



**ALAN**

**BY THE GRACE OF GOD AND THE FAVOUR OF THE APOSTOLIC SEE**

**BISHOP OF EAST ANGLIA**

**STATUTES OF THE DIOCESE OF EAST ANGLIA**

**HISTORIC CHURCHES COMMITTEE**

**Name**

1. The Committee shall be known as the Diocese of East Anglia Historic Churches Committee.

**Constitution**

- 2 The Committee shall consist of the following members appointed by the Bishop:
  - (a) one vicar-general of the diocese;
  - (b) one person involved in the financial administration of the diocese; normally the Director of Finance and Resources;
  - (c) one member nominated by and from the diocesan art and architecture commission;
  - (d) one member nominated by and from the diocesan liturgical commission;
  - (e) one member nominated by and from the diocesan council of priests;
  - (f) one member of a religious institute or society of apostolic life owning property which is both within the diocese and whose Ordinary is a party to the Decree;
  - (g) one practising architect with experience in conservation work on church buildings;
  - (h) one practising artist with experience of work in churches;
  - (i) one architectural or art historian with knowledge of 19th or 20th century ecclesiastical architecture and design.
  - (j) one person appointed after consultation with Historic England;
  - (k) one person with professional experience of the secular planning system in the area covered by the diocese;
  - (l) one person appointed after consultation with the Joint Committee of the National Amenity Societies.

## **Chairman**

3 The Committee shall elect a Chairman and a Vice-Chairman from its own membership. The Chairman shall have a casting vote. If the Chairman is absent or incapacitated for whatever reason, the Vice-Chairman shall have all the powers of the Chairman and shall be deemed to be the Chairman for all purposes connected with that meeting. If both the Chairman and Vice-Chairman are absent or incapacitated for whatever reason, the next most senior member of the Committee in accordance with the order set out in 2 above shall have all the powers of the Chairman and shall be deemed to be the Chairman for all purposes connected with that meeting.

Where the interests of safety, health or the preservation of a building would be seriously prejudiced by waiting until the next meeting of the Committee the Chairman in consultation with the Vice-Chairman and the Vicar-General member of the Committee shall have the power to grant a provisional faculty. In extreme cases the power to do so verbally is given to the Chairman or Vice-Chairman (who must subsequently confirm the faculty in writing). Such power is limited to those works that are necessary to carry out the emergency measures.

## **Tenure of Office**

4 Members are to be appointed for a period of three years. Members may be re-appointed. A member may resign in writing to the Bishop and shall be deemed to have resigned if he fails to attend all meetings in one calendar year without leave of absence from the Committee. Any person appointed to fill a casual vacancy shall serve the remainder of the term of office of the person whom he is replacing.

## **Secretary and Records**

5 The Bishop shall appoint a Secretary for the Committee. The Secretary shall not be a member of the Committee and is responsible for advising the Committee on correct procedures, ensuring correct documentation, taking, keeping and circulating minutes and other information, liaising with other appropriate bodies (including the Subcommittee for Church Patrimony) and individuals, preparing annual reports and monitoring performance. The Secretary shall maintain up to date lists of all the members and officers of and consultants to the Committee and of all the exempt structures within the diocese. The Secretary shall ensure that a copy of such lists and of any changes to them are lodged with the Liturgy Office. The Secretary shall have full power and is hereby mandated to sign and issue faculties as directed by the Committee under n.11 or by the Chairman or Vice-Chairman under n.3.

## **Advisers**

- 6 The Bishop may appoint suitably qualified persons to act as advisers to the Committee and shall consider doing so if the Committee so request.
- 7 If the Bishop has appointed an adviser qualified in a particular area of expertise the Committee shall consider consulting that person before any decision is taken on any matter falling within that area of expertise of that person.

## **Meetings**

- 8 A quorum shall be one half plus one of the total membership of the Committee.
- 9 The Committee shall meet at least twice in every calendar year.
- 10 All members of the Committee shall declare any pecuniary interest in any matter under discussion and shall take no further part in any proceedings relating to that matter. All

members of the committee shall declare any non-pecuniary interest in any matter under discussion and shall take no further part in any proceedings relating to that matter unless the Committee determine that he may either take part in those proceedings without voting or take part in those proceedings and vote. The possession of any power of governance shall not be taken to be an interest.

- 11 The Committee has full power to determine applications for faculties under the Decree and (subject to any appeal to the bishop before such a faculty is issued) to grant such faculties on behalf of the bishop in such form and subject to such conditions as the Committee sees fit.

### **Statutes**

- 12 These Statutes (and any subsequent revision) or a copy thereof shall be:

- (a) lodged in the Archive of the Diocese;
- (b) lodged with the Liturgy Office; and
- (c) given to every member of the Committee;

within 21 days of being made. New members shall be given a copy of the current Statutes on appointment.

### **Procedure**

- 13 Applications must be submitted to the Secretary by the person responsible for the administration of the building, using the prescribed forms. Whilst submission via the Catholic Historic Churches Website is the preferred method of submission, and the notes published on the website provide comprehensive guidance for applicants, for non-electronic submissions, **four** copies of the application documentation must be submitted. Documentation should normally include all of the following:
- a) a 1:1250 or 1:2500 location plan with the position of the building and the ownership boundaries clearly marked
  - b) For all but the most minor works, professionally-prepared plans, photographs and adequate specifications, sufficient to identify the building, illustrate its character, and explain the proposals
  - c) A statement setting out the significance of the site, the impact of the proposal(s) on that significance and explaining why the proposed works are desirable or necessary. The degree of detail will be proportionate to the significance of the site, and the nature and complexity of the proposals
  - d) In the case of proposals involving significant alterations to a diocesan building, the views of the diocesan Art and Architecture Commission and Liturgical Commission (if known)
  - e) In the case of proposals involving a parochial building, a statement that the Parish Pastoral Council (if any) has been consulted
  - f) In the case of proposals involving a building belonging to a religious order, a statement that any required consent or consultation has been obtained or taken place
  - g) A copy of the most recent quinquennial report (if not already in the possession of the HCC). This will normally have been commissioned by the diocesan finance or property board. If one has not been prepared, or is not available, this should be stated.

Some of the above requirements may be relaxed by the Secretary if, in his or her opinion, the works are of such a minor nature as not to require such documentation.

- 14 Where the application has not been submitted via the CHC website the Secretary shall notify the applicant that he must take the following steps:
  - (a) display the form sent to him for that purpose for a continuous period of not less than 21 days in a prominent position on the exterior of the building on or near its main entrance;
  - (b) if the building is not the parish church, to send a copy of the form sent to him for that purpose to the parish priest for display for a similar period in the parish church;
  - (c) advertise the application in an appropriate local newspaper, using the wording on the form sent to him for that purpose.
- 15 The Secretary shall consult the local planning authority, Historic England and the national amenity societies, via the website, giving them 28 days to comment.
- 16 The applicant, all those consulted in accordance with this procedure and any person who submits written representations to the Secretary in any particular application are referred to hereafter as "interested parties" with respect to that application.

#### **Determination**

- 17 The Secretary to the Historic Churches Committee shall put the application, observations received as a result of the consultations, and written representations received from other interested parties before the Historic Churches Committee for discussion and determination.
- 18 Subject to anything specifically contained in the decree or these Statutes, the procedure adopted for determination of any application is to be determined by the Historic Churches Committee.
- 19 Should the applicant request, the Committee is to allow the applicant and/or up to two representatives to attend when the relevant application is being discussed and determined.
- 20 The Committee shall determine the application.
- 21 The Secretary shall inform all interested parties of the decision of the Committee via the website. If the Committee has decided to issue a faculty, the Secretary shall issue the faculty following a period of not less than 21 days (unless an appeal has been lodged within that period).

#### **Appeals**

- 22 If the Secretary receives an appeal from any interested party in the prescribed form within the period of 21 days from the notification of the Committee's decision to the interested parties, he shall inform the bishop. The Secretary shall act as secretary to the bishop or any commission appointed by him for the purposes of hearing the appeal.
- 23 The Secretary to the Historic Churches Committee will acknowledge receipt of the appeal in the prescribed form and will send copies of such acknowledgement and of the appeal to all other interested parties.
- 24 A commission will conduct the appeal in accordance with the procedure determined by the president of the commission. The appellant and any interested party may avail themselves of the services of an advocate or procurator.
- 25 The Secretary shall notify all interested parties of the outcome of the appeal, which shall be final.

#### **Monitoring and Records**

- 26 The Secretary shall keep a record of all proceedings of the Committee together with copies of all forms sent or received in accordance with the Decree and these Statutes. These records shall be kept in the diocesan offices (or an alternative venue designated by the Historic Churches Committee) in a form accessible to those with a right to see them.

- 27 The Secretary shall make all the records of the Committee available to the bishop or religious superior or their representatives and designated members of the Sub-committee for Church Patrimony and (in relation only to the records relating to the application or applications in which they have an interest) interested parties. The Secretary may, subject to any directions of the Committee, make the records of the Committee available to members of the public.
- 28 The Secretary shall ensure that an annual summary report is produced and that a copy is sent to the Liturgy Office (Subcommittee for Church Patrimony). Copies should be sent to the Department for Digital, Culture, Media and Sport, Historic England and the Joint Committee of National Amenity Societies if requested.

## Definitions

- 29 In these Statutes:

“the Liturgy Office” means the Liturgy Office of the Conference;

“Historic England” means the Historic Buildings and Monuments Commission for England;

“quinquennial report” means the regular report on the structure and fabric of a building commissioned on behalf of its owner;

“the Decree” means the General Decree on the Ecclesiastical Exemption made by the relevant Ordinary;

“the Conference” means the Bishops’ Conference of England and Wales;

“the Subcommittee for Church Patrimony” means that subcommittee of the Conference's Department for Christian Life and Worship;

“the website” means the Catholic Historic Churches website including the Faculty Management facility.

Given at Poringland this 13th day of October 2020



*+ Alan Stephen Hopes*

+The Rt Revd Alan Stephen Hopes  
Bishop of East Anglia

*Monsignor Eugène Canon Harkness*

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Chancellor of East Anglia

Diocesan Seal