken safely and appropriately. Where third parties such as community groups use the church, they should provide evidence of their public liability insurance cover to indemnify the church against claims. Use of the church by such groups should be on the same basis as use of halls i.e. using a standard hire agreement (available from the Property Department).

Permanent occupation of part or all of a church must be arranged through a formal lease issued by the Representative Body through the Property Department.

## **STRATEGIC MANAGEMENT OF CHURCH BUILDINGS**

All churches and parsonages are owned by the Representative Body of the Church in Wales (RB). However, the legal responsibility for the management of all property rests with the Mission Area Conference (MAC). The MAC may decide to delegate management powers to a Property Sub-committee.

Decisions concerning the maintenance or improvement of any property in the Mission Area should be made in consultation with the relevant Church Committee, but the MAC has overall responsibility for the buildings.

The Diocesan Property Board will also need to be consulted about issues which involve major refurbishment, closure or redundancy.

As a starting point, the MAC (or its Property Sub-committee) may want to complete a Building Survey to identify the property for which it is responsible (or may be able to use), if it has not already done so.

A template for a property survey follows.

<https://stasaph.churchinwales.org.uk/life/property/building-surveys/>

When complete, please return to Rachel Cutler [rachelcutler@churchinwales.org.uk](mailto:rachelcutler@churchinwales.org.uk) for inclusion on the Diocesan website.

## Do your buildings meet the needs of the Mission Plan?

The Diocesan Churches Inspector is available to work alongside MA Property Sub-committees to develop a strategic plan for property in the Mission Area. This will be an important tool and future proposals for changes to individual churches will be reviewed in the light of the overarching MA strategy. During this process priorities for investment and for change will be identified and signed off by the MAC and Diocesan Property Board.

The future of the buildings in a Mission Area cannot be looked at in isolation. The form of ministry and outreach can influence the building needs of a Mission Area. The MAC needs to consider the community served by each church, identifying population centres, special target areas and areas of special need. This leads to questions such as:

- Are churches in the right place?
- Do the boundaries still apply and should they be adjusted?
- Should there be a more flexible approach taken by neighbouring churches working together on outreach?

Churches or buildings in another Mission Area, may have better resources or potential to serve mission in part of the Mission Area more effectively. Do neighbouring churches have more scope for growth e.g. better facilities, greater resources?

Other issues will include the number of clergy anticipated to serve the area in the future and how each Mission Area is equipped for developing the ministry of laity. The issues for assessing isolated rural churches will be different from those in urban areas. Rural churches are often important to village life but are commonly located in areas of small population and consequently a smaller nucleus for fund raising.

While it may be beneficial for some churches to be used for purposes other than worship, it is sometimes found that a hall is more effective for worship because of its location or the form of worship. In some cases, it may be considered better not to retain the church building and to meet in a village hall or a local school. In other circumstances, a Mission Area may decide to sell some of its existing buildings and to use the proceeds to fund a new worship centre, incorporating facilities for other activities and uses.

The following approach seeks to help Churches and Mission Areas in their appraisal of the future of church buildings.

### 1. What Church in Wales property is in the Mission Area?

Identify all churches, church halls, schools and land. The Representative Body and the Diocesan Office can help with this.

2. Does the Mission Area have difficulty managing the properties and funding maintenance and insurance?
3. Are any a drain upon the Mission Area's resources? Could this be overcome by improving the facilities? Does the MAC have, or could it secure, the resources to do this?

4. Could improved management and greater use provide sufficient income to make such properties viable?
5. Are the buildings located in good strategic positions to serve the Mission Area i.e. within or near the population centres? If not, consider a sale and, possibly, funding a new building in a different location. Consider other local buildings that could be shared such as schools or meeting halls.
6. Are the buildings suitable for the form of worship and outreach envisaged above? If not, is it feasible to make them suitable? What obstacles are there to making them suitable?

The MAC needs to consider a number of key questions:

- How is future outreach within the Mission Area seen within the mission plan?
- Which of the current buildings does the MAC see as having key roles in this respect? Are any suitable for fulfilling this role?
- How does this relate to proposals in neighbouring churches? What discussions have taken place to ensure the best use of resources between neighbouring churches?
- What is the view of the Diocesan Property Board?
- Do local planning policies suggest possible uses of the building?

Buildings should not be looked at in isolation e.g. if there are several churches in the area, an assessment of whether one or two churches should form the central focus or base with ministry in other locations being held in a hall or school. Consequently, resources would then be targeted accordingly.

Disposal of property which does not form part of the mission plan should be considered. There is a detailed closure procedure for churches and where other property is to be sold a MAC resolution proposing a sale needs to be sent to the RB.

Once the Mission Area Conference has made its initial appraisal, this should be made available for discussion with the Diocesan Property Board. The lead for decisions affecting churches or churches must come from the MAC but there may be aspects that will require advice and guidance from the diocese.

In some cases, the Diocese Property Board will need to step in to assess the merits and de-merits of possibly conflicting views or proposals within a Mission Area to ensure a strategic overview and framework.

## Who can help?

The Diocesan Admin Team can provide advice on property, funding and faculty issues. They are:



### **Diocesan Churches Inspector: Ryan Marsh**

01745 532580

Ryan undertakes the Quinquennial Inspections. Also works alongside the Churches Conservation and Development Officer, and your Church Architect to assist with the creation of development proposals and working with each Mission Area to develop a strategic plan for property.



### **Diocesan Parsonages Inspector: Emyr Hughes** 01745 532586

Emyr has responsibility for the care of all parsonages within the Diocese. Manages the programme of maintenance, alteration, improvement and replacement of parsonages to ensure that parsonages are adequate and safe for our clergy and their families.



### **Churches Conservation and Development Officer: Ceri Jones**

01745 532584

Ceri works with Mission Areas and churches to identify appropriate solutions for buildings and sites that meet current and future needs whilst conserving and enhancing their architectural and historical significance. Ceri administers the work of the Diocesan Advisory Committee for the Care of Churches and manages the online faculties for the Diocese.

## **Funding Administrator: Martyn Schlangen**



01745 582245

Martyn provides advice and guidance for churches seeking funding for projects. He will assist in identifying potential funders and advising on how to prioritise funding applications. He will also read applications and ensure that they meet the criteria laid down by the relevant funder.



### **Administrative Assistant: Josh Schoch**

01745 582245

Provides administrative support for the office, especially for St Asaph Cathedral and the Property Team.



## **BUILDING PROJECTS**

It is no longer the case that churches can adopt a “we will build it and they will come” attitude to building projects. There must be a robust project plan in place that will show the DAC, funders and other conservation bodies that the project has been clearly thought through.

Prior to embarking on any non-emergency project (either repairs or something more significant such as a reordering project) the MAC or Property Sub-committee should review the QI report for the church concerned. This will ensure that there isn’t anything significant that should be addressed as a matter of greater priority. The Diocesan Churches Inspector is there to assist the Property Sub-committee in the review of these documents and the prioritisation of works across the MA as a whole under the umbrella of the MA Property Strategy.

Hereford Diocese have been leading the way in their project planning and have produced a useful guide called Crossing the Threshold Toolkit  
<https://www.hereford.anglican.org/Crossingthethresholdtoolkit/>

It is available as a free .pdf download or you can buy a printed, bound copy for £25. Alternatively, you can download the chapters individually:

Chapter 1 - Developing Your Vision

Chapter 2 - Undertaking a Community Audit and Consulting with the Community

Chapter 3 – Developing a Team and Assessing Your Skills and Abilities

Chapter 4 – Governance – Choosing the Right Organisational Structure

Chapter 5 – Developing Your Ideas – Options Appraisals, Feasibility Study, Architect’s Brief and the Design Stages

Chapter 6 – Balancing the Need for Change with heritage and Liturgical Considerations – Legalities and the Church Planning Process

Chapter 7 – Planning Your Project

Chapter 8 – Writing a Business Plan

Chapter 9 – Ensuring Your Project is Sustainable

Chapter 10 – Raising the Funds

Chapter 11 – Identifying the Right External Funders

Chapter 12 – Completing Applications – Selling Your Project to Funders

Chapter 13 – Managing Project Cash Flow

Chapter 14 – Managing the Building Works on Site

Chapter 15 – The Final Stages – Claiming Money, Celebrating, Impact and Evaluation

Chapter 16 – Further Information

### Appointment of qualified advisors – CDM Regulations

Under the Construction (Design and Management) Regulations 2015 the client of a construction, repair or refurbishment project (i.e. the Mission Area and Church Committee) has various duties to perform. These are centred around the need to provide a safe working environment for the various contractors and sub-contractors who will be working on your building, as well as for visitors to the building whilst works are underway. The HSE has provided a very helpful guide, a link for which is below:

<http://www.hse.gov.uk/construction/cdm/2015/principal-contractors.htm>

It is particularly important that the Church Committee/s are aware of the need to appoint suitably qualified advisors to manage projects (over and above minor like-for-like repairs) on their behalf, including the management of the processes indicated within the link above. It is likely that your project will also need to have Building Regulations approval, alongside Faculty Consent and potentially other Local Authority Planning Approvals. There are significant penalties associated with non-compliance, particularly should an accident occur, and your advisor will be able to steer your project through these processes on your behalf.

In the case of works to a listed or historic Church building, the most suitable person to act on your behalf will be a suitably experienced and qualified RIBA Conservation Architect or Conservation Accredited RICS Building Surveyor. It is important that you are happy with the person you choose to appoint as you will be working closely together for a period of time, on a project that is important to many people. Take the time to meet with various potential advisors and to obtain fee quotes prior to appointing someone – being conscious that cheapest is not always necessarily best – and ask other churches in the Diocese to share their experience of working with them prior to confirming their appointment. The Diocesan Office is very happy to provide advice and support in this regard.

## **FACULTY APPLICATIONS**

**Before you begin any project**, which will need DAC approval (and for most church buildings this includes any work to the permanent fabric of the building), **you should log your project by a completing a Part One form**. This will enable the Churches Inspector and the Funding Administrator to give you guidance on what is likely to be possible, and whether funding is likely to be forthcoming.

**We advise you to do this before paying anything to an architect as it may be possible to get funding to pay for this. It will also mean you don't pay for plans that are unlikely to meet the requirements of the DAC.**

### Completing the Part One Request for Advice

This is now done through the online Faculty system. Please go to the Church Heritage Cymru site and register <https://churchheritagecymru.org.uk/help> . This will provide access to the online faculty system which is:

- Easier to use
- Transparent – you will be able to log in and see how your application is progressing at any time
- A more streamlined process
- Less involved process for minor works
- Forms and information easily accessible at any time

**There have been some important changes to the Faculty system:**

### Part One Application for Advice

There is no longer a separate form for this, however, to log your application for advice, enter details of your project, followed by REQUEST FOR ADVICE in the "Summary Description of Proposed Works" and tell us everything that you can about the project so far, by completing the full faculty application as far as you can and/or downloading any relevant documents.

### List A Applications

This covers routine maintenance or minor like for like repairs. These should be put on the system but require no formal permission to proceed, although both the DAC and the Registrar are informed. This is a good tool for churches as it provides all details of ongoing maintenance online and can be useful when applying for grants.

### List B Applications

This covers straightforward works (boiler replacement, etc.) that have little or no impact on the historic fabric of the church. They are reviewed by DAC members and require the permission of the Registrar before work can proceed.

## Full Faculty Applications

These are also now online. This process otherwise remains the same – forms can be downloaded onto the system, consultation will take place and approval must be given by the Chancellor.

The Church in Wales benefits from the Ecclesiastical Exemption and most of our church buildings are not subject to Listed Building Consent from the Local Planning Authority.

However, it is important to remember that although Listed Building Consent may not be required, Planning Permission may be needed if changes are to be made to the exterior of the building or churchyard. There is no exemption from this, or from the need for Building Regulations for certain types of works. Please contact your Local Authority for further information.

## Building Project Process

Step 1. The MAC prepares a strategic plan for its property

Step 2. Any proposed building project is checked against the strategic plan before being submitted to the Faculty system.

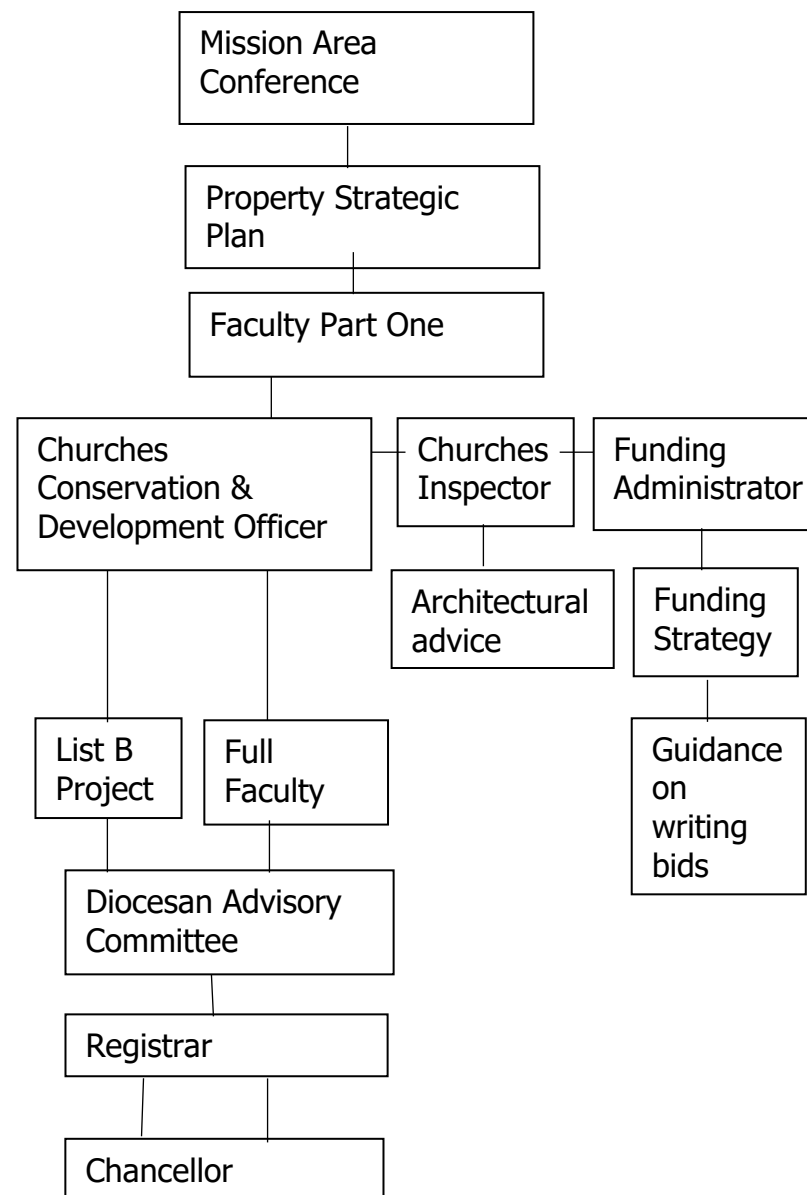
Step 3. The 'owner' of the project completes the Faculty Part One by visiting <https://churchheritagecymru.org.uk/Secure/Register.aspx> once permission is given by the MAC or the Property Sub-Committee depending on local context.

The Part One requires only a broad outline of your idea so that we can help you explore the potential of your project, e.g. *'we want to remove some pews to install a kitchen and toilet.'*

### **Don't pay for any plans prior to this stage.**

Step 4. The Churches Conservation & Development Officer reviews the application and alerts the Churches Inspector and Funding Administrator, where necessary, so they can offer advice prior to churches investing financially in the project.

Step 5. Once the decision is made to proceed the Churches & Conservation Officer will advise which Faculty option is required and signpost to detailed guidance.



## FUNDING

The Diocesan Team cannot complete funding applications for church projects because the staff don't know the local church or community in the way that the church members do. However, guidance is available for the following:

- ✓ Carrying out consultation
- ✓ Gathering evidence of need
- ✓ Collating supporting documentation and strategies
- ✓ Identifying potential funders
- ✓ Creation of a Funding Strategy
- ✓ Reading funding applications and making recommendations

Contact [martynschlangen@churchinwales.org.uk](mailto:martynschlangen@churchinwales.org.uk)

You may also find it useful to look at the Crossing the Threshold Toolkit which can be found here <https://www.hereford.anglican.org/Crossingthethresholdtoolkit/>

## **CLOSURE AND THE CHURCH REDUNDANCY PROCESS**

When the Mission Plan means a church is no longer viable as a worshipping community, the MAC and Diocesan Property Board will need to determine the best way forward for that building.

There are several options:

1. Become a Pilgrim Church
2. Closure and redundancy (this may provide an opportunity for the building to be used in another way to serve the community, as social housing for example).

The following documents outline both of these processes.

### **Pilgrim Churches in the Representative Body of the Church in Wales**

Pilgrim Churches are redundant churches which the Church in Wales has decided to retain as simple, wayside places for visitors. Retaining such buildings costs money (insurance, repairs etc) and these costs will be covered by cooperation between province, diocese and local people.

To be a pilgrim church, a building should meet the following criteria:

- Small in size – generally single cell, simple buildings
- Generally, in reasonable condition – minor works only
- Heritage value is not a major criterion, but generally listed buildings will fall into this scheme
- Located in visitor area e.g. on walking or cycling routes
- A bedrock of local support including from the MAC
- Not obviously re-developable for significant value
- Supported by the Bishop of the Diocese

The management arrangements for such buildings will be:

#### **Use**

The pilgrim church will be open every day for visitors. A local person will agree to open and lock up as necessary (or potentially a timed lock could be installed).

The Mission Area Conference (MAC) should agree to hold around 6 public services each year in the building. The form and content of these services will be agreed with the Diocesan Bishop.

It is possible for the MAC to use the church for funeral services, baptisms and wedding blessings. Marriages could only be held under Archbishop of Canterbury's special licence. Fees for such services would be apportioned between the MAC and the church's fund appropriately.

Local people and groups will be encouraged to install displays, leaflets, and information about the church, community and local area.

Wider publicity for the church will be arranged as necessary e.g. local road signage, websites, tourist publicity etc.

### **Insurance**

The RB will arrange and pay for appropriate insurance cover for the building.

### **Repairs etc.**

Local people will need to be identified to act as caretaker for the building ensuring regular inspections and arranging minor maintenance as necessary.

The Diocese will continue to include the building within its Quinquennial Inspection scheme (though surveyors should be clear that a 'minimum necessary' approach is to be taken). Action to address identified issues will be agreed between the parties.

Funding of such repairs will be addressed as necessary between Diocese and RB.

Generally, it is anticipated that electricity and gas supplies will be cut off to minimise costs. However, a decision will be made in each case depending on the likely running costs and the condition of the electrical installation.

Grants may be applied for from external bodies if deemed necessary.

### **Funding**

Any funds held by the MAC specifically for the church at redundancy will be transferred to the Diocese to be held in a special fund for the church.

Collections raised at services in the church will be passed by the MAC to the Diocese to be held in this fund.

Donations for the church may be accepted by the Diocese for inclusion in the fund.

Fees for special services (baptisms, funeral services etc) would be apportioned between the MAC and the church's fund on a 50-50 basis.

Expenditure (electricity, maintenance, repairs etc) will be paid from the church's fund held by the Diocese. Any shortfall will be met by the Representative Body and/or the Diocese.

All expenditure will be agreed in advance by the Representative Body and the Diocese.

### **Caretaker**

A local person will be identified as the caretaker. This person will work as a volunteer for the Representative Body and will perform the following duties:

- Arrange regular inspections of the church to check for security, wants of repair or maintenance and to keep the building interior reasonably clean
- To identify and manage other local people who wish to volunteer to help care for the church
- To report any building problems to the nominated Representative Body/Diocesan contact to agree action

- To arrange for minor maintenance tasks to be undertaken either personally or with a local volunteer (for simple low-level tasks such as cleaning or gully clearance) or via a local contractor as agreed with the RB/Diocesan contact
- To arrange to open and unlock the building each day or other timetable as agreed. This can be done personally or with the help of other local volunteers the caretaker might organise
- To set up a hospitality table for visitors with simple refreshments such as bottled water and fair-trade products (to be funded from an honesty box)
- To liaise with the MAC over the arrangements for special services to be held in the church and organise accordingly
- If possible, to organise displays and information relating to the building to inform visitors and arrange special open days etc. This work might be undertaken by other local volunteers the caretaker might identify.

The caretaker and all volunteers will be covered by the Representative Body's insurance arrangements for public liability.

# CHURCH CLOSURE AND REDUNDANCY PROCESS

Bwrdd Eiddo yr Esgobaeth: Diocesan Property Board

***The following document outlines the process leading up to and following the closure and redundancy of a church. It is based on the guidance notes produced by the Representative Body.***

The decision to close a church is never an easy one and there is plenty of expert help and support available to guide you through the process.

The process to be followed from closure to redundancy is co-ordinated by the Diocesan Property Board. The key contributors to the process are the Bishop, the Archdeacon, the Diocesan Secretary, the Mission Area Conference (MAC), the local cleric and church committee, the Representative Body (RB), the Diocesan Advisory Committee (DAC) and the Diocesan Registrar.

## The Process

1. To begin with, there will be discussion around the issue of closure and a thorough understanding of the reasons for closure. All alternatives to closure should be considered carefully and it will be important to involve the local community and the Diocesan Churches Inspector in these discussions. In addition, the Mission Area Conference, the local Archdeacon and the Diocesan Secretary should be made aware that closure is being actively considered. The Archdeacon will act as the key point of liaison with the Bishop throughout the process.
2. The local cleric and the Church Committee take the decision that they wish to recommend that the church should close. This recommendation will be made in consultation with the Mission Area Conference and the Archdeacon.
3. The MAC formally notifies the Diocesan Secretary of the decision. The Diocesan Secretary notifies the Bishop, the Archdeacon, the Diocesan Registrar and the Representative Body that the church has closed and that the closure process is underway.
4. The Diocesan Registrar prepares and seals a Deed of Closure.

## On closure

5. The Diocesan Secretary informs the Churches Conservation and Development Officer who will arrange for the appropriate reports to be prepared on the building and contents. This will usually involve a site visit by one or more members of the Diocesan Advisory Committee.
6. The local cleric and Church Committee prepare an inventory of items and make any suggestions about movement of items to other churches in the Mission Area to the Diocesan Property Board. The local Church Committee may also have suggestions about potential future uses for the building.

7. The Diocesan Property Board consults with the DAC and the RB on the proposed dispersal or sale of any items.
8. The local Church Committee applies for a general faculty for the dispersal of any items to other churches and will arrange for the disposal (usually sale) of all remaining items.
9. The RB reports on any legal issues around the title to the church and potential future use of the building.
10. The MAC remains responsible for insuring the church building until it is formally declared redundant and it is essential that all insurance premiums continue to be paid in full.
11. The MAC also arranges insurance for the churchyard.
12. Items are dispersed in accordance with agreements and faculty.
13. The Diocesan Property Board recommends to the Bishop that s/he declare the church redundant.
14. The Bishop acts on this recommendation (if in agreement) and produces a formal declaration of redundancy.
15. De-consecration is arranged where applicable

### On redundancy

While church closure has no constitutional significance, church redundancy formally ends the role of the building for worship and transfers the responsibility to the Representative Body (RB). The date agreed for closure and redundancy can be one and the same.

Arrangements for ecclesiastical exemption (granting of faculties) cease when a church is declared redundant.

Once a church has been declared redundant, nothing must be sold or removed from it to another church, without first seeking permission from the Representative Body.

16. The local Church Committee passes the marriage registers to the Register Office and the burial registers will remain in the Mission Area if the churchyard is open. If the churchyard is closed, they should be lodged with the archives.
17. The local Church Committee takes meter readings and advises utility service providers that further invoices should be sent to the RB. If appropriate, heating systems should be drained, water supply turned off etc.
18. After being declared redundant the responsibility for insuring the building transfers to the Representative Body. At this point, Ecclesiastical Insurance Group will reimburse the MAC for insurance premiums paid during the period between the declaration of closure and the declaration of redundancy.

19. The RB arranges for the building to be sold if appropriate, or to be adopted into the Redundant Churches Mechanism. The RB inform the Local Authority that the building is now redundant and is subject to Listed Building Consent.
20. The RB administers any net proceeds of the sale of the church building within the Church Sale Regulations. This may mean that funds will be available for the provision of a new church or adapting existing churches within the Mission Area. The proceeds from the sale are usually split between the Mission Area and the RB. The RB will normally retain 20% after costs incurred to help meet costs relating to the administration of redundant churches across the Church in Wales.

### Enforcing Church Closure and Redundancy

The decision to close a church is never an easy one and, in exceptional cases, it may be impossible for the Church Committee or MAC to accept the closure and redundancy of a church building despite the best endeavours of all concerned.

Under the terms of the Constitution of the Church in Wales, the Bishop has full control over territorial arrangements in the Diocese. This means, in practice, that s/he can request and enforce the closure of churches. There is no strict requirement to consult, and the Standing Committee of the Diocesan Conference can approve the change.

In other circumstances, the Church Committee or MAC may request enforced closure and redundancy as they do not wish to have the responsibility of making the decision themselves and are worried about the reaction of the local community to closure and redundancy

The Bishop would wish to be reassured that all other possible courses of action have been explored before choosing to exercise this right and will usually request a formal recommendation from the local Archdeacon that this course of action should be followed. If appropriate, a formal recommendation may also be sought from the relevant diocesan board or committee. For example, if the condition of the building is precipitating closure, a recommendation might be sought from the Diocesan Property Board; if financial problems are evident, a recommendation might be sought from the Diocesan Board of Finance.

## Code of Practice for the Disposal of Contents from Churches

Where a Mission Area wishes to dispose of contents from a church, either for reordering or following closure, the Mission Area Conference should consult the Diocesan Property Board.

Where a church is closing, an inventory should be provided in accordance with the Redundant Churches Regulations, in Volume 2 of the Constitution. Where items are surplus, some will be transferred to other churches vested in the Representative Body and be added to the log book, terrier and inventory. Others may be retained for future use in the diocese or province.

Where items are available for sale, application should be made to the Representative Body, as owner, and providing the following criteria is met, the Head of Property Services is permitted to authorise the sale:

- (a) Section 26 of Chapter 3 of the Constitution is followed in respect of any items used in connection with the celebration of divine worship.
- (b) The Church Plate Regulations are observed.
- (c) The Diocesan Property Board does not object to the proposal and faculty permission is obtained
- (d) The Mission Area Conference supports the application to the Representative Body with a professional valuation by an independent expert, where appropriate, or seeks the best value by advertising in the press (see below\*).
- (e) The gross value of the likely proceeds of sale is expected to be below £5,000

The proposed use of the proceeds by the Mission Area must be authorised by the Property Committee.

If any of the criteria are not met, authority for disposal will be required from the Property Committee.

\* In most cases, where there are several items, or an individual item is of significant value, it will be expected that quotations will be sought from ecclesiastical or architectural salvage companies as well as local sources to ensure that best value is obtained. eBay is an alternative where a Mission Area has computer facilities.

In cases where redundancy of a church has occurred, the Representative Body will normally make the arrangements for the sale of any remaining items unless otherwise requested by the Mission Area Conference.

## USEFUL WEBSITES

The Church in Wales website has an area devoted to property matters. Any references to the PCC refer in our Diocese to the Mission Area Conference (MAC).

### Church Maintenance

<https://www.churchinwales.org.uk/structure/representative-body/property/churches/>

Churchyard Guidance (note the QI's in our Diocese are carried out by the Church Inspector

<https://www.churchinwales.org.uk/structure/representative-body/property/churchyards/>

Health and safety guidance, including food hygiene, fire risk, etc

<https://www.churchinwales.org.uk/structure/representative-body/property/parish-safety/>

<https://www.ecclesiastical.com/churchmatters/index.aspx>

### Church Halls

<https://www.churchinwales.org.uk/structure/representative-body/property/church-halls/>

### Parsonages and curate's houses

<https://www.churchinwales.org.uk/structure/representative-body/property/parsonages-curate-houses/>

### Land

Guidance on the management and sale of 'other' land held for Mission Areas:

<https://www.churchinwales.org.uk/structure/representative-body/property/property-held-for-the-benefit-of-parishes/>

Information about Glebe land:

<https://www.churchinwales.org.uk/structure/representative-body/property/glebe/>

### Grants

<https://www.churchinwales.org.uk/structure/representative-body/property/grants/>

(contact Martyn at [martynschlangen@churchinwales.org.uk](mailto:martynschlangen@churchinwales.org.uk) for a bespoke funding strategy for your project)

### Other

'general' issues such as opening the church to the public, how to manage a building project, other associated and useful weblinks etc

<https://www.churchinwales.org.uk/structure/representative-body/property/general-topics/>

## **PART TWO - OTHER PROPERTY**

### Mission Area Offices

#### **Steps to provision of a Mission Area Office**

1. Every Mission Area is entitled to a Mission Area Office provided within RB property (i.e. parsonage, church, church hall).
2. The Church and/or Parsonage Inspector will advise on the suitability of a property for this purpose.
3. The location of the Mission Area must be agreed by the MAC. If the MAC wishes to change the location of the office within 10 years, the MAC is required to refund 50% of the cost of the project.
4. In conjunction with the Inspector, the MAC will appoint an architect.
5. The project must be agreed by the Diocesan Property Board, and funds of up to £20,000 allocated.
6. If the MA Office is to be located within a church, then a faculty will be required (see the Faculty section on page 16)

#### **Provision of Office Space for Mission Areas**

At its September 2015 meeting, the Governing Body of the Church in Wales was asked to approve a significant motion relating to property matters as part of a careful study of the recommendations on property within the Church in Wales Review. The Representative Body had already endorsed this proposal.

#### Extended use of Parsonage Improvement Funds

It was recommended that the use of the Parsonage Improvement Fund should be widened to permit the creation of Mission Area offices in other buildings owned by the Representative Body where the Parsonage is unsuitable for geographical, practical or pastoral reasons to provide such facilities. The first call on the Fund should still be the provision of decent housing for clergy by purchase or improvement.

This proposal required changes to the Constitution of the Church in Wales and Governing Body passed the motions that would permit this.

#### Current Situation in St Asaph

This proposal had been tested in St Asaph prior to the motion being put to the Governing Body, with the approval of the Representative Body. Mission Area Offices have been created in Mold Mission Area (in Holy Trinity Church Gwernaffield); in Caereinion Mission Area (Meifod Vicarage); and in Borderlands Mission Area (in Bistre Church Hall). The initiative has been very positively received and been a real help in supporting our new Mission Areas.

Now that this motion has been formally approved by the Governing Body, the Board of Finance and the Diocesan Property Board recognise that there is a need to develop a process that will ensure that diocesan funds are used appropriately and effectively across the diocese, as well as ensuring that the provision of decent

housing for clergy is not compromised. Both Boards have approved the following process that has now been adopted for this diocese.

### **Process in St Asaph**

- The diocese will endeavour to provide a suitable office for each Mission Area if there is no suitable facility already available.
- Initial discussions should take place with Emyr Hughes, our Parsonage Inspector, and your Archdeacon who will advise on the feasibility of any proposals.
- A preferred option will be identified in partnership with the Mission Area Leadership Team. The proposal should be discussed by the Mission Area Conference and, as the Trustee Body for the Mission Area, their approval must be requested and given. A copy of the relevant minute from the Mission Area Conference must be provided and sent to the Diocesan Property Administrator.
- A fully costed proposal will be developed and presented to the Diocesan Property Board for approval.
- The Diocesan Property Board will have the opportunity to consider and discuss the proposal before deciding whether to give approval to proceed or not. If the timing of the Property Board meetings would result in a long delay to the progress of the scheme, it will be possible to consult the Board for approval by email.
- If the proposal is to locate the office within a church, a Faculty application must be made and a Faculty Notice received from the Chancellor before any work can commence.
- A detailed record of work undertaken, and funds invested will be kept and reported regularly to the Property Board.
- If the Mission Area Office ceases to be used for its intended purpose within a 10-year period, the Mission Area Conference will be required to reimburse the diocese for 50% of the cost of the work undertaken.
- No disputes will be entered into with regard to this policy which is managed at the full discretion of the Diocesan Property Board.

### **What happens next?**

The Mission Area Executive and the MAC should contact Emyr Hughes [emyrhughes@cinw.org.uk](mailto:emyrhughes@cinw.org.uk) and the relevant Archdeacon to explore the options.

## Church Halls and Similar Buildings

### **Ownership**

Queries about ownership should be referred to the Property Dept at the RB.

### **Statutory Compliance**

All buildings need to comply with regulations concerning the following:

- Insurance
- Electrical testing
- Fire extinguishers
- Gas certificates
- Fire risk assessment
- Water risk assessment
- Asbestos
- Energy efficiency

EIG – your insurers provide excellent advice and guidance on many of the matters on their website

<https://www.ecclesiastical.com/churchmatters/churchguidance/index.aspx> .

The Churches Inspector can also deal with specific issues.

[ryanmarsh@churchinwales.org.uk](mailto:ryanmarsh@churchinwales.org.uk)

### **Hiring out a property**

The Property Dept at the RB will help with hiring agreements.

### **Leasing Agreements**

You are not permitted to enter into a leasehold agreement without seeking guidance from the Property Dept at the RB.

## RESIDENTIAL PROPERTY

### Ownership

Most residential properties (other than parsonages) will be held in trust by the Diocese or RB on behalf of the Mission Area and records will be kept locally. The Diocesan Office usually only holds information relating to property for which it is a trustee. Any queries about ownership should be referred in the first instance to the Diocesan Office 01745 582245 or the Diocesan Registrar [llyrwilliams@me.com](mailto:llyrwilliams@me.com).

### Energy Efficiency Non-Church Properties

Under Regulation 8 of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, from 1 April 2016, a tenant in the private rented sector will be able to ask for their landlord's consent to make reasonable energy efficiency improvements. Such a request may not unreasonably be refused by the landlord. However, there are some specific circumstances in which a request for consent to relevant energy efficiency improvements may not be made. Further information is available in the guidance published by the Department for Business, Energy and Industrial Strategy

<https://www.gov.uk/government/publications/tenants-energy-efficiency-improvements-provisions-guidance-for-domestic-landlords-and-tenants>.

Under Regulation 23, landlords will be prevented from letting sub-standard property unless an exemption applies. A property is sub-standard if the EPC score is below the minimum level of energy efficiency. This minimum efficiency standard has been set at an 'E' EPC rating.

From **1 April 2018**, the regulations will apply when a new tenancy is granted and from **1 April 2020**, the regulations will apply to all privately rented property.

All prospective tenants should be provided with an Energy Performance Certificate (EPC) of the dwelling they are interested in renting by the landlord or agent. The EPC will detail the energy performance of the property and what steps can be taken to improve it. This will let a prospective tenant know how expensive it will be to heat their new home.

An EPC will contain:

Information about a property's energy use and typical energy costs; and recommendations about how to reduce energy use and save money. An EPC gives a property an energy efficiency rating from A (most efficient) to G (least efficient) and is valid for 10 years.

By way of good practice, The Church in Wales has adopted these regulations and the requirements detailed herein as a standard for parsonage property. EPC assessments of parsonage property managed by the St Asaph Diocese have been undertaken and the information in respect of the rating and energy efficient recommendations are held by the Property Team.

In the event of a parsonage property being let; as is sometimes the case when there is deemed to be of no use for clergy at a particular time, the regulations detailed above will apply regardless, in that The Church in Wales is deemed a private landlord in such circumstances.

It is important to note that the legislation confirms that only “permissible appropriate and cost effective improvements” are required, and that landlords can apply for an exemption if the measures are not cost effective. The exemption must be registered on the PRS (Private Rented Sector) Exemptions Register maintained by the Secretary of State. Such registration will last for 5 (five) years, and can be renewed. Certain property managed by the St Asaph Diocese will fall into the category of properties where such exemption is appropriate. This is normally due to the properties being of an age and historical importance that they carry protection by way of listing. This will make for the implementation of any energy measures to a property to be much more challenging, with the property listing being the primary legislation that will take precedent.

## **Welsh Government Energy Efficiency Scheme :**

### **Nest**

British Gas is working with the Welsh Government and the Energy Saving Trust to target fuel poor households in Wales. Nest offers a range of advice to anyone in Wales on:

- How to save money on energy bills and make homes more efficient;
- Choosing the most appropriate energy tariff; and
- Benefit entitlements.

In addition the most energy inefficient homes can apply for a full home assessment, known as the whole house assessment, and free home improvements. These improvements can include:

- Loft or cavity wall insulation;
- Solid wall insulation;
- A new boiler;
- Central heating; and
- Renewable technology.

In order to be eligible for these improvements a number of requirements must be met:

- The house must be privately owned or rented;
- The house must have an Energy Performance Certificate (EPC) rating of F or G; and
- At least one person living in the house must be receiving a means tested benefit.

More advice on this scheme can be obtained by visiting [www.nestwales.org.uk](http://www.nestwales.org.uk) , or calling the Nest Freephone number: 0808 808 2244, which is run by the Energy Savings Trust.

### **UK Government Energy Efficiency Schemes**

In addition to the Nest scheme people living in Wales can also apply to UK-wide schemes aimed at improving energy efficiency.

**Energy Company Obligation (ECO)** This is a government scheme to help improve the energy efficiency of domestic premises in Britain. ECO support does not go directly to a household in the form of a payment. It is funded via obligated energy suppliers who liaise with occupiers and landlords in order to identify and implement suitable energy efficiency measures. Part of the Energy Company Obligation is the Affordable Warmth Obligation.

This can help to fund boiler repairs or replacements, and insulation measures in order to improve energy efficiency and reduce fuel bills. It is available to householders living in privately owned or rented properties who receive certain means tested benefits. More information is available on the website: [www.gov.uk/energy-company-obligation](http://www.gov.uk/energy-company-obligation) , or by calling the Government Energy Saving Advice Service: 0300 123 1234. The UK Government household energy website includes an energy grants calculator tool to help householders' search for schemes to help with energy bills and energy efficiency improvements [www.gov.uk/energy-grants-calculator](http://www.gov.uk/energy-grants-calculator) .

Powys County Council are currently offering grants under the ECO scheme for property within the Authority which meet certain criteria (large properties with aged inefficient boilers). We have certain properties within Powys that are to benefit from new energy efficient boiler installations on the back of this scheme.

### **Energy Saving Trust**

The Energy Saving Trust is an independent organisation helping people to save energy and reduce emissions. The Trust is funded by the UK Government, devolved governments and the private sector. The Trusts supports its objectives to save energy and reduce carbon emissions by:

- Providing expert knowledge on energy saving;
- Supporting people to take action;
- Helping local authorities and communities to save energy; and
- By providing quality assurance for goods, services and installers.

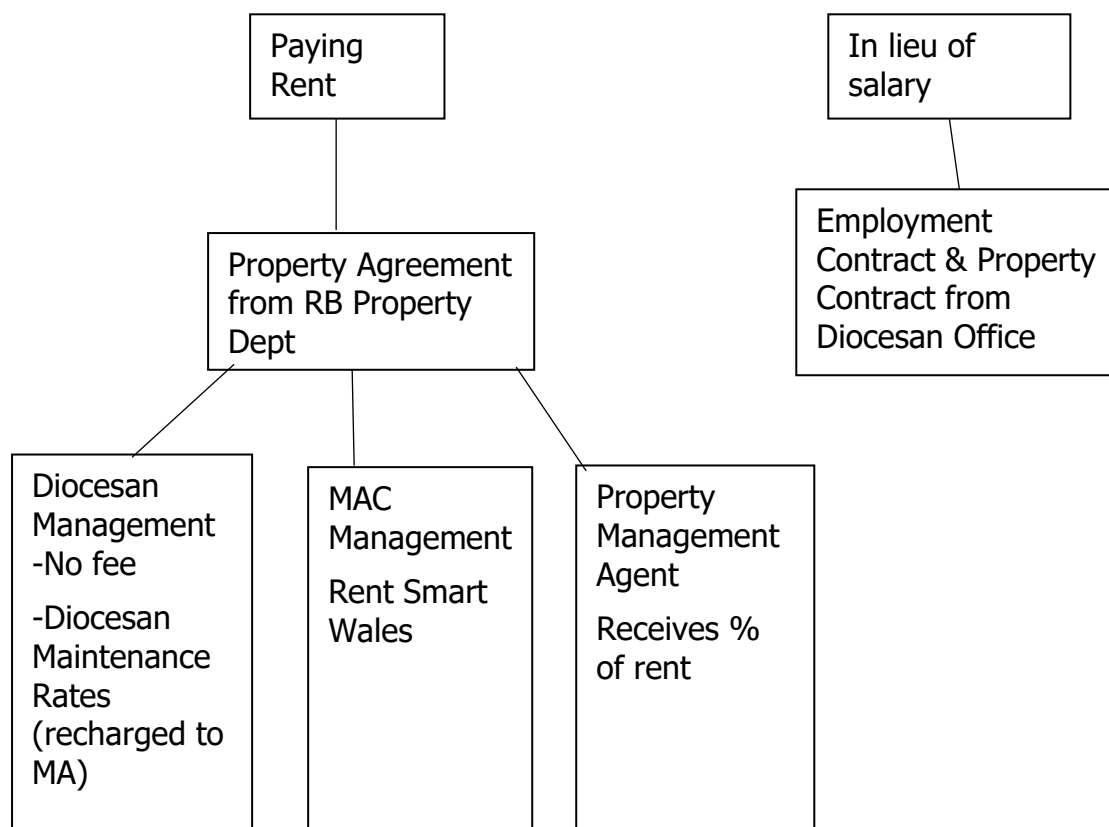
More information is available from [www.energysavingtrust.org.uk](http://www.energysavingtrust.org.uk)

## Vacant Properties

Issues to be considered around a vacant residential property include:

- Insurance
- Council Tax
- Utilities
- Regular Inspection
- Maintenance
- Security
- Marketing

## Occupied Properties



## Rent Smart Wales

All Landlords in Wales must register with Rent Smart Wales if you are going to manage the tenancy. Rent Smart Wales process landlord registrations and grant licences to landlords and agents who need to comply with the Housing (Wales) Act 2014. <https://www.rentsmart.gov.wales/en/>

If you do not register and continue to manage property, Rent Smart Wales can invoke a process where you must pay the rent back to the occupier.

## PARSONAGES

Most parsonages and curate houses which have a cleric in residence are in the Diocesan Parsonage Board scheme. This scheme is managed by the Diocesan Property Board which is responsible for any repairs or improvements made to the properties. Enquiries about any repair and improvement issues regarding a property in the scheme should initially be addressed to the Parsonage Inspector.

Enquiries regarding the sale and lettings of any properties in the scheme should be addressed to the local Parsonage Inspector [emyrhughes@cinw.org.uk](mailto:emyrhughes@cinw.org.uk) and then the Property Services Department of the Representative Body.

Generally, the only time a MAC would need to become involved with a parsonage, is during a clerical vacancy when the building may be unoccupied for a time. In broad terms the management process is as follows:

### Parsonage Inspector

- Shuts off the water supply
- Takes meter readings
- Pays water bill
- Undertakes any necessary maintenance
- Redecorates

### The MAC

- Terminates any telephone and/or broadband supply
- Carries out routine checks and reports any issues to Parsonage Inspector

A weekly checklist has been written by the Parsonage Inspector for completion by the MAC representatives and/or Mission Area Wardens. A copy of this completed checklist should be submitted to the Parsonage Inspector on a monthly basis and any damage or maintenance issues should be reported immediately to the Inspector.

## **VACANT PARSONAGES – INSPECTION GUIDANCE**

There are wide implications relating to vacant property, especially over the winter months when vacant property is particularly vulnerable.

An inspection of vacant property should be undertaken and recorded on a weekly basis and the inspection record by the MAC representatives and/or Mission Area Wardens. A copy of the record of inspection should be submitted to the Parsonage Inspector on a monthly basis, and any issues of concern in respect of damage, maintenance or safety are to be reported immediately to the Diocesan Inspector.

By taking some of the actions detailed below, and by undertaking and recording regular inspection of property, we can hopefully minimise potential damage and inconvenience, as we seek to take care of a vacant property pending decisions on its future. You may wish to consider the points below prior to a property becoming vacant and as part of a regime of property inspections during the vacancy period:

### **Security**

- Does the property have any vulnerable access points?
- Is vehicular access to the property restricted?
- Are all boundary walls and fences secure?
- Are all entry points sound and locked with adequate locks?
- Are all windows in good repair?
- If applicable, are all security alarms in good working order?
- If applicable, are all internal and external lights in good working order?
- Have all keys been accounted for and recorded?
- Have the church's neighbours been informed and asked to report any suspicious activity to the police?

### **Housekeeping**

- Have all combustibles been removed from the premises (inside and out)?
- Have the mains water, gas and electrical supplies been switched off (unless required to power any alarms)?
- Have all flammable liquids been removed from the site and any storage tanks emptied?
- As water storage tanks can easily freeze in the winter, has the central heating system been drained?
- Will the property be heated and loft hatches (if the property has a loft) be left open to reduce the chance of pipes freezing?
- Have all outbuildings been emptied of contents?

- Are the gardens in a good state of repair?
- Are there any signs of vandalism?
- Do the premises generally look well cared for?
- Are gutters, gullies and drains clear?
- Is there adequate ventilation?

## Vacant Parsonages – Record of Inspection

Inspection of vacant property should be undertaken on a weekly basis and recorded on the template below:

**Property Address** \_\_\_\_\_

**Vacant From :** \_\_\_\_\_

**Inspector:**

**NAME**

**DESIGNATION**

**ADDRESS**

**TEL.NO.** \_\_\_\_\_

| Inspection Date | Urgent Action Items | General Maintenance / Observations |
|-----------------|---------------------|------------------------------------|
|                 |                     |                                    |
|                 |                     |                                    |
|                 |                     |                                    |
|                 |                     |                                    |
|                 |                     |                                    |

Please return the completed record of inspection to the Diocesan Inspector – [emyrhughes@cinw.org.uk](mailto:emyrhughes@cinw.org.uk)

Direct any urgent action immediately to the Diocesan Inspector on Tel: 01745 532586 (direct line) or Mobile : 07980 582403

The following gives guidance from the Constitution on the procedure for management of a vacant parsonage.

#### Part VI: Vacancies

- 12.1 During a vacancy in an incumbency or in a case where a Parsonage in a suspended incumbency is vacant the Mission Area Leader (MAL) and Churchwardens of the Mission Area shall be the custodians of the Parsonage and shall be responsible for its care, other than for such purposes as are the responsibility of the Parsonage Board.
- 12.2 The custodians shall take precautions for the prevention of trespass; they shall see that the water, gas and electric services are cut off at the main; that in frosty weather the water is drained from the cisterns and pipes; that gutters and drainpipes are kept clear; that from time to time the house is aired, and central heating regularly run; and do what is practicable to prevent the garden from becoming a wilderness.
- 12.3 For such purposes the custodians shall have authority to defray the reasonable costs thereof at an average rate of expenditure for the period of the vacancy, not exceeding such weekly rate as the Diocesan Board of Finance may from time to time determine.
- 12.4 The amount expended shall be refunded by the Diocesan Board of Finance on production of a statement of account with receipts for payment made by the custodians and the amount refunded shall be charged against the Diocesan Parsonage Board Account for the diocese concerned.
- 12.5 The custodians shall not be responsible for making good the results of any failure by the former Incumbent to comply with the provisions of paragraph 23.1 of Part IX (i.e. the maintenance of the interior in good decorative condition) or for the results of any negligence by such Incumbent or by any of his or her household or family or for wilful damage done or allowed to be done by him or her, to any part of the Parsonage.
- 12.6 In the event of damage to the Parsonage by storms or other causes it shall be the duty of the custodians to notify the Inspector immediately.

## **CHURCHYARDS**

There is a wealth of information on the management of churchyards, and the rules and regulations that apply on the Church in Wales website

<https://www.churchinwales.org.uk/structure/representative-body/property/churchyards/> .

The following topics are covered:

### **Ownership and Management**

The regulations for the administration of churchyards can be found in Volume II Section 2:2 of the Constitution. The following documents provide useful information and guidance on the topics covered by the regulations.

### **Churchyard Management**

The excerpt from the Church in Wales website offers practical guidance to the Mission Area Conference in the management of churchyards. Topics such as administration, churchyard regulations, walls & structures, burials, trees and wildlife conservation are all covered.

### **Churchyard Habitats Management**

The Caring for God's Acre (CFGa) charity produces a Churchyard and Burial Ground Action Pack which contains a wealth of information to help with the sensitive management of churchyards, cemeteries and burial grounds. It contains guidelines on the management of wildlife habitats such as grassland and trees, and features such as lychgates, boundary walls and old stonework. It also includes information on how to involve others and how to make use of these places for learning and community activity. The action pack can be purchased from CFGa or downloaded from their website. <http://www.caringforgodsacre.org.uk/>

### **Burial Regulations**

Many churchyards provide space for burial or interment of cremated remains. Church burial grounds are governed by the Welsh Church (Burial Grounds) Act 1945 (see the Constitution: Volume II Section 2:1). This Act places a duty on the Church to maintain such burial grounds in 'decent order' and to bury anybody from the community regardless of membership or belief (and provided there is space).

People sometimes wish to ensure that a particular churchyard will have a space for their burial after death. However, the reservation of a grave space can only be done by obtaining a faculty from the Diocesan Chancellor and should be an exception, not a general policy. The following guidance note explains this in more detail: <https://www.churchinwales.org.uk/structure/representative-body/property/churchyards/consents/>

The FAQs page on funerals also provides information about burials.

## Gravestones

There is a standard specification for headstones as laid down in the Constitution Volume II Section 2:2:15. This means that any headstones erected in the churchyard will only require the consent of the incumbent. Nonstandard headstones and memorials will require a faculty.

The standard application form for the erection of headstones is Form No 1. There is also another form for alterations to inscriptions on existing memorials, which is Form No 2. Both forms can be accessed here

<https://www.churchinwales.org.uk/structure/representative-body/property/churchyards/gravestones/>

The primary duty to maintain and repair headstones is the responsibility of the families of the deceased. However, the MAC also has a responsibility to users of the churchyard to ensure it is a well maintained and safe place to visit.

The Management of Churchyards Guidance and Policy Document contains useful information relating to headstones, memorials and tombs: [Management of Churchyards](#)

## Health & Safety and Maintenance

The MAC should ensure that Churchyards are well maintained and reasonably safe. A good starting point for this is to undertake a risk assessment of possible hazards that users may encounter. For example, uneven ground levels between paths and burial areas or unstable headstones.

Trees in churchyards should be professionally checked for safety and health on a regular basis. Some churchyard trees can be very ancient and may be protected by Tree Preservation Orders or under Conservation Area arrangements. You should always consult the Local Authority and Archdeacon before embarking on tree work.

Section 2 of the Church in Wales' Management of Churchyards document contains detailed guidance for the responsible care of churchyards, including management, maintenance and suggestions for good practice.

More information on how to carry out a risk assessment and general Health & Safety issues can be found at: [Health & Safety](#)

## Consents

Faculty procedures apply to churchyards as well as churches for certain works or permissions. For example, repairs to boundary and retaining walls, the erection of a non-standard memorial or the reservation of grave space. Alterations to buildings within a churchyard that are separate from the church, may also require planning permission and listed building consent in addition to a faculty.

Providing the standard specification for headstones as stated in the Constitution is adhered to, only the consent of the incumbent will be required for their erection. See the Gravestones section for more information.

Any works to trees in the churchyard require the consent of the Archdeacon and may in certain cases, require consultation with the local planning authority, especially if they are covered by a tree preservation order.

## **Churchyard Walls**

It is a good idea to include an inspection of your churchyard walls as part of your routine maintenance programme. Collapsed walls can be dangerous and cause major difficulties to neighbouring properties as well as costly repair bills. The inspection of churchyard walls is also part of the Quinquennial Inspection and any necessary repairs or maintenance arising from the report, should be followed up accordingly.

In the event of a churchyard wall being identified as unsafe, appropriate safety fencing should be erected to keep people away from the area and action taken to repair it as soon as possible. The Representative Body holds some limited funds to help with emergency cases.

Churchyard walls listed separately from the church will also need listed building consent for any repair work other than simple maintenance.

## **Churchyards attached to Redundant Churches**

The care of a churchyard attached to a redundant or closed church remains the responsibility of the MAC, as there may be space available for future burials. Similarly, closed churchyards (i.e. those that are full) remain the responsibility of the MAC.