

THE DIOCESE OF LIVERPOOL

CARE OF CHURCHES & ECCLESIASTICAL JURISDICTION MEASURE 1991 GUIDANCE IN PURSUANCE OF SECTION 11 (8)

TO: Parochial Church Councils, Ministers and Churchwardens in the Diocese

1. I have issued new directions which come into force on 1st January 2009, which set out what works for the time being may be undertaken without a faculty.
2. This list of “minor works” (previously known as the *de minimis* list) is intended to assist you so that you may be aware when the introduction or replacement of items, or intended work, may be undertaken without a faculty. It is expected that in all cases where the approval of the Archdeacon is required you will **obtain such approval before** signing any commission or contract for such work.
4. Failure to obtain such approval prior to the commencement of work or the introduction replacement or disposal of any item **will mean you have to apply for a Confirmatory Faculty and you may have to pay the cost of the faculty yourself personally.**
5. If you are in doubt you should consult the Archdeacon or the Secretary of the Diocesan Advisory Committee. In some cases it may be prudent to ask the Secretary to confirm that the works are “minor works”, e.g. where the Chancellor is asked to exercise his discretion on similar minor matters not covered by the list.

CHURCH HALLS and similar buildings

A Church Hall or similar building is not normally subject to Faculty Jurisdiction. However a Church Hall that has been constructed on consecrated ground or is within the grounds or curtilage of a consecrated Church or forms part of a consecrated edifice **IS** subject to faculty jurisdiction. A Church Hall that has been constructed within the grounds or curtilage of a building licensed for public worship **MAY BE** subject to faculty jurisdiction – for further advice consult the Secretary of the Diocesan Advisory Committee or the Diocesan Registrar

Dated this 23rd January 2009

M.HEDLEY (signed)

.....
Sir Mark Hedley – Diocesan Chancellor

**Diocesan Registry
St James' House
20 St James Road
Liverpool L1 7BY**

Chancellor's Directions

List of Minor Matters not requiring a Faculty

The following list has been prepared after consultation with the Diocesan Advisory Committee and in conformity with the recommendations of the Ecclesiastical Judges Association. It comprises those matters which for the time being may be undertaken without any faculty, and is issued pursuant to section 11(8) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, with effect from 1st January 2009, replacing the list issued in October 2005.

The list is intended to assist PCCs, ministers and churchwardens so that they are aware of when they can introduce or replace items or carry out work without a faculty. It is expected that in all cases where approval by the Archdeacon is required, such approval will be obtained in writing before entering into a contract for work to be carried out. Failure to do so may result in the need for a confirmatory faculty for which a fee will be charged, and which may require remedial work to be carried out.

If you are in doubt about any matter you should consult your Archdeacon, the secretary of the Diocesan Advisory Committee or (if appropriate) the Diocesan Registrar. Although many routine repairs are covered by this list, damage to buildings can be done by use of wrong materials on small jobs, e.g. by use of unsuitable cement, ferrous fixings, or by trapping moisture. The Archdeacon should be consulted before undertaking any work which may affect items of historic interest or artistic merit.

The following items, listed under A to G, may be carried out without a Faculty:

A. MINOR REPAIRS

- 1. Works of minor repair identified as such by the inspecting architect in the quinquennial inspection report provided that the specification has first been approved in writing by the Archdeacon.*
- 2. Works of routine maintenance on the fabric of the church (not materially altering its appearance) up to the value of £3,000 (excluding VAT and the cost of scaffolding), providing that for such work costing between £1,000 and £3,000 the Archdeacon has been notified and has given his approval in writing before the contract to carry out the work is entered into. This work includes, for example, replacement like for like*

of broken roof tiles or slates or plain window glass; cleaning gutters or downpipes; and treating isolated beetle or fungal activity (except in areas where bats may be affected). It does not include repairs to broken or cracked quarries in historic stained glass, historic clear glazed windows or to historic tiled floors, or any item of artistic merit.

- 3. Works of routine maintenance up to the value of £3,000 excluding VAT to heating systems, gas, water or other services, electrical fittings or other electrical equipment (by approved NICEIC or ECA or NAPIT electricians or CORGI registered fitters as appropriate) and to furniture (other than furniture of historic or artistic merit). No addition to an electrical system is to be made without a faculty because of the risk of jeopardising the church's insurance policy.*
- 4. External or internal redecoration using the same colours and materials, providing those original colours and materials had been approved by faculty when first used and provided that the Archdeacon has been notified and has given his approval in writing before the contract to carry out the work is entered into. The Archdeacon will expect to see the original faculty and relevant specification before he can consider giving his approval.*
- 5. Treatment of fixtures and furniture against beetle or fungal activity (unless bats may be affected) provided that the Archdeacon has been notified and has given his approval in writing before the contract to carry out the work is entered into.*
- 6. Repair of flagpoles using non-ferrous materials.*
- 7. Work to lightning conductors provided that the Diocesan Specialist Adviser (or his delegate) has been notified and has given his approval in writing before the contract to carry out the work is entered into. All work to be to BS6651.*
- 8. Repair of wire mesh window guards using non-ferrous materials.*

B. FURNITURE AND FIXTURES

No item may be disposed of unless the Archdeacon has been consulted and given his consent in writing.

- 1. Introduction, removal or disposal of:
 - a. Furniture in church halls, but not items from the church kept in the hall.*
 - b. Furniture, furnishings, office equipment and minor fixtures (excluding wall safes) in vestries,**

but not so as to change the existing use of the room as a vestry.

- c. Fire extinguishers (subject to Archdeacon's instructions as to location and method of fixing).*
- d. Hymn boards (subject to Archdeacon's instructions).*
- e. Internal notice boards (subject to Archdeacon's instructions).*
- f. Small movable bookcases or display stands.*

2. Replacement of carpets or curtains with the equivalent of similar colour, material, pattern and type of backing. (Carpeting of additional areas is not included.)

3. Additions in an existing style to name boards (excluding war memorials).

4. The use of a security system recommended by insurers for marking movable items kept in the church, or external metal.

5. Replacement of components of audio-visual equipment provided that the specification has first been approved in writing by the Archdeacon and no addition to an electrical system is required.

C. MUSICAL INSTRUMENTS

1. Introduction, storage or removal of musical instruments and stands used by music groups.

2. Routine tuning and adjustment, by a qualified person, up to a value of £1,500 excluding VAT, of organs, harmoniums and pianos.

3. Maintenance and repairs to pianos using matching materials.

D. BELLS/CLOCKS

1. Inspection and routine maintenance of bells, bell frames, clocks and clock faces.

2. Replacement of damaged wooden bell stays and bell ropes.

Repairs to and replacement of materials in bells and clocks must be carried out by a firm which specialises in such work. The Diocesan Bells Adviser will give guidance

on what constitutes “routine maintenance”. Special care should be taken with bells and clocks on the list of historic bells and clocks.

E. MOVABLES

No item may be disposed of unless the Archdeacon has been consulted and given his consent in writing.

Introduction, removal, replacement or disposal of:

- 1. Kneelers, hassocks and cushions (but not a substantial replacement of them).*
- 2. Surplices, albs, cassocks, choir robes, clerical vestments, and vergers' robes.*
- 3. Cruets.*
- 4. Vases.*
- 5. Service books authorised by Canon (but not disposal of pre-1900 or other valuable books).*
- 6. Bibles, hymn books, song books and sheet or bound music (but not disposal of handbound or other valuable books).*
- 7. Altar linen (but not frontals or falls).*
- 8. Decorative flags and banners used for temporary displays.*
- 9. The Union flag, St. George's flag or the diocesan flag.*
- 10. A moveable access ramp at the entrance to the church or in the churchyard. (A permanent ramp, or an alteration to create a ramp, requires a faculty.)*

F. EMERGENCY ITEMS OF WORK WHICH MAY BE AUTHORISED BY THE ARCHDEACON

- 1. Installation of security locks on doors and/or windows when the Archdeacon is satisfied that they are urgently required and the type of lock has been approved by him in writing.*
- 2. Installation of security lighting or cameras on a temporary basis where there is urgent need to protect the building against burglary or vandalism pending the grant of a faculty for a permanent scheme provided the temporary arrangement is approved in writing by the Archdeacon and the Diocesan Registrar is notified by the Archdeacon that he has given his approval.*

G. CHURCHYARDS

- 1. Purchase and maintenance and disposal of lawnmowers and other churchyard equipment, provided that adequate security of flammable liquids is maintained.**
- 2. Routine repair of paths including resurfacing in the same material and colour.**
- 3. Repairs to and repainting in the same colour of a notice board, including revision of information in the same style.**
- 4. Minor repairs to walls, fences, gates and lychgates where matching materials are to be used (but not walls or lychgates which are listed structures in their own right).**

DISPENSATION IN OTHER CASES

Where the proposal is of a similarly minor nature, but does not appear in the above list, the Chancellor may be willing to dispense with a faculty, sometimes subject to conditions such as consultation with the Diocesan Advisory Committee. The Chancellor's decision will normally be based upon a letter, to be sent to the Registrar, giving all relevant information about the proposal, and copied to the Archdeacon for comment.

GENERAL NOTES

- 1. A faculty is not required for the deposit of parochial registers or other parochial records in the diocesan record office, nor for the obtaining of new registers.***

Repairs, acquisitions and the disposal of articles in the list should be recorded in the church log book.