

4 - CHURCH FABRIC

4.1 - THE CHANCELLOR AND REGISTRAR

4.1.1 THE CHANCELLOR

Every Diocese has a court known as the **Consistory Court**, whose judge is the Chancellor. A person appointed as a chancellor may be a layman or cleric, and a lawyer who holds (or has held) high judicial office, or is a barrister of at least seven years' standing. If a candidate for the office of Chancellor is a layman, the Bishop must be satisfied that the candidate is a communicant.

After appointment by the Bishop by letters patent, the Chancellor becomes an independent judge. The Consistory Court is one of the Queen's Courts and the authority of the Chancellor derives not from the Bishop but from law. This gives the Chancellor an independence from the Bishop; no appeal lies from the Chancellor to the Bishop, but to an appellate court known as the Court of Arches.

The Chancellor, like any other judge, is under a duty to hear and determine disputed cases impartially, and this may include those in which the Bishop has an interest.

In addition to being the judge of the Consistory Court, the Chancellor also grants Common Marriage Licences; the Archdeacon of Ely also has this ancient right in his archdeaconry.

4.1.2 THE DIOCESAN REGISTRAR

A Registrar is appointed by the Bishop and must be both a solicitor and a communicant.

The Registrar of the Diocese (at Lee Bolton and Lee, 1 The Sanctuary, Westminster, London SW1P 3JT – 020-7222-5381 Email: enquiries@1thesanctuary.com) is responsible for dealing with all Faculty applications, common marriage licences, consecrations of churchyards and extensions thereto, the Patronage Register, legal work at ordinations and installations, and various other matters on which he is consulted by clergy or churchwardens. He is also the legal adviser to the Bishop, and deals with such matters as ordinations, patronage, and the inauguration of new ministries. In addition, he advises the Bishops and Archdeacons over other legal matters, and parishes which have legal concerns are encouraged to approach their Archdeacon, who may then look to the Registrar for advice.

4.2 - FACULTY JURISDICTION

4.2.1 THE CHANCELLOR'S JURISDICTION

The Chancellor has jurisdiction over all parish churches in the diocese and the churchyards belonging to them, and has the right to grant a faculty or licence for all alterations, additions, removals, or repairs to the fabric, ornaments or furniture of churches, chapels, and churchyards. It is to the Chancellor and not to the Bishop that petitions for faculties have to be presented.

Separate provisions apply to churches which have been declared redundant.

4.2.2 THE BASIS OF THE JURISDICTION

The jurisdiction of the Chancellor has existed for centuries. The ecclesiastical courts have always controlled alterations allowable in churches and other structures on consecrated ground, and have emphasised that they exist to ensure that the church 'shall not be injured or deformed by the caprice of individuals' (as an earlier court stated).

It has also to be borne in mind that the parish priest, the churchwardens, and the PCC are acting as trustees during their term of office. As another court stated – 'a church has a future as well as a past. It belongs not to any one generation nor are its interests and condition the exclusive care of those who inhabit the parish at any one period of time.' Any proposal for alterations in a parish church must always bear this in mind.

At the same time, church buildings are not simply historic monuments; they exist for a purpose – the worship of God and the mission of his Church – and they have a vital role to play in that

task. So the 1991 *Care of Churches and Ecclesiastical Jurisdiction Measure* begins by providing that ‘any person or body carrying out functions of care and conservation ... shall have regard to the role of the church as a local centre of worship and mission.’

4.2.3 WHEN A FACULTY IS REQUIRED

In principle, no alterations, repairs, removals, additions or maintenance may take place in or to a church building or its curtilage without Faculty permission. The following paper (on minor or *de minimis* repairs) gives the exceptions to this general principle.

Under Canon Law it is the duty of the priest and churchwardens to obtain a faculty before any work is executed. At the same time, it is the responsibility of the PCC to care for and maintain the fabric of the church building, and they too should not put any work in hand until a faculty has been obtained.

If by mischance any work is put in hand without faculty permission, a confirmatory faculty should be sought as soon as the mistake has been discovered. The Chancellor will want to know what good reason brought about this lapse from the observance of the law. It is also the case that the grant of a confirmatory faculty is not automatic, and it has been known for Chancellors to require a priest, churchwardens and PCC to remedy the work put in hand without a faculty; costs for this will fall on the parish. It can therefore be seen to be vital to everyone’s interests to see that the law in these matters is scrupulously observed.

4.2.4 PROCEDURE FOR A FACULTY

PCCs are strongly advised to approach the secretary of the Diocesan Advisory Committee for the Care of Churches (DAC) at

the Diocesan Office at an early stage in its plans for work to the church, and to seek its advice before detailed plans are put in hand; this may not be necessary, however, when the work envisaged is a matter of maintenance or repairs on a like-for-like basis. If the plans are major or controversial, members of the DAC may well wish to visit the parish and discuss the plans.

When the PCC is ready to petition for a faculty, the necessary forms are again available from the secretary of the DAC. The petition will need to be accompanied by detailed plans and architect's specifications. Any petition involving electrical work must be accompanied by a letter of approval from the insurance company. If the church has ever received grant aid from English Heritage or its predecessor body, the petition must also be accompanied by a letter from English Heritage giving approval to the proposed works.

Once the DAC has recommended the works, and the period for citation has elapsed, the Diocesan Registrar passes the faculty petition to the Chancellor (or in cases where the works are like-for-like and uncontroversial, to the Archdeacon), who then decides whether or not to issue the faculty. If there are any objections as a result of the Citation, or from such bodies as English Heritage, then unless the differences are reconciled, the Petition may be dealt with after a Consistory Court.

It should be remembered that Archdeacons' certificates were abolished in 1993, and all proposed works now follow the same route.

4.2.5 FEES

Where the petitioners for a faculty are the parish priest and churchwardens acting on behalf of the PCC, no fees are payable by them, and the costs are defrayed by the Diocesan Board of Finance.

However, where individuals or other organisations submit faculty applications – whether for works in a closed churchyard, or for memorials, windows, plaques, reservation of grave spaces or whatever – such applicants do incur statutory fees, details of which may be obtained from the Diocesan Registrar.

4.2.6 PLANNING PERMISSION

Faculty Jurisdiction exempts listed parish churches from Listed Building Control which otherwise would cover both external and internal works. However, any substantial external works to a church, especially additions to the building, and works which materially alter the appearance of a building or its curtilage, may well require planning permission from the local authority. The secretary of the DAC will always be pleased to advise parishes on this matter.

4.3 - MINOR REPAIRS

Why can't PCCs simply get on with all minor repairs without any further bureaucracy? It's quite understandable that PCCs feel this way - and indeed in some cases this is the right and proper thing to do. But there are two problems: the first is that one PCC's 'minor' is 'major' to someone else, and the second is that even with some minor repairs there are technical issues to be addressed in the context of an old building which need specialist advice.

Technically, minor repairs are termed '*de minimis*'. Some of these '*de minimis*' matters can simply be put in hand at once by PCCs; others won't need a Faculty, but do need to be referred to the Diocesan Advisory Committee for just that - advice. Listed below are the items in each of these categories. It can be assumed that anything more substantial than items listed here will certainly need to be referred to the DAC, and may well need a Faculty.

These lists have not been compiled capriciously; every Diocese has a list like this compiled in accordance with the Faculty Jurisdiction Rules 1992.

If you have a query over whether your particular project falls within either of these categories, please ring your Archdeacon for some initial advice before referring the matter formally.

4.3.1. SCHEDULE A – Very Minor Repairs

Items which may be undertaken by the incumbent, churchwardens and PCC without any further consultation (though in many cases it would be important to keep your architect informed):

- Routine cleaning and churchyard maintenance
- Regular servicing of:
 - boilers and heating systems
 - organs and other musical instruments
 - clocks
 - fire extinguishers
- Regular clearance of gutters, gullies and downpipes and rodding of drains
- Clearance of vegetation from drains, gullies, walls and roofs (including the minimal use of chemical sprays)
- Derusting and repainting with a suitable rustproof paint of ironwork to
 - windows
 - doors
 - gates
 - oil tanks
 - bell frames
 - weather vanes
- Painting, oiling or lime treatment of wooden doors or gates
- Repainting of notice boards (provided no alteration is made except for changing the name of an office holder or times of services)
- Repair of broken bell stays
- Replacement of broken roof tiles or slates
- Provision or replacement of bird netting
- Purchase of mowing equipment

- Introduction, replacement or disposal of
 - clergy robes
 - choir robes
 - verger's robes

- Introduction, replacement or disposal of
 - Bibles and Service Books
 - Hymn Books and books of songs and choruses
 - Choir music

- Purchase of new registers

- Deposit of closed registers and other parochial records in the County Record Office

4.3.2 SCHEDULE B – Fairly Minor Repairs

Items which must be referred to the Diocesan Advisory Committee, but which will probably not need a Faculty

- Churchyards:
 - Repairs to walls and fences (where there are no archaeological implications)
 - Repairs to existing drains

- Minor fabric repairs:
 - Small areas of lead burning
 - Repairs to roofing felt
 - Replacement of copings
 - Renewal of flashings
 - Renewal or replacement of flag poles or weather vanes
 - Small areas of pointing

Overhaul or replacement of gutters and downpipes
Replacement of small areas of stone or brick (like-for-like)
Lime treatment to areas of stone
Small areas of plastering or rendering (where there are no archaeological implications)
Overhaul of ventilators
Replacement of broken window panes (except stained glass)
Renewal of window guards
Timber treatment
Minor floor repairs (stone or pew platforms)
Chimneys and flues

- Redecoration:
 - Small areas of redecoration (less than the whole nave or the whole chancel, and provided that the same substance and colour are used as previously)

- Investigations:
 - Timbers
 - Parapet gutters
 - Electrical systems
 - Lightning conductors
 - Settlement
 - Archaeological features

- Bells:
 - Minor repairs or refurbishment of bell clappers, frames or bearings

- Clocks:
 - Minor repairs

- Carpentry:
 - Repairs of louvres
 - Modern doors and furnishings

- Electrical:
 - Installation of
 - security lights and alarms
 - fire alarms and smoke detectors
 - new electrical socket or light fitting (provided the existing capacity is sufficient)
 - loop system
 - removal of faulty lightning conductor
 - replacement of heating pump

- Introduction or disposal of
 - tell tales
 - oil tank and stand
 - ramps
 - cupboards in vestry or tower

- Introduction or disposal of movable items:
 - hymn boards
 - kneelers
 - fire extinguishers
 - vases
 - flower stands
 - free-standing display boards
 - free-standing book stands
 - curtains in vestry or tower (where unseen)
 - dehumidifiers

- Fire-proofing of
 - curtains
 - carpets
 - other fabrics

- Replacement of vestments on like-for-like basis

- Disposal of minor items of furnishing and fabric which are of no historical or artistic merit

4.4 - MEMORIALS IN CHURCHYARDS

This section aims to clarify the legal position with regard to churchyards, and, in particular, respecting the erection of memorials in them. It also aims to ensure that the distinctive character of a churchyard is maintained in the context of its setting around the parish church.

The policies of the Chancellor contained in this section will continue to ensure a consistent policy throughout the diocese, and reflect those commended nationally by the Council for the Care of Churches in 'The Churchyards Handbook'.

4.4.1 RIGHTS OF BURIAL

Parishioners, and other persons who die in the parish, have a right of burial in the churchyard provided there is room and it has not been closed by Order in Council.

The place of burial is at the discretion of the Incumbent, unless a particular grave space has been reserved by Faculty granted by the Chancellor of the Diocese.

The Incumbent may, at discretion and if there is sufficient room, permit the burial in the churchyard of persons other than parishioners or those who die in the parish.

These rights of burial extends also to the interment of ashes after cremation; but where a churchyard has been closed for burials by Order in Council, this may take place only if a Faculty has first been obtained for this purpose.

4.4.2 ERECTION OF MEMORIALS IN CHURCHYARDS

The erection of any memorial in a churchyard, or the alteration of any existing memorial, or the introduction of any other object in a churchyard, is a privilege and not a right. Bereaved people are frequently under the impression that they have actually bought the plot of land in which their loved one is buried. This is not so; they have simply paid for the work involved in the burial itself, and for a small part of the cost of the general maintenance of the churchyard. The whole churchyard remains in Church ownership.

Permission must therefore always be gained for the erection of (or alteration to) any memorial in the churchyard.

All churchyard memorials are subject to the jurisdiction of the Chancellor of the Diocese. However, he delegates to Incumbents and Priests-in-charge (and during a Vacancy, the Rural Dean) the right to authorise simple memorials that fall within their delegated powers (see below for details).

If a parishioner wishes to erect a memorial which falls outside these delegated powers, he or she is at liberty to petition the Chancellor for a Faculty to erect the memorial of their choice.

Such a parishioner will, however, usually have to demonstrate to the Chancellor that there is some exceptional reason for him to depart from his own general Regulations and grant such a Faculty.

Specially designed, beautiful and appropriate memorials are not discouraged, and application for such memorials will be sympathetically considered.

It is important to note that the existence of a similar memorial or memorials to the one for which permission is being sought will not usually be a reason for the Chancellor to give such permission. To illustrate the point: the existence of older kerbs will not in itself be a reason for granting permission for another kerb; once immediate

relatives of the deceased leave the area or themselves die, the burden of tending a grave falls on the Parochial Church Council, which will find the task of maintenance and mowing much more straightforward if there are no kerbs.

If a memorial or other object is introduced into the churchyard without authority, the Chancellor has power to grant a Faculty for its removal and to order the person who introduced it to pay the expenses of removal and the costs of any proceedings.

4.4.3 THE RATIONALE FOR THE REGULATIONS

Churchyard Regulations (and they are very similar right across the country) represent the collective wisdom over many years of Chancellors and Diocesan Advisory Committees for the Care of Churches.

They are in some respects different from the regulations which govern civil cemeteries. This is at least in part because of the different settings of the two types of graveyard. A churchyard almost always surrounds a church building; memorial stones which may be entirely suitable in an urban cemetery setting will frequently look quite out of place when close to a Grade 1 or 2 Listed building. In granting Faculties for churchyard memorials, the Chancellor has to consider not only the wishes of the bereaved family, but also his responsibility for the maintenance of an appropriate setting for a parish church for the next 200 years and more.

4.4.4 PROCEDURE FOR THE ERECTION OF MEMORIALS

Anyone wishing to erect a memorial or make any alteration to an existing one, should consult the Incumbent as early as possible, and certainly before making any choice of design or material. A minimum of six months must elapse between the death of a person to be commemorated and the approval of a memorial by the Chancellor or Incumbent.

The scale of fees (authorised by the Church Commissioners) payable to the Incumbent and Parochial Church Council in respect of the erection of memorials may be consulted on application to the Incumbent.

Once the memorial is agreed in principle, the individual should then make formal application to the Incumbent on the standard diocesan form. This will include the full particulars of the design of the proposed memorial, cross, or alteration, including a description of the materials to be used, its measurements, shape, base, colour, and decoration, and the style, layout and lettering of the proposed inscription.

If the proposed memorial falls within the powers delegated to the Incumbent, she or he may give consent to it; such consent shall normally be in writing. This permission must be obtained before placing an order with a stonemason.

If the proposed memorial does not fall within the Incumbent's delegated powers to grant, the applicant may (as indicated above) petition the Chancellor for a Faculty to erect it.

Faculty application forms and further advice may be obtained from the Diocesan Registrar, 1 The Sanctuary, Westminster, London SW1P 3JT (tel: 020-7222-5381; fax: 020-7222-7502; email: enquiries@1thesanctuary.com). The Secretary of the Diocesan Advisory Committee for the Care of Churches may be contacted at the Diocesan Office, Bishop Woodford House, Barton Road, Ely CB7 4DX (Tel: 01353-652727).

4.4.5 REGULATIONS RESPECTING MEMORIALS

(effective from 1 March 2004 and superseding all previous directions. Issued on the authority of the Chancellor of the Diocese of Ely)

This schedule specifies those memorials which fall within an Incumbent's delegated powers.

¶ *Dimensions of headstone*

Headstones shall be no larger than 1200mm (4ft) high, measured from the surface of the ground, 900mm (3ft) wide and 150mm (6in) thick. They shall be no less than 500mm (1ft8in) high, 500mm (1ft8in) wide, and 75mm (3in) thick – except in the case of slate memorials, which may be thinner but not less than 38mm (1½in) thick. These measurements are not intended to define standard proportions of memorials, and memorials may be of any dimensions within the given maxima and minima.

Crosses shall not exceed 1500mm (5ft) in height, measured from the surface of the ground, and shall be set in a sufficient stone or concrete plate, the surface of which is below ground enabling a mower to pass freely over it.

Memorials of smaller dimensions may be allowed to mark the graves of children under the age of 12, but such will be authorised only by Faculty.

Note: graves of the Commonwealth War Graves Commission are subject to different regulations.

¶ *Base and foundation slab*

A headstone may stand on a stone base, provided that the base is an integral part of the design. The top of such a base should,

for preference, be flush with the ground; if it is not, it is essential that its foundation slab must be flush with the ground to allow a mower to pass freely over it.

A recess for flowers may be incorporated in the base.

The width of the base should not exceed 100mm (4in) beyond the headstone in any direction, except where a receptacle for flowers is provided, in which case the base may extend up to 200mm (8in) in front of the headstone.

Other methods of fixing the memorial in the ground should be considered; the base of the memorial may be so shaped that it can be inserted directly into the ground at sufficient depth to ensure stability.

¶ *Ledgers*

As an alternative to a headstone (but not in addition to it), a memorial ledger may be laid flat on the ground. Such ledgers shall be laid slightly below ground level. The permitted dimensions do not exceed 1800mm (6ft) by 600mm (2ft).

¶ *Flowers*

Any separate container for flowers must be level with, or below, the surface of the ground so that it will not obstruct the passage of a mower. Wreaths and cut flowers must be removed as soon as they appear to be withered.

Trees and shrubs may be planted on or around a grave only with separate Faculty permission.

No artificial flowers may be placed in the churchyard except for Remembrance Day poppies and traditional Christmas wreaths, and these shall be removed within two months. The

PCC has authority to remove any artificial flowers which do not comply with these regulations.

¶ *Materials*

Headstones and crosses shall be made of teak or oak, or cast or wrought iron, or natural stone, and shall have no reflecting finish. Traditional stones are normally to be used; especially recommended are Forest of Dean, Hornton Blue, Ketton, Nabrasina/Roman Stone, Portland, and York (limestones), Northumberland (sandstone), and Welsh Black and Westmoreland Green slates. No coloured or mottled granites are permitted under these regulations, nor any granite darker than Karin grey, nor marble, synthetic stone, nor plastics. Although the stone may not be polished nor finished in any way to give the effect of polished stone, the surface may be suitably prepared for an inscription.

¶ *Sculpture*

Figure sculpture and other statuary are not discouraged, but must be authorised by Faculty.

¶ *Designs*

Headstones need not be restricted to a rectangular shape, and curved tops are preferable to straight-edged ones. Memorials in the shape of a heart or book are not permitted other than by Faculty; nor are photographs, portraits, kerbs, railings, chippings or glass shades.

Motifs and pictures are not normally allowed on headstones; if such are to be incorporated, however, they are normally to be of clear Christian significance.

¶ *Epitaphs*

Inscriptions must be simple and reverent, and preferably (but not necessarily) they should be of Biblical or Prayer Book origin.

Inscriptions should be incised, or in relief, and may be painted. Plastic or other inserted lettering is not permitted.

Additions may be made to an inscription at a later date following a subsequent interment in the same grave or for some other suitable reason. However, any such alteration must be separately approved. The lettering, layout and wording must be consistent with the original inscription.

¶ *Trademarks*

No advertisement or trademark shall be inscribed on a headstone. The mason's name may be inscribed at the side or on the reverse in unlead letters no larger than 13mm (½in) in height.

¶ *Commemoration after cremation*

Ashes after cremation may be interred, but not scattered, in a churchyard. For this purpose an area in the churchyard should be set aside under the authority of a Faculty. If the ashes are interred in a container, the container must be of perishable material.

In general, the previous paragraphs apply to memorials in respect of cremated remains.

Where an area is set aside for the interment of cremated remains under the authority of a Faculty, the Faculty will lay

down conditions under which cremated remains may be interred. If the conditions allow memorial slabs to be laid, the previous paragraphs apply (as appropriate) to such, and they must be of uniform size, and laid flat 25mm below ground level. The permitted size does not exceed 525mm (21in) by 525mm (21in).

In all cases the Incumbent must be consulted before cremated remains are interred.

4.5 - CARE OF CHURCHYARDS

This paper inevitably provides simply a summary of the legal situation surrounding the issue of churchyards. More detail will be found in such publications as *Ecclesiastical Law Handbook (1997)* by Lynne Leeder; *The Law of the Parish Church (7th edition 1998)* by William Dale; *Legal Opinions Concerning the Church of England* (frequently updated). This paper therefore, while offering general guidance, does not reflect the detail of the law and of legal opinion.

4.5.1 OWNERSHIP

Usually the churchyard is vested in the freehold Incumbent of the parish, whether he be a Rector or a Vicar.

4.5.2 RESPONSIBILITIES

Responsibility for the proper upkeep of churchyard memorials is in the hands of the heirs or successors of the individuals commemorated, where they can be traced, even though they do not own the land on which the memorial is placed.

Responsibility for all other care for the churchyard rests these days on the PCC – not the Incumbent, Priest-in-charge, Churchwardens, or other Church officials or dignitaries. This responsibility extends to:

- churchyard boundary fences, walls and hedges:
- trees (for which see the Diocesan Handbook):
- paths:
- general tidiness and good order:
- the safety of those using the churchyard (for which see below).

Everything in the churchyard (as in the Church building) is subject to Faculty jurisdiction. A Faculty must therefore be sought for any work in the churchyard, unless:

- it is on the list of *de minimis* items as listed in the Diocesan handbook, including such general maintenance items as cutting the grass and light trimming of hedges;
- it is for the erection of, or alteration to, a simple memorial, permission for which is given by the parish priest (or, in a vacancy, by the Rural Dean) under powers delegated by the Chancellor.

If an individual wishes to secure a space for his or her own burial, or that of a relative, this may be done only by Faculty. A private arrangement between an individual and an Incumbent or Churchwarden cannot in law be binding on any successors in office.

4.5.3 SAFETY IN THE CHURCHYARD

Because the PCC has general responsibility for the maintenance of the churchyard, it is also responsible for the safety of people in the churchyard. Were anyone to suffer injury from (for example) a piece of falling masonry, a pothole in a path, or an unsafe churchyard memorial, the PCC could be held responsible in law.

It is wise therefore for every PCC to check that its insurance policy covers such eventualities as these; standard EIG policies usually do so, but policies from other companies should be carefully checked.

The PCC therefore has responsibility to maintain buildings, paths, walls and memorials to such a standard as to make visitors to the churchyard as safe from accident as possible.

If a memorial is found to be unsafe, the PCC should take action. Unless the matter is urgent, a Faculty should be applied for if it is intended (for example) to lay a headstone flat on the ground instead of remaining upright; re-setting the memorial in an upright position could however be regarded as *de minimis*. If the matter is urgent, a memorial should be carefully laid flat at once, and then either re-set in its upright position or a confirmatory Faculty applied for in order to leave it flat.

4.5.4 CLOSED CHURCHYARDS

A churchyard is ‘closed’ in the legal sense only if it has been closed by an Order in Council. A churchyard that is no longer used in practice is not ‘closed’ unless an Order in Council has been made.

Orders in Council closing a churchyard are normally made only on grounds of public health, but the fact that a churchyard is physically full is normally a sufficient ground. Orders in Council can close a churchyard subject to certain exceptions (for example, to permit further burials in family graves or vaults, or to permit burials where a grave space has been reserved by Faculty prior to the churchyard being closed).

If a PCC wishes to request that a churchyard be closed it should contact the Coroners’ Section at the Home Office, 50 Queen Anne’s Gate, London SW1H 9AT for further information.

Even if a churchyard is closed, a PCC may submit a Faculty to provide an area set aside for cremated remains.

Once a churchyard is closed by Order in Council, a PCC may pass its responsibility for the maintenance of the churchyard to the Parish Council, which is obliged in law to accept that responsibility. Parish Councils may also pass this responsibility on to the District Council. Where (as in the City of Cambridge) there

is no Parish Council, the responsibility is passed directly to the District Council. The legal ownership of the churchyard remains as before in the hands of the Incumbent, and the churchyard remains wholly within Faculty Jurisdiction; but all the responsibilities which previously fell on the PCC now pass to the local authority.

This responsibility includes both the maintenance of the churchyard as indicated above, and the responsibility for the safety of people in the churchyard. However, there may still be circumstances in which the PCC or the incumbent has occupiers' or public liability in respect of the churchyard, and so it is important that insurance against these liabilities is maintained.

It must again be emphasised that this is no more than general guidance offered in what is a fairly complicated legal situation. More detail is available in the books listed at the beginning of this paper. Archdeacons or the Diocesan Registrar will also be able to offer more specific advice if necessary.

4.6 - TREES IN CHURCHYARDS

Trees have long been associated with churches and their surroundings, and frequently it is the treescape (along with a tower or spire) which defines the general view of the churchyard. It is therefore of vital importance that trees are properly managed.

It is the **Parochial Church Council** which has the final responsibility of caring for trees in the churchyard, whether the churchyard is open or closed for burials. This responsibility covers all aspects of tree work, including planting, routine maintenance, lopping, topping, and felling. This guidance applies both to trees and to substantial shrubs and hedges, but not to small self-sown tree seedlings.

Some modern uses of churchyards can inadvertently cause damage to established trees; for example, a parking area close to trees can damage roots close to the surface of the ground, as can spillage from a fuel heating tank. Conversely, ill-advised tree planting can give rise to damage from roots spreading to a wall of the church, a tombstone, or a churchyard path.

The Parochial Church Council needs therefore to seek and follow expert advice in these matters.

4.6.1 EXPERT ADVICE

Many local authorities employ an **arboricultural officer**, who should be able to give advice with regard to the safety of a tree in a churchyard, and what (if any) maintenance or remedial work is necessary.

An **arboricultural consultant** is a person with special experience in the management and assessment of trees, able to give advice on what work should be undertaken. A report from such a consultant would be evidence that the Parochial Church Council has acted in a prudent manner, as is expected generally by the law and by insurance companies. A Consultant will, however, charge for this advisory work.

An **arboricultural contractor** (better known as a Tree Surgeon) will undertake the necessary work. The contractor may have the necessary experience to give adequate recommendations in more straightforward cases. If major work is needed, it is very desirable to employ a reputable contractor to undertake the task rather than rely on volunteers, however willing. Remember too that such voluntary work is not normally covered by church insurance policies. Make sure, therefore, that your contractor is adequately insured, including third party injury, loss or damage.

A Directory of Arboricultural Consultants and Contractors is maintained by the Arboricultural Association (Ampfield House, Ampfield, Romsey SO51 9AP). Listing within the Directory is an assurance that the consultant or contractor has satisfied such standards as technical knowledge and provision of insurance cover.

4.6.2 INSPECTION OF TREES

The need for a full and regular inspection of trees increases with their age. Such inspection should be carried out by one of the experts already mentioned, and the inspecting person should be asked to categorise the urgency of any work recommended in a report, so that such work can be undertaken in order of priority as and when funds permit.

Trees should be inspected at least every five years. Those that are subjects of a Tree Preservation Order **must** in fact be so inspected (paragraph 3 of schedule 3 of the Care of Churches and

Ecclesiastical Jurisdiction Measure 1991). If this inspection is undertaken by the architect on his quinquennial inspection, any concern which the architect expresses with regard to the safety of a tree should be referred to one of the experts previously mentioned.

Any specification of work, other than emergency work (which may be authorised by the Archdeacon), is to be sent to the Diocesan Advisory Committee for their advice before the work is undertaken.

4.6.3 PLANTING OF TREES

Before undertaking any planting, it will be helpful to prepare a churchyard plan on which may be plotted the church, churchyard building and monuments, the position of each existing tree, the diameter of its trunk and the span of its branches. The growth and mature spread of any proposed tree should then be considered; it would be highly undesirable to have to remove or drastically prune a mature tree in years to come, because not enough forethought had been given to an appropriate site for its planting. Some trees grow to large maturity comparatively quickly; but even a slower-growing species such as a yew will eventually grow to a very large size indeed. Remember too that some species, such as poplar, may well take a large amount of water from the soil, causing shrinkage – disastrous close to the church building. Further, leaves from mature trees planted too close to the church building can block gutters, gullies and downpipes, leading to expensive repairs.

It is therefore important to consult one of the experts previously mentioned as to the suitability of any proposed species for the churchyard, and as to an appropriate location.

There is much to be said for planting native British trees, which over the centuries have regenerated naturally in and around our churchyards. It is also worth noting that wildlife generally prefers deciduous trees to coniferous ones. Take care to follow the advice of the tree nurseryman with regards to the season and manner of planting.

The planting of any tree is subject to the jurisdiction of the Chancellor, and should therefore be the subject of an application for advice to the Diocesan Advisory Committee. Following that, smaller trees may be authorised by the Archdeacon in writing but without a Faculty, while other potentially large trees will be the subject of a Faculty.

4.6.4 LOPPING AND TOPPING OF TREES

All trees are capable of shedding dead wood, and can consequently be hazardous to persons using the churchyard. Standard remedial work, such as the removal of dead, split or hanging limbs, may be carried out as advised by an arboricultural contractor without further reference, unless the tree is subject to a Tree Preservation Order, or is in a Conservation area – concerning which see below.

More major tree surgery, including cable bracing, crown reduction or the removal of major limbs, must be referred to the Archdeacon for his consent in writing. The Archdeacon may at his discretion refer the matter to the Diocesan Advisory Committee.

4.6.5 FELLING OF TREES

Where the Parochial Church Council is advised by an expert that a tree or trees should be felled for safety reasons or because of disease, a copy of the written report of the expert must be supplied to the Archdeacon, who may in writing authorise the felling. A photograph of the churchyard with the tree or trees concerned should be taken and retained by the PCC, together with the expert's advice, with the parish records.

If the Parochial Church Council wishes to fell a tree which is sound but occupying a space in the churchyard required for some other use, then the PCC must seek the advice of the Diocesan Advisory Committee, and a Faculty from the Chancellor.

When a tree is felled, the stump should generally be removed; occasionally such are retained to encourage wild life.

4.6.6 TREE PRESERVATION ORDERS

Where a tree is subject to a Tree Preservation Order, or is in a Conservation Area, the consent of the local planning authority must be obtained before any lopping, topping, or felling takes place. This does not apply if the tree is dying, dead, or dangerous.

The local planning authority consent is in addition to the consent of the Chancellor (or Archdeacon, as the case may be) referred to above.

4.6.7 SALE OF TIMBER

Where a tree in a churchyard is lopped, topped or felled, the Parochial Church Council may sell the timber or dispose of it in some other way. The PCC should apply the proceeds to the maintenance of the church or churchyard.

4.7 - MEMORIAL WINDOWS AND PLAQUES

There is a presumption that we do not bring into our churches further memorial windows or plaques (especially the latter) unless some exceptional circumstances make them appropriate. The existence of a similar memorial plaque or window does not in itself constitute an argument for the installation of another.

To be more precise: the individual or individuals to be commemorated by the plaque or window must have some strong and probably lengthy connection with the church into which the plaque or window is to be placed. In addition, such an individual must have made some exceptional contribution to that church's life. A lengthy period of years during which that person has worshipped in the church will not normally qualify. In the case of an institution or organisation, the connection with the church must be clear and defined. Mere geographical location will not necessarily qualify.

4.7.1 PLAQUES

Plaques in churches have traditionally recorded the burial of a particular person in the churchyard (or occasionally elsewhere). They have not usually been installed to denote the generosity of an individual in making a substantial donation to the church. Sometimes a PCC asks for a plaque to be erected in memory of a particular individual – possibly still alive – who has, for example, paid for the repair of an organ or the installation of a bell. Requests for this sort of plaque have not traditionally been granted in churches, since it is assumed that the donor will have given generously, not to receive the thanks of others, but so that God may be more glorified. Such plaques will not normally be recommended by the DAC.

One reason for this rule is that if plaques are more generally allowed, the walls of our mediaeval churches will quickly be filled with plaques of this period alone. 200 years hence this will not be a welcome feature of a building whose history is much longer.

An alternative way of commemorating the generosity of donors has sometimes been the installation of a wooden 'Benefactions Board'; sometimes 19th century versions of these are seen on the internal walls of a church tower.

In the exceptional circumstance of a memorial plaque being erected, it is important to produce one which will be not just a historical record, but a thing of beauty. In this area there are expert letter-cutters who will produce something worthy of taking a place in our church buildings, and which will usually cost very little more than a mass-produced item which will not so grace our buildings.

4.7.2 MEMORIAL WINDOWS

The historical purpose of pictorial windows in churches has been to illustrate the Gospel. Prior to the existence of general literacy and the easy availability of books, pictorial windows in churches were one of the principal teaching aids available to the Church.

Bearing this in mind, there needs even today to be some extraordinarily exceptional reason to allow into our buildings a pictorial window which does not serve this specific purpose. It is true that a number of inappropriate designs have in the past been allowed in churches (and even cathedrals), but this in itself is no argument for allowing yet more inappropriate designs.

It is important to recognise that when we adorn our church buildings with a new window, we are placing there something which will probably remain in place for the next 200 years. The window therefore must speak not only to this present generation, but to generations to come. There should be a timeless quality

about what is portrayed which speaks not only of persons or events within our own lifetime, but speaks to those for whom the person or event commemorated will be unknown. Windows which have reference solely to particular events of the 20th or 21st century, however significant those events, are not appropriate adornments for our churches unless the design also speaks with an enduring significance and relevance to those of future generations for whom the actual events will merely be a memory of distant history.

In particular, there must always be in a pictorial window in a church building a clear reference to God and to his Gospel. Designs which illustrate a scriptural narrative are highly to be preferred. Alternatively, the text accompanying the pictorial design needs to have clear scriptural reference; interesting poetry is no substitute in a church building for scripture.

4.7.3 SEEK ADVICE AND HELP!

Clergy, churchwardens and PCCs are strongly advised to seek the advice of the Diocesan Advisory Committee at the earliest possible stage, as soon as an idea has been suggested. Expert advice is available to parishes at all stages of the design and execution of memorial windows and plaques.

If an idea comes from outside a PCC (for example, from a military association), it is important to seek advice well before the PCC has considered the proposal at any depth. It creates a very difficult situation if a PCC has become strongly attached to a particular design which is then felt to be unsuitable by the DAC, as those charged with the responsibility to maintain the highest standards for our church buildings. Discussions between all parties at a very early stage, when the idea is still in sketch form, will almost always result in a conclusion which satisfies everyone.

It must also be remembered that Faculty permission must be sought for the introduction of any memorial window or plaque.

We all want to hand on to generations yet unborn our church buildings in an even finer condition than they were when we inherited them. They need to be buildings whose general state of repair speaks of our God of beauty; the content of the buildings needs also to speak of the Gospel of our Lord Jesus Christ through word and picture alike. Then God may be glorified through our buildings for generations to come.

4.8 - QUINQUENNIAL INSPECTIONS

There is a legal requirement for the architectural inspection of church buildings and their curtilage every five years. Those who carry out these inspections must be approved by the Diocesan Advisory Committee for the Care of Churches (DAC) and included on an authorised list. This ensures that parishes employ architects who have experience in church repair and maintenance. If a PCC wishes to change its architect, the secretary of the DAC (who may be contacted at the Diocesan Office) is able to supply the PCC with the list of approved architects; no such change may be made without informing the DAC.

When a church's next Quinquennial Inspection is due, the Secretary of the DAC will inform the secretary of the PCC several months in advance of the date, to allow for the Inspection to take place at the appropriate time. The fee for the inspection is covered by the Diocesan Board of Finance.

After inspecting the building, the architect will send a copy or copies of the report to the PCC, one to the Archdeacon, and one to the secretary of the DAC.

When the report has been received, it is the responsibility of the PCC to consider it carefully and to see that wherever possible the work recommended in the report is carried out. Normally it is expected that the architect who made the report will be the architect instructed to prepare any consequential specification, and to supervise the work. PCCs should note that almost all work recommended in quinquennial inspection reports will require consultation with the DAC and usually a faculty. More details of this are to be found in the next section.

4.9 - CHURCH INSURANCE

The PCC and Churchwardens are the trustees of the church. It is their duty as trustees to ensure that the church building is insured.

This includes all churches under the care of the PCC as well as churchyards, including those which are technically closed.

This paper is intended for general guidance only, and is no substitute for talking to the insurance company direct on the specific elements of insurance cover.

4.9.1 THE PCC'S RESPONSIBILITIES

In broad terms the PCC should insure for **public liability, buildings and contents**.

The PCC has to decide its insurance strategy, based upon:

- the value of the church building and contents
- what it can afford
- what can be done to minimise risk
- what it would do in response to differing levels of disaster.

The PCC has a responsibility to ensure that all reasonable action is taken to reduce risk. This includes ensuring that the building is properly maintained with particular reference to heating and electrical systems that could be a potential cause of fire. Reasonable action should be taken to restrict access to potential vandals and arsonists.

4.9.2 PUBLIC LIABILITY

It is normal for policies to give cover up to £2m and PCCs should probably avoid any policy which does not include public liability to this level.

4.9.3 BUILDINGS COVER

¶ *Accurate Valuation:*

Ecclesiastical buildings, particularly mediaeval ones, require specialist valuation. Rebuilding costs for conventional, modern buildings are normally calculated on a floor area basis. This is not appropriate for ecclesiastical buildings where the nature of the fabric will significantly affect the valuation.

The PCC must take great care over the valuation. Although the insurance company will give a valuation, it is in fact the PCC which accepts (and takes responsibility for) that valuation. Almost certainly the PCC will be unqualified to judge whether the valuation is sufficient, but this valuation will limit the total amount the PCC can claim in the event of a disaster even if it proves totally inadequate.

¶ *Sufficient Cover:*

The PCC needs to decide whether it is necessary to insure to a level which would allow total restoration; for example, would the PCC want to replace mediaeval misericords with modern look-alikes in the event of their total destruction? The answer is probably No, since the importance of the misericords is in their antiquity rather than their comfort! Similarly, would intricate mediaeval carving be simulated in every detail in any reconstruction? Would angel

beams be replaced by replicas? If it not the intention to replicate the original building in every detail, then it may not be necessary to insure to the full value.

The PCC has to satisfy itself however that the insurance cover is sufficient in the event of a total disaster to make safe the ruined building and provide an alternative church building; or in the event of a partial disaster to reinstate the building using appropriate materials. It may well be prudent for a PCC to insure to a 75% valuation, provided that the Archdeacon is informed and the insurance company has given an assurance that it will pay out to the full loss up to the agreed limit and not apply the averaging rule.

The PCC must therefore make clear to the insurance company what its strategy is, and what it would want to do in case of disaster or partial disaster, and obtain the company's assurance that the cover is adequate.

¶ *Obtaining Estimates:*

The Ecclesiastical Insurance Group specialises in insuring ecclesiastical buildings, and as a consequence it is in a strong position to advise parishes on their insurance strategy. However, it is not the only insurance company and PCCs may wish to obtain other quotes. It is obviously important to ensure that all the estimates are on the same basis and meeting the needs of the PCC's strategy. The EIG does not operate totally on a commercial basis; much of the surplus from church insurance is ploughed back into the dioceses or the Allchurches Charitable Trust. As the largest company insuring churches, it provides a good benchmark against which to compare other quotations. Where PCCs are seeking a number of estimates, they are strongly advised to include EIG as one of these and are encouraged to ask the EIG to explain why their quote is larger (if indeed it is) than other quotations.

4.9.4 CONTENTS COVER

What needs to be covered? What is their value?

As with buildings, PCCs should take all reasonable action to reduce the opportunity for theft or damage to contents. Valuable moveable items should not be left accessible, and access to the building while left unattended should be regularly reviewed.

As with the fabric, it may not be prudent to insure irreplaceable (ancient) silver ware at full value, but only to a level that would permit replacement by an appropriate modern item.

The PCC might also consider reducing premiums by agreeing to an excess (say £100) on claims.

4.9.5 CONCLUSION

The PCC must be clear about its strategy by asking a number of hypothetical questions: “*What would we do if...?*”

Total write-off is not necessarily the most expensive disaster. Major but partial damage which does not allow the option of forsaking the old building, may be more expensive, and will need to be covered.

PCCs are particularly alerted to the valuation figure suggested (but not guaranteed) by the various insurance companies. In the event of major disaster the insurance company is liable only up to this figure, however unrealistic it may have been. An unrealistic valuation may produce an attractively low premium that may prove to be a false economy.

4.10 - THEFTS FROM CHURCHES

The stealing of art in bulk is a growing area of crime. Sometimes valuable items stolen from churches (or elsewhere) are sold on fairly quickly in this country; sometimes they are shipped abroad, possibly even before the theft is noticed; and sometimes items are simply stored away for years. Under civil law in many other parts of Europe, a good faith purchaser gains title to goods after a statutory period which is usually only about three years.

4.10.1 WHAT ITEMS MAY ATTRACT A THIEF?

The most obvious item is silver; but pewter and brass are also saleable, as are old wooden objects like chairs and chests, paintings, memorabilia like old documents and funeral biers, lecterns and carpets. Certain thieves will also be interested in Registers to aid in the falsification of documents. In fact, almost anything portable is vulnerable.

4.10.2 PREVENTION IS BETTER ...

¶ Consider the church building:

How can you prevent people stealing items from your church?

The most obvious answer is to keep the church building locked. But most of us would feel that this is a last resort, and for two reasons. Firstly, many of us like to visit parish churches in other parts of the country, and are sad if we find that their doors are closed. Secondly and more importantly, there are many members of our communities who do not attend Sunday worship regularly, but

who like from time to time to drop into their parish church for a period of quiet and personal prayer. This is often their one link with God and the Church.

So bearing in mind the valuable nature of our church fittings, how can we safely leave our building open? Even the most deeply rural areas are now vulnerable to theft.

Some churches, determined to remain open, make sure that any portable valuable object is kept in a vestry under lock and key. This may not foil the most determined thief; but it will deter the majority. Some churches have chained the larger of their moveable objects (such as a lectern) – but please remember that this requires Faculty permission. A plain wooden cross might replace an ornate brass one during the week; valuable candlesticks are brought out just for worship.

One or two churches have alarmed their sanctuary area, with large notices to warn potential thieves. But the best option, if it can be arranged, is for the building to be staffed while open. This not only provides the necessary security, but an opportunity for the church member on duty to engage in conversation with a visitor, and to point out interesting features. A bookstall can also be made available.

¶ **Consider the objects themselves:**

What can you do to keep them more secure?

Those who are insured with the Ecclesiastical Insurance Group will have received from them a pack to ‘Alpha Dot’ their valuables. Again, this will not deter the most persistent thieves; but may well keep others away, and aid recovery of lost objects.

But *most importantly*, take photographs of everything. Take a general picture of an object, and then supplement that with a close-up of individual features such as hallmarks, inscriptions, and so on.

Always include a scale or object of known size in the image. Keep also a detailed written description of each object, including its dimensions. It is useful to have at least two sets of the photographs, preferably kept in different places; this will help not only if one set gets lost, but if you need to hand one copy to the police to aid recovery after theft.

4.10.3 WHAT ABOUT RECOVERY?

You will certainly report a theft to the police and to your Insurers. Please also make sure that the Diocesan Office and the Archdeacon know, since from time to time both are contacted by Police forces when stolen materials are discovered.

Please also report a theft to the *Art Loss Register*. Their database has over 110,000 uniquely identified stolen objects, and these items are matched continuously against the auction house and dealers' catalogues all over the world. Through the work of the ALR, over 4000 valuable items have been recovered, including many church items.

But recovery of stolen objects cannot be made if churches do not record the details of their precious objects and take suitable photographs. To assist those responsible, the Getty Information Institute's *Object ID Checklist* is accepted internationally as the minimum recommended standard for identifying an object. The points it makes are identical to those used by NADFAS Church Recorders in their format for recording an object, with the additional recommendation that, having documented the object, the information should be kept in a safe place. It is never too late to register a stolen or missing object with the ALR because recoveries are frequently made many years after the theft.

The Art Loss Register may be contacted at 020 7235 3393 (fax: 020 7235 1652; e-mail artloss@artloss.com)

**The Getty Information Institute's Object ID checklist:
Make a note of ...**

Type of object	<i>What kind of object is it? (e.g., chalice, painting)</i>
Materials	<i>What is it made of? (e.g., brass, oil on canvas)</i>
Techniques	<i>How was it made?(e.g., carved, cast, beaten)</i>
Measurements	<i>What is the size and weight of the object? (specify which unit of measurement is being used, such as inches or cms, and to which dimension the measurements refer (height, width, depth)</i>
Markings	<i>Are there any identifying markings, numbers or inscriptions? (e.g., dedication, hallmarks)</i>
Distinguishing features	<i>Does the object have any characteristics which might help to identify it?(e.g., damage, manufacturing defects)</i>
Title	<i>Does the object have a title by which it is known?</i>
Subject	<i>What is pictured or represented? (e.g., Madonna and child)</i>
Date or period	<i>When was the object made? (e.g., 1893, early 17th century)</i>
Maker	<i>Do you know who made the object – perhaps and individual or a company?</i>

Some of this material appeared in the NADFAS Records Journal in an article by the Managing Director of the ALR, and was reproduced with permission for a Diocesan Archdeacons' Paper, of which this is a reprint.

4.11 - FIRE PRECAUTIONS

As part of their general responsibility for the maintenance of church buildings, church halls, and the like, Incumbents and PCCs have always needed to make appropriate arrangements for dealing with the outbreak of a fire. Most architects point out, as part of their Quinquennial Inspection reports, the suitability or otherwise of lightning conductors and fire extinguishers.

Similarly, church and church hall insurers frequently stipulate the provision of fire extinguishers. PCCs have always found themselves, as in so many matters, weighing the cost of substantial provision in this area against any legal requirements and stipulations of insurers.

Correct maintenance of electrical systems is one of the best ways to prevent the outbreak of a fire in a church building while unattended.

4.11.1 CURRENT REGULATIONS

In 1999 the Government amended the Fire Precautions (Workplace) Regulations 1997 with an Amendment Act.

These Regulations in principle affect PCCs and churches. However, the Act is limited to making suitable provision if anyone is employed on church or PCC premises. The courts have held that clergy are not for these purposes 'employed' persons, and volunteer workers are excluded too, even if they are given a small honorarium for their duties.

It may also be the case that organists paid for their services are contractors rather than employees, although this depends on the

terms of the contract. But many larger churches (and some not so large) may nevertheless employ individuals to work either in a church building or a church hall or room within the PCC's responsibilities.

A recent circular from the Secretary-General of the Archbishops' Council suggests that any PCC which is not sure about the employment status of someone to whom it gives payment should check with the Diocesan Registrar.

If you do, within the terms of the Act, employ someone on your premises, then this new Act applies to the premises and imposes duties upon you.

4.11.2 WHAT NEEDS TO BE DONE?

Clearly, it will be clear that a small stone building with limited internal use is likely to offer a much lower risk than either a large stone building with substantial interior woodwork and several offices, or a building of any size built in more modern materials.

Nevertheless, if the new Regulations do apply to you, you must:

- carry out a 'risk assessment', considering all your employees and all other people who may be affected by a fire, and you are required to make provision for any disabled people who may be present at your premises;
- identify the significant findings of the risk assessment and the details of anyone who might be especially at risk, recording this if you employ more than five people;
- provide and maintain such fire precautions as are necessary to safeguard those who use your workplace; and
- provide information, instruction and training to your employees about the fire precautions in your workplace.

There are other legal duties you need to know:

- Where it is necessary to safeguard the safety of your employees, you must nominate people (who might include yourself) to undertake any special roles which are required under your emergency plan.
- You must consult your employees about the nomination of individual people and about proposals for improving the fire precautions.
- You must inform other employers who also have workplaces in the building of any significant risks you have identified.
- You must establish a suitable means of contacting the emergency services, and ensure that they can be called easily.

4.11.3 WHAT HELP IS THERE?

The Churches' Main Committee has produced a '*Fire Precautions Guide*' which is available from the CMC at Fielden House, 13 Little College Street, London SW1P 3SH (telephone 020 7898 1861).

4.12 - FUNDING FABRIC REPAIRS

The costs of maintaining, repairing, and improving our parish churches is one of the most substantial financial items to be dealt with by PCCs. However, there are a number of ways in which the costs falling on regular churchgoers may be enhanced from other sources.

4.12.1 LOCAL INCOME

In villages in particular, there is often a general sense of goodwill towards the parish church even from those who do not normally worship in the building. Quite a number of parishes have raised considerable sums of money towards repairs in this way. Some parishes have set up independent bodies frequently called '*the Friends of ...*'; others have set up within the context of PCC income a separate '*building fund*' to which everyone may subscribe. Other PCCs prefer to keep immediate control of the income raised. A leaflet introducing the concept of a 'Friends' scheme is available from the Diocesan Office.

Whichever method is used, it has been found to be helpful if the Parish Priest and Churchwardens can be *ex-officio* members of the group set up, in order to ensure that the purposes of the fund-raising coincide with the priorities for repair and maintenance perceived by the PCC as a result of the architect's Quinquennial Inspection Report. At the same time, many parishes have welcomed the chairmanship of a non-PCC member to this group; this can bring the individual's skills, drive, and energy to the task, as well as enabling the community to perceive that the fund-raising is genuinely a village affair, and not simply the PCC in a different guise.

There are many different ways in which funds may be raised. Direct giving in the form of tax-efficient Gift Aid remains the most financially effective method. In addition, sums may be raised from fêtes, concerts, exhibitions, auctions both of goods and promises, talks on local history or other topics of genuine interest, parish suppers, strawberry teas, open gardens, flower festivals, sponsored activities – to name but a few well-tried activities. If a parish has deposited ancient registers and documents in the County Record Office, the Office is usually delighted to allow a parish to have such documents back for display at a festival, and often these will be mounted helpfully for display purposes.

A book offering a general guide to fundraising is '*Fundraising for Churches*' by Jane Grieve, published by SPCK.

4.12.2 GRANT-MAKING BODIES

¶ *Public Funds: Local Authorities*

Under the Planning (Listed Building and Conservation Areas) Act 1990 local authorities may make grants or loans to any building in their area which they consider to be of importance. Planning departments of the district and county councils will advise on applications in their areas and enquiries should be addressed to the Conservation Officer. It may be profitable to be tenacious in applying for local authority grants and the support of the appropriate elected district councillor might be helpful.

¶ *Public Funds: State Aid*

Grants are available from *English Heritage*, Cambridge office 24 Brooklands Avenue, Cambridge CB2 2BU (Telephone 01223 582700 / Fax 01223 582701). The key provision is that buildings must be of "outstanding architectural or historic interest". Normally churches which are listed Grade I or Grade II* will be considered as "outstanding".

Grants from the Heritage Lottery Fund are now not normally available to parishes within the Diocese of Ely.

Parts of the north and north-east of the Diocese have been designated by the *European Community* as areas particularly in need of special grant aid.

¶ *Patrons*

Some lay patrons show interest in the parishes of their patronage. You may wish to make them aware of any appeals that are currently underway and ask them for their assistance.

¶ *Landfill Tax Credit Scheme*

If your church is within ten miles of a landfill site you may be eligible for grant aid. The Cambridgeshire Historic Churches Trust or the Norfolk Churches Trust (addresses below) can provide additional details, or you can write direct to ENTRUST, Southern Office, Profex House, 25 School Lane, Bushey, Herts, WD2 1BR

¶ *Literature with useful information:*

The Architectural Heritage Fund (Clareville House, 26-26 Oxenden Street, London SW1Y 4EL) has a publication entitled "Funds for Historic Buildings in England and Wales". It contains over 400 entries and is updated annually.

The Directory of Grant Making Trusts is available at most public libraries and lists many helpful organisations. The Directory, which is published by the Charities Aid Foundation, also contains advice on how to present an application.

The Council for the Care of Churches has published a booklet “*Funding Church Repairs – A Simple Guide*” and is available from them at Church House, Great Smith Street, London SW1P 3SH (020-7898-1866).

¶ *List of Some Grant-Making Trusts*

Allchurches Trust Ltd: C/o Mr R W Clayton, Ecclesiastical Insurance Group, Beaufort House, Brunswick Road, Gloucester GL1 1JZ

The Ancaster Trust: The Trustees of the Ancaster Trust, c/o Sayers Butterworth, 18 Bentinck Street, London W1M 5RL

The Astor of Hever Trust: Frenchstreet House, Westerham, Kent TN16 1PW

The Beaverbrook Foundation: Miss J Ford, General Secretary and Administrator, The Beaverbrook Foundation, 11 Old Queen Street, London SW1H 9JA

The Cyril W Black Charitable Trust: M B Pilcher, Secretary, 6 Leopold Road, London SW19 7BD

The A H and M A Boulton Trust: The Secretary, c/o Moore Stephens, 42 Castle Street, Liverpool L2 7TJ

Bristar Foundation: The Secretary, PO Box 26, Oundle Road, Peterborough PE2 9QU

R E Brook Charitable Settlement: Sir Robin Brook, 31 Acacia Road, London NW8 6AS

Sir Felix Brunner Third Charitable Trust: The Secretary, Grey’s Court, Henley-on-Thames, Oxfordshire RG9 4PG

T B H Brunner’s Charitable Trust T H B Brunner, 2 Inverness Gardens, London W8

Dennis Buxton Trust: The Secretary, Dennis Buxton Trust, Messrs Smith and Williamson, 1 Riding House Street, London W1A 3AS

Edward Cadbury Charitable Trust: Mrs W Walton, Emfield College Walk, Selly Oak, Birmingham B29 6LE

Cambridgeshire Historic Churches Trust: The Secretary, 18 High Street, Histon, Cambridge CB4 9JD

Caritas: c/o Saffrey Champness, Fairfax House, Fulwood Place, London WC1V 6UB

Charipot Trust: Major J S Bennett, 19 The Meadow, Chislehurst, Kent BR7 6AA

The Charterhouse Charitable Trust: The Secretary, The Charterhouse Charitable Trust, 1 Paternoster Road, St Paul's, London EC4M 7DH

The Chase Charity: 2 The Court, High Street, Harwell, Didcot, Oxon. OX11 0EA. Contact the Secretary, Mr Peter Kilgarriff. Grants are restricted to small rural parishes charged with the care of a national treasure and local effort is a vital factor.

The Colby Trust: Messrs Frere Chomeley, 28 Lincoln's Inn Fields, London WC2A 3HH

The Holbeche Corfield Charitable Settlement: C H Corfield-Moore, Greenoaks, Bradford Road, Sherborne, Dorset DT9 6BW

D A Curry's Charitable Trust: N J Armstrong FCA, Messrs Alliotts, 5th Floor, 9 Kingsway, London WC2B 6XF

Sir Peter Daniell Charitable Trust: R A Daniell, The Sir Peter Daniell Charitable Trust, 47 Flood Street, London SW3

The Delfont Foundation: 14 Lewes Road, Haywards Heath, West Sussex RH17 7SB

Denby Charitable Trust: A T Denby, Orchard Farmhouse, The Green, Saxlingham Nethergate, Norwich NR15 1TG

The Duke of Devonshire's Charitable Trust: The Comptroller, Chatsworth, Bakewell, Derbyshire DE4 1PP

Sir John Eastwood Foundation: G Raymond, Burns Lane, Warsop, Mansfield, Nottinghamshire NG20 0QG

The Fairway Trust: Mrs J Grimstone, c/o The Gatehouse, Coombe Wood Road, Kingston Hill, Kingston upon Thames Surrey KT2 7JY

Charles S French Charitable Trust: R L Thomas, 169 High Road, Loughton, Essex IG10 4LF

Friends of the Friendless Churches: 12 Edwardes Square, London W8 8HE. They only offer help in very exceptional circumstances but then accept total responsibility for the building.

The Georgian Group: 37 Spital Square, London E1 6DY
(Funding for the repair of Georgian buildings only)

The Hon H M T Gibson's Charity Trust: The Secretary, The Cowdray Trust Ltd, Pollen House, 10-12 Cork Street, London W1X 1PD

The Simon Gibson Charitable Trust: B Marsh, Hill House, 1 Little New Street, London EC4A 3TR

John Gregson Trust: Revd J McClelland, 14 Gordon Square,
London WC1H 0AG

The Kenneth Hargreaves Trust: Mrs Sheila Holbrook (Hon.
Treas.), Bridge End Cottage, Linton, Wetherby, West
Yorkshire LS22 4JB

Headley Trust: M Patterson, 9 Red Lion Court, London EC4A
3EB

The Hedley Foundation Ltd: The Secretary, 9 Dowgate Hill,
London EC4R 2SU

Lady Hind Trust: Eversheds, 1 Royal Standard Place,
Nottingham NG1 6FZ

The Historic Churches Preservation Trust: Fulham Palace,
London SW6 6EA. Write to the Secretary for an application
form. It also administers grants from C T Bowring (Charities
Fund Ltd.), PF Delveton, Joseph Lucas Charitable Trusts, the
Manifold Trust and the Wates Foundation. The Incorporated
Church Building Society is also at Fulham Palace. Both the
HCPT and the ICBS provide grants for fabric repairs only and
not organs, bells, lighting, heating etc.

The Hobson Charity Ltd: Sun Alliance Trust Co Ltd, 40
Chancery Lane, London WC2A 1JN

The Lady Mary Howard Fund: Eland Hove Patterson, 25
Lincoln's Inn Fields, London WC2 3ED. They assist in
rebuilding work in north-west Norfolk.

The Inverforth Charitable Trust: E A M Lee FCIB, Barrister-
at-Law, Secretary and Treasurer, The Farm, Northington,
Alresford, Hampshire S24 9TH

The January 1987 Charitable Trust: Sir Matthew Farrer,
Messrs Farrer and Co, 66 Lincoln's Inn Fields, London WC2A
3LH

Jerusalem Trust: M Patterson, 9 Red Lion Court, London
EC4A 3EB

Lois and Robert Janes Charitable Trust: D W Nye, c/o Arthur
Young, Compass House, 80 Newmarket Roads, Cambridge
CB5 8DZ

The Lady Eileen Joseph Foundation: A A Davis, Stoy
Hayward, 8 Baker Street, London W1M 1DA

The Kingston Trust Fund: Messrs Barr and Ellison, 39
Parkside, Cambridge CB1 1PN

The Ernest Kleinwort Charitable Trust: The Secretary, 10
Fenchurch Street, London EC3M 3LB

Beatrice Laing Trust: The Administrator, Beatrice Laing
Trust, Box 1, 133 Page Street, London NW7 2ER

The Arnold Lee Charitable Trust: A Lee, 47 Orchard Court,
Portman Square, London W1H 9PD

Livery Companies: addresses will be found in Whitaker's
Almanac.

Lord Barnby's Foundation: Mrs B Nightingale, c/o Messrs
Payne Hicks Beach, 10 New Square, Lincoln's Inn, London
WC2A 3QQ

Lord Leverhulme's Charitable Trust: The Joint Secretary,
Coopers and Lybrand Deloitte, Plumtree Court, Farringdon
Street, London EC4A 4HT

S and D Lloyd Charity: S J Lloyd, Pebworth Manor, Stratford-upon-Avon, Warwickshire CV37 8XB

The Anthony and Elizabeth Mellows Charitable Settlement: Prof. A R Mellows, 22 Devereux Court, Temple Bar, London WC2R 3JJ (All applications MUST be accompanied by a recommendation from the Council of the Care of Churches.)

John Mowlem Charitable Trust: c/o John Mowlem and Co plc, White Lion Court, Swan Street, Isleworth, Middlesex TW7 6RN

The Norfolk Churches Trust: The Secretary, 7 The Old Church, St Matthew's Road, Norwich NR1 1SP

The Open Churches Trust: c/o The Really Useful Group, 22 Tower Street, London WC2H 9NS

P F Charitable Trust: 25 Copthall Avenue, London EC2R 7DR

The Pilgrim Trust: The Secretary, The Pilgrim Trust, Fielden House, little College Street, London SW1P 3SH (Block grants given to Historic Churches and Preservation Trust for fabric repairs; Council for Care of Churches for conservation of historic contents and organ repairs. For repair and conservation of churchyard walls and monuments, apply direct to the Pilgrim Trust.)

Dr L H A Pilkington's Charitable Trust: The Secretary, P O Box 428, Guernsey CI

Frank and Dorothy Poulden Charitable Trust: J F Wigham, 2 Mount Street, Diss, Norfolk

The Prince of Wales Charities: Major General Sir Christopher Airy KCVO CBE, The Prince of Wales' Office, St James' Palace, London SW1A 1BS

The Puebla Charitable Trust: Mrs Ramson-Ensors, Cardinal House, 46 St Nicholas Street, Ipswich, Suffolk, IP1 1TT

The Pye Foundation: M R Hensby, Secretary, The Pye Foundation, Botanic House, 100 Hills Road, Cambridge CB2 1LQ

The Rank Foundation: S J B Langdale MA, 4- 5 North Bar, Banbury, Oxon.OX16 0TV

Roger Raymond Charitable Trust No. 2: R W Pullen, Sayers Butterworth, 18 Bentinck Street, London W1M 5RL

Round Tower Churches Society: Grants Officer, L G Hipperson, 16 Marsh View, Beccles NR34 9RT (Grants only available for work on round towers)

The Saint George's Trust: J F Kingston, Hon. Sec., Hill Cottage, Blyford Lane, Wenhaston, Halesworth, Suffolk IP19 9BS

Save and Prosper Foundation: D Grant, Director, Save and Prosper Foundation, Finsbury Dials, 20 Finsbury Street, London EC2Y 9AY

Archie Sherman 1976 Charitable Foundation: Mrs Lorna Hubert, c/o Rothschild Trust Corporation Ltd, St Julian's Court, St Peter Port, Guernsey CI

The Harold Smith Charitable Trust: B V Norgan, Hunter's Moon, Brighton Road, Pease Pottage, Crawley, West Sussex RH11 9AG

The Spalding Trust: Mrs C O Kornicki, 56 Carlyle Road, Cambridge CB4 3DH

Jessie Spencer Trust: Eversheds, 1 Royal Standard Place, Nottingham NG1 6FZ

The Bernard Sunley Charitable Foundation: Duncan Macdiarmid CA, Director, 53 Grosvenor Street, London W1X 9FH

The Charles Sykes Trust: The Hon Secretary, Queensgate House, 23 North Park Road, Harrogate, North Yorkshire

Loke Wan Tho Memorial Foundation: Coopers and Lybrand, 9 Greyfriars Road, Reading, Berkshire RG1 1JL

Tollemache (Buckminster) Charitable Trust: The Secretary, Eastgate Office, Buckminster, Near Grantham, Lincolnshire NG33 5SD

Mrs S H Troughton's Charity Trust: The Secretary, The Dickinson Trust Ltd, Pollen House, 10-12 Cork Street, London W1X 1PD

Douglas Turner Charitable Trust: J E Dyke, 1 The Yew Trees, High Street, Henley-in-Arden, Solihull B95 5BN

The Victorian Society: 1 Priory Gardens, Bedford Park, London W4 1TT (Advice on grant sources available for churches of period 1837-1900)

The Barbara Welby Trust: Messrs Dawson and Co, 2 New Square, Lincoln's Inn, London WC2A 3RZ

Major Michael Thomas Wills 1961 Charitable Trust: Messrs Cooper and Lybrand, Lennox House, Beaufort Buildings, Spa Road, Gloucester GL1 1XD

Mrs Wingfield's Charitable Trust: Messrs Dyke Yaxley and Co, Abbey House, Abbey Foregate, Shrewsbury, Salop SY2 6BH

The Woodroffe Benton Foundation: K P W Stoneley JP MSc
FCIS ATII, 11 Park Avenue, Keymer, Hassocks, west Sussex
BN6 8LT

The Wootton Grange Charitable Trust: A F Simmons, 21
Chipper Lane, Salisbury SP1 1BG

¶ ***Grant-making Trusts for Bells***

The Barron Bell Trust: I H Walron, 71 Lower Green Road,
Pembury, Tunbridge Wells, Kent TN2 4EB

The Central Council of Church Bell Ringers: c/o Mr I H
Oram, The Cottage, School Hill, Warnham, Horsham, West
Sussex RH12 3QN (The Council administers funds made
available by *the Manifold Charitable Trust*, Miss C
Gilbertson, Shottesbrooke House, Maidenhead SL6 3SW.
Emphasis is on restoration of bells which have been unringable
for some time.)

The Sharpe Trust: c/o The Grant Secretary, Miss M Bliss, The
Old Bakehouse, Beech Pike, Elkestone, Cheltenham, Glos
GL53 9PL

¶ ***Grant-making Trusts for Glass, Fittings and Furniture***

The Bass Charitable Trust: 66 Charlton Street, London W1N
0HS

The Council for The Care of Churches: Church House, Great
Smith Street, London SW1P 3NZ

Friends of War Memorials: 4 Lower Belgrave Street, London
SW1W 0LA (Restoration, refurbishment or relocation of
memorials and rolls of honour)

The Leche Trust: 84 Cicada Road, London SW18 2NZ (Glass, fittings, furniture, organs and significant tombs in churchyards dating 1680-1830 and bells cast in the period.)

William and Jane Morris Fund: The assistant Secretary, Society of Antiquaries, Burlington House, Piccadilly, London W1V 0HS (Preference given to work concerned with conservation of decoration of building, stained glass, sculpture, internal monuments, tombs or wall paintings. Not for structural repairs, work to bells, organs, heating etc.)

The Pilgrim Trust: The Secretary, The Pilgrim Trust, Fielden House, Little College Street, London SW1P 3SH (Block grants given to Historic Churches and Preservation Trust for fabric repairs.)

The Society of Antiquaries: The grants may be available from the Morris Bequest, the Assistant Secretary, Burlington House, Piccadilly, London W1V 0HS

St Andrew's Conservation: 4 Mount Hey, Somerton, Somerset TA11 7PG

The Garfield Weston Foundation: Administrator, Weston Centre, Bowater House, 68 Knightsbridge, London SW1X 7LR (Fabric and organ repairs)

The Barbara Whatmore Churches Trust: Mrs P Cooke-Yarborough, Spring House, Aldeburgh IP15 5EW (Funding for restoration of furnishings)

The Worshipful Company of Glaziers and Painters of Glass: c/o T Carlile Hon, Sec., Glaziers Trust, 8 Aldenham Grove, Radlett, Herts, WD7 7BW (Funding for restoration of ancient glass)

¶ *Grant-making Trusts for Musical items*

The Diapason Trust: U No 1 The Cottage, Mount Pleasant, Jubilee Drive, Upper Colwall, Malvern, Worcestershire WR13 6DH (Provides assistance in the maintenance of antique pipe organs and barrel organs (over 100 years old) when their continued existence is threatened by financial constraints. Small churches preferred.)

The Ecclesiastical Music Trust: Miss G Yeatman BSc FCA, Orchard House, Cot Lane, Chidham, Chichester PO8 8ST (For the promotion and practice of ecclesiastical music only)

The Esmee Fairbairn Charitable Trust: 1 Birdcage Walk, London SW1H 9JJ (Provides only limited support for restoration of organs)

Gerald Finzi Charitable Trust: Andrew Burn, 47 Church Street, Frodsham, Cheshire WA6 6PP (Small grants for the purchase of musical instruments)

The Foundation for Sport and the Arts and Musical Instruments: P O Box 20, Liverpool L13 1HB (Distributes money subscribed from the football pools)

The Idlewild Trust: Mrs N Wilding, Secretary, 54/56 Knatchbull Road, London SE5 9QY (for organs that are significant in design terms. A substantial amount of funds would need to have been raised already, with a viable plan for raising the remainder.)

Laing's Charitable Trust: D W Featherstone, Secretary, Laing's Charitable Trust, 133 Page Street, London NW7 2ER (Re. Organs – a very limited number of small grants are made.)

The On Organ Fund: The Honorary Secretary, 36 Strode Road, Forest Gate, London E7 0RB (Grants for acre and maintenance of pipe organs and for new pipe organs. Do not approach until Faculty obtained, a contract signed and over half money required given or pledged.)

The Ouseley Trust: Mr M Williams, Clerk to the Trustees, 28 Clareville Grove, London SW7 5AS (Grants only made if there is a direct link between promoting/maintaining choral services to a high standard and the organ is of particular value.)

The Pilgrim Trust: The Secretary, The Pilgrim Trust, Fielden House, little College Street, London SW1P 3SH (Block grants given to Council for Care of Churches for conservation of historic contents and organ repairs.)

