



## The Parish Pack

This advice has been prepared by Save The Parish (STP). It is written to offer help and support to Incumbents, Churchwardens, PCC Members, congregations and parish residents.

**THIS DOCUMENT DOES NOT CONSTITUTE FORMAL LEGAL ADVICE. IF NEEDED THIS SHOULD BE SOUGHT.**

This document is laid out as follows:

- 1. GENERAL ADVICE ON THE FUTURE OF YOUR PARISH**
- 2. CURRENT THREATS TO PCCs**
- 3. WHAT CAN YOU DO?**

**ANNEX A: TYPES OF PASTORAL REORGANISATIONS AND PROCESSES**

**ANNEX B: THE ROLES, RIGHTS AND RESPONSIBILITIES OF A PAROCHIAL CHURCH COUNCIL (PCC)**

**ANNEX C: THE ORGANISATIONAL STRUCTURE OF THE CHURCH OF ENGLAND**

**ANNEX D: CHURCH OF ENGLAND TERMINOLOGY**

### **1. GENERAL ADVICE ON THE FUTURE OF YOUR PARISH**

This parish pack is written with those parishes in mind who are facing an uncertain future of merger, or even closure. Here are some considerations that incumbents, PCC members and parishioners might want to have to the fore. As always, consult a qualified lawyer if you are seeking legal advice. STP can help to find such a person.

**Our advice to anyone is to steer well clear of Group Ministries, Team Ministries, and combined or united PCCs.** It all plays into the carefully practised diocesan agenda of reducing stipendiary clergy numbers, selling off parsonage houses and church schools, and withdrawing

along the clicks of a ratchet – an irreversible trajectory – towards the disappearance of the church from a particular locality, either rural or urban.

Always bear in mind the herculean efforts which went into funding and building your church, along with the parsonage house of the benefice. Once either of these is gone, there is no realistic prospect of ever again having a church or a resident priest in your parish. Fight tooth and nail to keep them. They are your heritage from previous generations, and they belong to you.

It is very difficult to oppose the diocese when it wants to sell off your parsonage house and pocket the proceeds. The Church Property Measure 2018 makes it very easy for them. But you can object, and if the diocese is behaving unfairly, there is a chance that you can save it.

Currently the procedures for closing a church and selling the building are complex and convoluted, and thank goodness for that! This is because they respect the rights of every parishioner, not just the incumbent and PCC, to object to closure and sale. Attempts are about to be made to change the law to make it much easier, by reducing rights of appeal. This will be resisted strongly by STP in General Synod.

But some dioceses now see closing and selling off churches as a useful future revenue stream. (They get to keep 2/3 of the proceeds of sale, while the rest goes to the Church Commissioners to fund the churches vested in the Churches' Conservation Trust.) They have sold off all of the parsonage houses they could appropriate during the past fifty years, about half the number which were owned by parishes. Places of worship – churches - are the family silver which has remained untouched until now.

Cash-strapped dioceses are beginning to think it might be a good idea to follow the example of the Methodist Church, which over the past generation has removed its Ministers from many areas and sold off many thousands of chapels, withdrawing into suburban strongholds. The Methodist Church itself is on the brink of oblivion as a consequence. The Church of Scotland is currently following headlong down the same route.

Ultimately the logic appears to be that there will always be enough remaining of the endowments to keep the hierarchy in post and in power, with a façade of a few apparently “successful” places of worship here and there to pretend still to be a national denomination.

**But it doesn't have to be this way. Local people must wake up and fight for what morally and legally belongs to their parish, not just meekly submit to proposals sent down to them by the Diocesan Board of Finance (DBF) or the Archdeacon. Use all the rights of appeal provided in church legislation. Appeals are heard by a national committee of the Church Commissioners, with a further right of appeal in some cases to the Judicial Committee of the Privy Council where the case raises a point of law.**

**Meanwhile organise locally.** Even if the congregation is tiny and exhausted by the constant battle to save their parish church, there are many in most communities who don't want to see their local church turned into a country mansion, or a sports hall, or a library, or even demolished for sale to a developer. **Set up a Community Trust, or a “Friends of St Mary's”, independent**

**from the PCC** (and therefore protected from acquisition by the diocese) and work with the Parish Council to ensure that all possible kinds of sympathetic community use are explored. Welcome and receive the goodwill which exists from beyond the worshipping community and work to keep the church open and in use. That's the best way to ensure its continuation into the next century and even into the next millennium.

The CofE's **Vision & Strategy** proposals, which are practically unfunded despite ambitious plans to open 10,000 new churches by 2030, point in the same direction as the diocesan strategy for selling parish property to fund current operations. They can only succeed by removing yet more resources from the parish system – **assets which do not belong to the hierarchy** – and reallocating them to short-lived experimental church plants, usually without identifiable places of worship, without the Ministry of Word and Sacrament provided by a properly trained and ordained minister (which is the fundamental basis of the polity (constitution) of the Church of England – see Article 19) – without adequate supervision. In the process of doing this they will expend those precious local resources for ever, leaving behind a “fire sale” of church buildings closed by the dioceses for public worship and now being marketed by estate agents, with the majority of the sale proceeds going not to the parish which has been deprived, but to the DBF. If you want to see what this will look like, drive around and see the numbers of former free church chapels which have now been sold and used for other purposes.

**Group Ministry** has been possible for many years under the Pastoral Measure 1983 and its more recent versions. But it is not a popular or frequent option, since it has little to offer that cannot be achieved by clergy and parishes voluntarily working collaboratively within a deanery; but it introduces commitments which may not survive the appointment of the original incumbents, A, B and C, when C retires and is replaced by D and immediately refuses to work with A and B. There are very few successful instances of Group Ministry in existence.

**Team Ministry**, which was a great 1970s fad, is more prevalent, but many team ministries have been dissolved precisely because the dynamics of such schemes come up against human nature. For most church members and clergy, the ideal is one priest, one church building, one congregation, in control of their own property, income and destiny. In practice the Team Rector can regard the Team Vicars as curates, and few clergy wish to hold office of this kind.

**Any initiative for such team schemes should only come from those who are proposing to be united as a Group, not from the diocese**, if there is to be any chance of success.

Most troubling is the recent change in the CofE regulations to enable the formation of united PCCs. In the past this would be done with careful analysis by the Church Commissioners, and with an opportunity for anyone to object. The new rules make it much easier, and it is a temptation which should be resisted except in the most unusual and extraordinary circumstances. **When a local PCC ceases to exist, there is no protection for the local church and its assets, which will always be at the mercy of the sole PCC now running the benefice.**

Everyone must insist on the absolute priority of the parish as the basic unit of church life in England. Even though church attendance is declining at present, and funds are tighter than they need be thanks to the wastefulness and profligacy of the Diocese Plc since 1976, the Church of England is nothing without its parishes, their parsonages, their churches and their clergy. If we

have to adapt for a time to “worker priests” and to non-stipendiary clergy, or to 0.2 or 0.5 appointments, then let it be so, in order to keep tight hold of the iconic buildings which we own. These resources were given in trust to our parishes – not to the diocese – and for the ministry of Word and Sacraments rather than the Band or the Overhead Projector. Our theology and ministry are as precious as our church buildings and our resources. While we have those buildings we can open for worship and seek to grow the congregation. **Close the churches and we vanish.**

**There** are some encouraging sounds in the background of the National Institutions which suggest that our call for a reduction in the number of dioceses is being taken seriously and considered. We don’t need 42 head offices. We must press on and insist that the restoration of the parish system is the only viable way forward. The parish is the local church. It must grow and the management must shrink.

## **2. CURRENT THREATS TO PCCs**

For some years there has been pressure from dioceses to group parishes together under a single priest or team of priests, to reduce the costs of paying clergy (although this is funded from money donated by the parishes). 'Pastoral reorganisation' is the process of making rearrangements to parishes and benefices.

See <https://www.churchofengland.org/resources/parish-reorganisation-and-church-property> (and the information set out in Appendix A).

The diocese might, for example, make proposals to: (i) amalgamate your parish with other parishes into a benefice (by a ‘Pastoral Scheme’); or (ii) change your church into a ‘fresh expression of church’ (via a 'Bishop’s Mission Order’); or (iii) close your church (by a ‘Pastoral Church Buildings Scheme’).

When you have a priest who is living in the parish, he or she will own the church building, the churchyards and the parsonage as a result of the priest being what is known legally as a ‘corporation sole’. The diocese might make proposals to dispossess your priest, and get a neighbouring priest to take charge of your parish and sell your vicarage. However, if you have no priest, and are in interregnum (also known as a vacancy), it will be much easier for the diocese to take control and your parish will be especially vulnerable to diocesan reorganisation. During an interregnum, the diocesan bishop is an ‘acting trustee’ of the properties. So, it is easier for the diocese to sell them using the 2018 Property Measure.

<https://www.legislation.gov.uk/ukcm/2018/8/contents/enacted>

Try to make sure that plenty of people are on the PCC. A strong, united, organised PCC is more of a force to be reckoned with. The duties of a PCC are set out in Appendix B.

Be suspicious of any suggestions which will involve your PCC merging with any other PCC or entity, because then your PCC would lose control of your parish assets, which it may have held for hundreds of years. There are various different schemes (which different dioceses may give different names) but the most commonly found – or being applied – are as follows:

**a. A Benefice of several parishes.** This is where several parishes are grouped together under (generally) a single priest who is the incumbent (priest) of the benefice. The incumbent is the Rector or Vicar of each and every parish in the benefice. There may be pressure to combine PCCs, but in this model it is essential that they are kept in existence and separate, so as not to lose the rights and powers of each PCC in respect of its own parish church and assets. The incumbent is *ex-officio* chair of every PCC in the benefice, but it is entirely reasonable and proper for meetings to be chaired by the local lay vice-chair. The clergy are not required to be present at every meeting.

**b. A Mission Community.** This term has no formal legal meaning but is a concept used in some dioceses to manage reorganisation. One may be the same in essence as the benefice described above or may include more than one benefice. The incumbent will be the benefice holder for all parishes in the mission community. The intention is that the participating parishes should share mission and resources for the maximum benefit for all. This may mean rotating services between churches and sometimes, such as religious festivals, holding services for the mission community as a whole.

Some dioceses are encouraging PCCs to combine into a Joint Council. The legal basis for a Joint Council is described on the Church of England website [under the Church Representation Rules](#). There is more detail under sections M37 – M42 of the Rules. You must read these if your PCC is being asked to consider a Joint Council.

It is worth noting that this is a potential slippery slope. Parishes in a benefice can form a partial Joint Council (for example sharing responsibility for health and safety or safeguarding – which at first sight might seem sensible), or a full Joint Council (when former PCCs cease to exist and “all property, rights, liabilities and functions” are transferred), or going further into a new single parish with several churches under one PCC, with one set of officers.

The Church Commissioners’ staff have been asked whether it is possible to withdraw from a Joint Council. The answer given is “if a church wanted to leave the Council, then in theory it could be brought back, but there is no clear process set down.” So at present this is a one way ticket. If, for example, your parish did not like the churchmanship of your JCC, you could not withdraw. Only the Bishop can unwind a JCC, in general only as part of a pastoral reorganisation scheme.

A Joint Council or a single PCC will hold financial responsibility. In other words, your own church will lose control of its finances and assets – held in many cases for hundreds of years - forever. Each church’s restricted funds will, of course, remain restricted. In other respects – you as faithful worshippers at your local church - will no longer be able to exercise total control over its finances. If you need money for something for your church which is not covered by a restricted fund, you will have to ask the JCC or single PCC – who may reject your request as being lower priority than expenditure at another church in the new grouping.

It is also very important to note that if a single PCC is formed, the individual churches lose their status as 'interested parties' in any future pastoral reorganisation. So, if for example, it was proposed to merge two super-parishes, each with a single PCC, each church within each PCC would not have any formal status in the consultation process. Rights of representation to the Church Commissioners, over the head of the bishop, would have been lost forever.

**c. Team Ministry.** This is where a number of parishes join together with more than one minister. Resources are shared and, depending on the location of parsonages, some ministers may be associated with a sub-group of the parishes in the team ministry. Parishes retain their own PCCs and can feel they have their own minister within the group. However, as explained above, it will only work as well as those within the arrangement want it to and this can lead to disagreements between different groups and different personalities within the team ministry.

**d. The Minster Model.** This is similar to a mission community, again not a legal term, but where the parishes tend to be grouped round a market town or focal part of a town. Resources are shared but can become concentrated around a central hub to the detriment of outlying locations. The church at the hub might be designated a resource church. The outlying parishes can be formed into a single benefice and even be rebranded as a single 'parish'. Thereby the diocese can claim the 'parish' is at the centre of worship; but this is very different to the term parish as widely understood (see paragraph k. in Appendix A).

This would mean abolishing all the former PCCs, without going via the route of a joint council, and thus PCCs would lose control of all property, rights, liabilities and functions. Each church within the new large parish would have no rights as an 'interested party' in any pastoral reorganisation. This merger process is irreversible. Further details are explained in Para b. above.

**e. Group Ministry.** This is where a number of parishes are formally grouped together with the expectation that the incumbents involved will collaborate in ministry. But inevitably new clergy come along and disagreements may make collaboration impossible. It is better for such arrangements to be made temporarily and therefore always kept flexible.

### **3. WHAT CAN YOU DO?**

You need to look at what the diocese is trying to do, and why. Pastoral schemes are supposed to be for the benefit of 'mission', but often the reason for them appears to be financial. Have you got parish assets which the diocese wants to get hold of and sell? Increasingly, dioceses judge a

church solely by whether or not the parish share is paid in full. This does NOT actually provide proper grounds for pastoral reorganisation.

#### **a. Agree a position with your PCC**

PCCs can easily become downtrodden with dwindling congregations and lack of volunteers. Suggestions of mergers or other forms of sharing resources can seem attractive. However, an incumbent living (say) ten or even twenty miles away may not be inclined to focus on your church if other churches in the benefice are faring better in attendance terms or have easier geography, parking, etc.

The Archdeacon may be bearing down with ideas for mergers, the true motivation for which is for the diocese's rather than the parish's benefit, to sell more property, or to reduce the number of clergy so as to reduce the costs of their stipends. In such circumstances, the PCC needs a clear head about its inherited responsibilities in a parish system which is hundreds of years old and should know and understand its responsibilities to future generations.

The PCC has unique statutory powers and responsibilities with which to determine the future of the parish, and has the right (and sometimes the duty) to seek the support of the Charity Commission.

**If you suspect that the diocese is hatching plans for your church's future, an early indication that your parish will strongly resist attempts to dictate your parish's future may be effective to deter the diocese from proceeding. You may wish to start withholding parish share as an indication that you are serious (see suggestion c. below). You should certainly be assessing how parish assets such as cash reserves can be put out of reach of the diocese (see suggestion d below).**

The more energetically a pastoral reorganisation is resisted, the more likely the resistance is likely to succeed.

Be careful to keep a precise timeline of events and documents relating to any suggestions of reorganisation and/or actual proposals made to your parish. In about 8 out of 10 of the cases which subsequently go to appeal and are heard by a committee of the Church Commissioners

(<https://www.churchofengland.org/resources/parish-reorganisation-and-closed-church-buildings/mission-pastoral-church-property>), either the diocese or the parish will not have 'done its homework' properly. You can improve your parish's chances of success by keeping meticulous records (notice of calling meetings, accurate minutes, record voting figures for your PCC resolutions, etc.). If the diocese fails to properly go through the processes set out in paragraph b. of Appendix A, or fails to reply to or take into account your objections, you can complain in writing that this has happened to the Church Commissioners at the appeal stage.

Any parishioner, indeed anyone in England, can object to a Pastoral Reorganisation. Aim to get large numbers of objections sent in. The dioceses do not expect large numbers of objections. A pastoral issue like this merits very careful and sensitive listening and should not be just imposed on congregations. However, many parishes 'give up' because they feel they cannot fight the diocese, or they cannot face all the paperwork (which the diocesan people are used to, but is new to the parishes). This just takes some organising.

The relevant legislation is in this (long and boring) piece of church law, the 2011 Mission and Pastoral Measure (as amended in 2018 - hence the yellow text in this link): <https://www.churchofengland.org/sites/default/files/2019-04/MPM%202011%20as%20in%20effect%2001032019.pdf>

It will be possible to appeal, as mentioned above and in Appendix A. If the appeal committee thinks the scheme flawed, they will reject it back to the diocese.

The most effective grounds for objection to a scheme at the appeal stage are that **the consultation process was not carried out properly**. Lots of dioceses do not bother to follow the process and paperwork to the letter, or in the spirit.

You may be able to show strong grounds for objection by producing evidence that serious pastoral harm will be done by the scheme. For example, replacing one parish with an amalgamation of many. It may also be possible to tot up what the parish can afford and argue that it should be entitled to its own priest because it can afford to pay for one.

If your parish is for example a traditional Anglo-Catholic parish being forced to become part of a group under the control of a 'resource church', this contravenes the requirement (Mission and Pastoral Measure 2011, s.3) that the traditions of the parish must be one of the factors to be considered when formulating a scheme for pastoral reorganisation. The parish concerned should appeal forcefully against the proposed scheme.

Parishes and localities do feel very aggrieved when their assets are sold for the benefit not of the people of their area but the diocesan board of finance: it goes against natural justice, history and the proper parish-diocese balance. A PCC may through church legislation be put into a position where it stands to lose everything: its historic churchmanship, incumbent, vicarage, community influence, voice. That may be the law, but it would be hard to argue that it is just or moral in a Biblical sense. These things are worth fighting for.

Here are some other actions you can take to help to protect your parish:

**b. Engage with local organisations.** The consultation process described above is intended to allow all residents of the parish and beyond (indeed, anyone anywhere) to comment on pastoral reorganisation proposals. The PCC therefore should consider engaging with as many local organisations as possible to garner support for the preferred way ahead. The parish church was probably built by parishioners and all from local

resources. It belongs to the people of the parish – churchgoers or not – and is definitely not owned by the diocese. Many locals will have their forebears buried in the churchyard. Get support, or at least understanding, from the Parish Council, local heritage organisations, local environmental groups, bellringers, Mothers' Union, Women's Institute, the Rotary, the local schools, youth groups and so on.

**c. Engage with local media.** Local media are a powerful tool which tend to be read by local MPs, county, district and parish councillors, as well as local people. Printed local media are also read by local TV and radio, so stories can pick up local momentum powerfully and quickly. National media also look for stories amongst local media. Normally whoever gets the story out first gets the upper hand. Images – still or video – always add to the story.

**d. Consider your parish share.** The parish share is a **voluntary** contribution from the PCC to the Diocesan Board of Finance. Parishes have no legal obligation to pay a penny in parish share. Typically, about 70% of the parish share goes towards the cost of funding an incumbent, with the remainder going to diocesan overheads. Some parishes' parish share does not cover the notional 'cost of clergy'. Others pay more than the 'cost of clergy', which then effectively subsidises those who are only able to pay less. Some dioceses charge the PCC 'rent' for the incumbent to occupy the parsonage house, even though it belongs to the incumbent.

The diocese may use non-payment or part-payment of parish share as a signal that the benefice does not have the capacity or willingness to support a minister, maybe after the present incumbent has moved or retired. However, this can be avoided if the reduction to the share is made by a clear vote with a clear purpose. If you think you are under threat, you should give serious consideration to reducing your parish share, either to the clergy cost element only, or to not donate at all, especially when you have already been informed that there will not be a full-time incumbent appointed in future. and the diocese can take steps to prevent another appointment being made if a PCC is unable or unwilling to pay the share in full. It can also take the parsonage house if it is so minded.

Another suggestion is to get agreement from the PCC to place the parish share, or part of it, into a separate fund and withhold it until any dispute with the diocese is resolved. The PCC could make the diocese aware that the funds are available, subject to agreement. However, such an arrangement would not be binding on either party, if for example the PCC changed its opinion, or the diocese only moved half way.

**e. Ring fence your assets. This is something every parish should do, whether under threat or not [STP are awaiting legal advice on how best to do this].** In general, when a parish ceases to exist its unrestricted assets cede to the PCC of the neighbouring benefice which has absorbed the parish. This is all the property and funds that are not subject to some form of restricted covenant (such as a legacy for the church building). Such action would potentially starve your church building of resources which have been donated for its support. One way to avoid this happening is to put unrestricted funds and property into an independent trust. The trustees should be separate from the PCC. If the

trustees are solely the PCC or the vicar, then the trust would not be considered independent. It is safer if non-PCC trustees outnumber PCC trustees. If PCC members, including the incumbent, are trustees then they should do so in their own name, not *ex-officio*. The beneficiary of the trust should probably be defined for the benefit of the parish church itself.

**f. Signal your intentions to the hierarchy.** It is likely that the Archdeacon will have learned of any intention to oppose a pastoral reorganisation that affects your parish. Nonetheless it is worth formally notifying your bishop of your concerns, as it is likely that you will wish to appeal against any Scheme which is proposed. This is also important if the parish share is not going to be paid in full, because the diocesan finance director will be aware of that. Churchwardens are “Bishop’s Officers” who are able to communicate directly with their bishop.

**g. Broaden your support beyond the parish.** Armed with support from local organisations, consider writing about any threat to your parish to your MP and to relevant national organisations, such as English Heritage and the National Churches Trust. Supporters from the parish should also be encouraged to write. Ideally letters should be different, but volume of correspondence or emails can be at least as important as content.

**h. Take legal advice. The Registrar of your diocese has an equal obligation to give you advice, as it does to the bishop. They are the Diocesan Registrar, not the bishop’s Registrar, and are partly funded by the Church Commissioners.** Make use of them. It is also wise to get qualified accounting advice on the assets of the PCC.

**i. Submit your objections in writing to the contact details and within the time frame specified in any documentation. Any Scheme put forward, for the closure of your church, for pastoral reorganisation, or for the sale of your parsonage house, provides rights of appeal. These should be used to the full.**

**You can contact STP with specific questions. Good luck!**

## ANNEX A PASTORAL REORGANISATIONS

### a. How can it be done?

- By a Pastoral Church Buildings Scheme
  - for any reorganisation including closing a church
  - made by Church Commissioners
- By Pastoral Scheme
  - for any reorganisation except closing a church
  - made by Church Commissioners
- By Pastoral Order
  - for minor reorganisation usually not affecting legal rights of parishioners
  - made by the bishop
- By Pastoral Order (Short procedure)
  - for minor reorganisation usually not affecting any legal rights
  - made by the bishop (with consent of interested parties)
- By Bishop's Mission Order
  - For mission initiatives alongside parish system
  - Made by the bishop.

### b. What is the process?

- The diocese seeks the views of “interested parties” via Archdeacons and the Diocesan Mission and Pastoral Committee (DMPC)
- The diocese recommends proposals to the bishop (who can make a Bishop's Mission Order or a Pastoral Order if all interested parties have agreed).
- You should see that any comments made by the PCC are passed on fairly to the bishop by the DMPC.
- Draft Scheme or Order published (anyone may object to Church Commissioners)
- If there are objections the Church Commissioners decide whether the Scheme or Order should go ahead.
- The bishop makes a Pastoral Order unless the Church Commissioners decide it should not be made.
- Objectors may seek Leave to Appeal against the Commissioners' decision on a Pastoral Scheme or Pastoral Church Buildings Scheme.

- The Church Commissioners make a Scheme unless they decide it should not be made or there is a successful appeal against their decision that it should be made.

### **c. Objections**

The Mission, Pastoral & Church Property Committee of the Church Commissioners (MPCPC) considers objections to proposed pastoral (parish) reorganisation and some clergy housing and glebe transactions.

- Objections are legally called **representations**.
- Representations may also be made in support

### **d. Do I have a right of objection?**

- **Anyone** has a right to object to a proposed Pastoral Scheme or Pastoral Order to carry out pastoral reorganisation
- Only named **interested parties** have a right to object to clergy housing proposals made under the Church Property Measure 2018

### **e. How will I know about a proposed reorganisation or transaction?**

For pastoral reorganisation:

- All current proposals are published on the Church Commissioners' website .
- Named interested parties will be sent notices by letter or email.
- Notices will be put up at churches.
- Notices will appear in local newspapers for church closures or schemes affecting burials or churchyards.

For clergy housing:

- Letters or emails will be sent to interested parties.

### **f. Clergy Housing and Glebe**

The MPCPC has 3 roles relevant to parishes

- Approving some parsonage and glebe transactions
- Considering objections to some clergy housing matters
- Giving advice.

The MPCPC has to approve any parsonage transaction and sales or long leases of glebe where a diocese

- Has not sought advice from a professional agent; or
- Does not wish to follow the agent's advice, or
- the proposed transaction is to a connected party.

Objections

- Patrons, incumbents and PCCs (only) may object to parsonage transactions
- Clergy on common tenure may object to the sale of the house which they occupy with their post
- The MPCPC can adjudicate on whether or not a transaction should proceed where there are objections.

#### **g. What happens to a church building if it closes?**

The local diocese will normally seek a suitable alternative use and report to the Commissioners who will decide what happens to the building. This process is explained in more detail in a CofE leaflet 'What happens when a church building closes?'

The possible outcomes are:

- Preservation by the Churches Conservation Trust
- Conversion to a suitable alternative use
- Demolition.

The Commissioners will carry out public consultation on their proposals. If there are objections to a proposal, these will be considered by the MPCPC who decide whether the proposals should go ahead.

Most closed churches are found a suitable new use – some of the more common are:

- Worship by another Christian body
- Cultural or community use (such as a community centre, library or museum)
- Residential
- Arts centre or theatre
- Office use
- Monument

Where an unsuitable building is being replaced, the proceeds from its disposal are applied towards the cost of the new place of worship. Otherwise, two-thirds of the money goes to the diocese, while the other third helps finance both the Church's share of funding the Churches Conservation Trust and also the care of other closed churches whose future is yet to be settled.

## **ANNEX B**

### **THE ROLES, RIGHTS AND RESPONSIBILITIES OF A PAROCHIAL CHURCH COUNCIL (PCC)**

#### **a. The Parochial Church Councils (Powers) Measure 1956**

- (1) It shall be the duty of the minister and the parochial church council to consult together on matters of general concern and importance to the parish.
- (2) The functions of parochial church councils shall include—
  - (a) co-operation with the minister in promoting in the parish the whole mission of the Church, pastoral, evangelistic, social and ecumenical;
  - (b) the consideration and discussions of matters concerning the Church of England or any other matters of religious or public interest, but not the declaration of the doctrine of the Church on any question;
  - (c) making known and putting into effect any provision made by the diocesan synod or the deanery synod, but without prejudice to the powers of the council on any particular matter;
  - (d) giving advice to the diocesan synod and the deanery synod on any matter referred to the council.
  - (e) raising such matters as the council consider appropriate with the diocesan synod or deanery synod.
  - (f) appointing sidesmen (who are also known as assistants to the churchwardens).

## ANNEX C

### THE ORGANISATIONAL STRUCTURE OF THE CHURCH OF ENGLAND

#### a. The Sovereign.

Her Majesty the Queen is the Supreme Governor of the Church of England. Technically, the Queen appoints archbishops, bishops and deans of cathedrals on the advice of the Prime Minister, although in practice such appointments are nowadays made by the Church itself and approved by the Crown.

#### b. Parliament.

**House of Commons.** In the Commons, an MP is chosen by the party in Government to speak officially on behalf of the Church Commissioners. This is the Second Church Estates Commissioner – current office holder Mr Andrew Selous MP. This appointment is made with the intention that the Established Church is accountable to Parliament, as Mr Selous takes oral and written questions from other MPs about all aspects of the Church of England and is advised by Church House on his reply. He also steers church legislation through the House.

**House of Lords.** The Archbishops of Canterbury and York, together with the Bishops of London, Durham and Winchester, and 21 other bishops of the Church of England in order of seniority (since there were 26 diocesan bishops in 1847 when an Act of Parliament fixed the number) have seats in the House of Lords. Bishops have however sat in Parliament since its inception. As the Lords Spiritual, they are independent members who lead the House in prayer at the start of each sitting day and speak on many issues of concern. The bishops are different from other members of the Lords as they cease to be members once they retire from their Sees, although they retain dining rights.

**Church Laws.** The Church has its own Parliament, the General Synod, which has the power, devolved from Parliament, to make Church Measures which are in effect Acts of Parliament once approved by both Houses of Parliament. A special committee of both Houses of Parliament, known as the Ecclesiastical Committee, looks in detail at such proposals before they are passed to MPs and to Peers.

Canon Law is part of the law of England, also made by the General Synod, but it is not required to be approved by Parliament. Canon law is subordinate to Acts of Parliament.

#### c. Archbishops and Bishops.

The Archbishop of Canterbury has oversight for the ministry and mission of a province covering the southern two-thirds of England. He is also the spiritual head of the worldwide Anglican Communion. The Archbishop of York has oversight for the ministry and mission in the Northern province covering the northern third of England. Together they lead the vision and strategic direction of the Church of England.

Each of the 42 dioceses is presided over by a diocesan bishop. Most are supported by other (suffragan or area) bishops. Each of the diocesan bishops and their leadership teams are responsible for the care of parishes and clergy within their jurisdiction.

At the Consecration of a bishop, the archbishop will say to every new bishop “Be to the flock of Christ a shepherd, not a wolf; feed them, devour them not. Hold up the weak, heal the sick, bind up the broken, bring again the outcasts, seek the lost.”

#### **d. The Church Commissioners.**

The Church Commissioners support the Church of England’s work and mission, with the aim of helping it to remain a Christian presence in every community. The Commissioners manage a £9.2bn investment fund. The money they make from those investments contributes to the cost of mission projects, parishes in low-income areas, bishops, cathedrals, and pensions. The Church Commissioners also provide significant administrative support for the Church. They contribute £300+m every year to various parts of the Church of England, more than 15% of the Church’s annual income – the rest coming from the parishes.

**Strategic Development Funding (SDF)** supports major projects within dioceses that can make a significant impact on their mission to the communities they serve. The SDF programme, which is expected to distribute £270m from 2017 to 2026, has given nearly £140m since starting in 2017. Distributions have been weighted to the early years of the programme aiming to give it momentum.

**Lowest Income Communities Funding (LICF)** is designed to support dioceses in funding lower income communities. LICF is given to 27 dioceses, determined by a formula that takes into account the local average income and population. In 2020, these 27 dioceses received LICF funding of £26.4m. Each receiving diocese decides how this money is applied.

**Bishops.** The Church Commissioners support the ministry of bishops and archbishops – funding their stipends, offices, staff and working costs. How bishops spend their funding is at their discretion, ensuring they can meet needs specific to their dioceses. This support also extends to bishops’ houses. Some are historic properties, such as the two archbishops’ palaces at Lambeth and Bishopthorpe. However, most have been bought or built more recently, and are regularly reviewed to ensure they provide appropriate accommodation to facilitate the bishops’ work.

**Cathedrals.** The Commissioners support the ministry of cathedrals through two funding streams. ‘Section 21’ funding is given to every cathedral, funding the stipends and pension costs of the dean and two residential canons at all cathedrals except Oxford. ‘Section 23’ funding is given to fund staff costs for cathedrals with the lowest incomes.

**Pensions.** The Church Commissioners meet the cost of clergy pensions earned in service until the end of 1997. Clergy pensions since 1998 are funded by parishes, through the ‘parish share’ which is given to the diocese.

#### **e. Mission, Pastoral & Church Property Committee.**

The Mission, Pastoral & Church Property Committee is a committee of the Church Commissioners. It oversees the work of the Pastoral and Closed Churches department of the Church Commissioners, and hears appeals against schemes for proposed pastoral reorganisation, schemes concerning the future of closed church buildings, and certain church property matters. All such schemes are referred to this department after consideration by dioceses.

#### **f. The General Synod.**

The General Synod is the national assembly, or parliament, of the Church of England. It came into being in 1970 under the Synodical Government Measure 1969, replacing the Church Assembly upon which Parliament first devolved legislative powers in 1919. The General Synod considers and approves legislation affecting the whole of the Church of England, formulates new forms of worship, debates matters and approves the annual budget for the work of the Church at national level.

#### **g. Houses of the General Synod.**

There are 483 members of General Synod. Members are arranged into three Houses:

**House of Bishops (86).** All Diocesan bishops, along with a few elected suffragan or assistant bishops, make up the House of Bishops. The House also regularly meets separately from the Synod to discuss issues of episcopal ministry, doctrine, mission and national issues.

**House of Clergy (199).** Ordained members of the General Synod elected by the clergy in each diocese form the House of Clergy, along with a number of Deans and ex-officio members.

**House of Laity (198).** Consists of lay members from every diocese of the Church of England. Nearly all lay members of Synod are elected by deanery synods, or are chosen by and from the lay members of religious communities. Some members are ex-officio.

#### **h. The College of Bishops.**

All serving bishops in the Church of England are members of the College of Bishops. The College of Bishops meet in January and September to discuss the work and role of bishops in the Church of England. It has no specific legislative role.

#### **i. The seven National Church Institutions (NCIs).**

There are a number of bodies, collectively known as the National Church Institutions (NCIs), which undertake work for the Church of England. Their purpose is to support the mission and ministries of the Church by working with those who serve in parishes, dioceses, schools and other ministries, and with partners at a national and international level. The NCIs are separate legal entities, but they are a common employer. The present arrangements were established under the National Institutions Measure 1998. The majority of NCI staff are based at Church House in Westminster, Lambeth Palace, the Church of England Record Centre in Bermondsey, and Bishopthorpe Palace near York.

The Church Commissioners are an NCI. The others are as follows.

**The Archbishops' Council.** The Archbishops' Council was established in 1999. The Council is a charity, set up in law to co-ordinate, promote, aid and further the work and mission of the Church of England. It does this by providing national support to the Church in dioceses and locally, working closely with the House of Bishops and other bodies of the Church. It has 9 objectives: Evangelism, Discipleship, Ministry, Common Good, Education, Resources for the Church, Safeguarding, Governance and A Church for All People. It is a charity and spends income mainly derived from the Church Commissioners and Diocesan Apportionment (i.e. contributions from dioceses, which in turn will have come from parish shares). In 2020 this amounted to £146.5m. Its main items of expenditure are Strategic Development Funding, Lowest Income Communities Funding, Ministry Training, Strategic Transformation Funding and Sustainability Funding.

**The Church of England Pensions Board.** It provides retirement housing and pensions, set by the Church of England, for those who have served or worked for the Church. It assists over 41,000 people and manages funds in excess of £3 billion.

**Lambeth Palace** is the London home of the Archbishop of Canterbury, his family and two religious communities. It is the centre of his ministry, worship and hospitality.

**Bishopthorpe Palace** operates as a multi-functional premises, hosting working offices, meeting rooms, worship areas and living quarters.

**The National Society For Promoting Religious Education** promotes education in schools, colleges and universities for children and young people.

**The Church of England Central Services.** Functions such as HR, Finance & Resources, IT, Legal, Communications and Record Centre.

**j. Dioceses.**

The Church of England is made up of 42 Dioceses. Each of the English dioceses (and the Diocese in Europe) has a structure of boards and councils responsible for different aspects of the Church's work including ministry, mission and education.

Each diocese has a governance structure. Typically, this includes a Bishop's Council, a Diocesan Board of Finance, a Diocesan Mission and Pastoral Committee, a Diocesan Advisory Committee and a Diocesan Board of Education. Some of these bodies are statutory.

Each diocese has an elected synod, with houses of clergy and laity.

Beneath them are deanery synods which have a single combined house of clergy together with elected laity.

**k. Parish.**

The parish is the local geographical sub-division in the C of E. The whole of England is divided into about 12,500 parishes. Each parish has its own church (occasionally more than one), and except during a vacancy, is led by its own priest who is responsible for arranging regular services. The Church has more than 16,000 churches and it is very common for priests to be in charge of several churches or parishes at the same time.

The Parish Church is a consecrated building in a parish in which, subject to canon law, the statutory services must be held. Parishioners have a right to attend services, and to be baptised and married in the parish church and for their funeral to take place there.

**l. Parochial Church Council (PCC).**

The PCC is the statutory committee of a parish church, and includes all clergy attached to the church plus the two churchwardens, any lay workers, and several representatives of the congregation, who are normally elected annually. It meets regularly and makes spending and strategy decisions together with the priest. It can be chaired by the incumbent, or from time to time chaired by the lay vice-chair. It is not necessary for the incumbent to be present at every meeting. It is not within the CofE rules for any outside clergy (such as an archdeacon) to announce that they are coming to chair a PCC meeting. They cannot impose themselves on a PCC meeting. The PCC continues to exist even when there is a vacancy, also known as an interregnum.

**m. Benefice.**

A benefice is an ecclesiastical office and trust to which a priest is appointed. It may comprise one or more parishes. The incumbent is the holder of the office. Assistant curates may be appointed to assist in the ministry of the benefice.

**n. Joint Council.**

The legal basis for a Joint Council is described on the Church of England [website under the Church Representation Rules](#). There is more detail under sections M37 – M42 of the Rules. You must read these if your PCC is being asked to consider a Joint Council. Note that in a full Joint Council the former PCCs cease to exist and “all property, rights, liabilities and functions” are transferred to the JCC. Be aware that there is no procedure for withdrawing from a Joint Council.

## ANNEX D

### CHURCH OF ENGLAND TERMINOLOGY

#### a. People.

The Church of England believes in the “threefold order of ministry”, which means there are three orders of clergy: deacons, priests and bishops. You can be a priest only once you have been ordained a deacon, and you can only become a bishop only if you have been ordained a priest.

**Bishops** are the leaders of the C of E. There are 116, chosen from the ranks of the priests. 42 are diocesan bishops, which means they are in charge of a diocese and responsible for all the clergy and work going on in that particular geographical region. Most dioceses also have at least one and as many as four or five suffragan bishops. These are effectively assistant bishops, who either help the diocesan bishop in running the diocese, or sometimes are given specific sub-regions in the diocese to look after.

**Priests** are the bulk of the clergy in the C of E. After normally serving one year as a deacon they are ordained priest and usually continue working in the same church as before as assistant curates. They organise and lead Sunday services, preach, conduct baptisms, weddings and funerals, and lead services of communion. Some priests do not work in parish ministry, and instead become chaplains in prisons, schools, the military, hospitals or other non-church settings. Others work in academia, C of E institutions, or take on part-time jobs mixing some of the above. It is a ministry, not a job title, so once you are ordained priest you are a priest for life, regardless of if you are actually in any particular post.

**Deacons** are the first stage of ordination for most clergy later ordained as priests. They are titled The Reverend, preach and hold Sunday services, but cannot lead a service of communion and do not usually (but may) conduct weddings. The majority of deacons spend only a year as a transitional deacon before being ordained priest. A small number remain permanently only as deacons, sometimes known as “distinctive deacons”. They often assist priests in parishes and focus on pastoral work in the community.

**Ordinand.** While someone is training to become a deacon (and then a priest), they are known as an Ordinand. There are a wide variety of ways to train: it can be in a traditional residential college; it could be part-time (coming into a college one or two days a week); or it could be a distance learning course. Ordinands undertake theological study, some to degree level, in addition to learning more practical things about how to be a priest. “Mixed-mode” training, where the ordinand works most of the time for a church, while doing their theological training part-time, is increasingly popular.

**Ordination.** The service at which ordinands become deacons and deacons become priests, is called Ordination. Ordination services generally take place on a Sunday close to St Peter's Day (29 June) in the season known as Pentecost. This usually takes place in the cathedral church but may also be conducted in any church in the diocese, at any time of year.

**Curate.** Strictly speaking the Incumbent is the curate of the parish, having the "cure of souls" of the parishioners, however the term is most commonly applied to a young deacon or priest, who has finished their theological training, and must then serve an apprenticeship of three to four years called a curacy, working under a more experienced priest, called a training incumbent.

**Vicar.** Once the curacy is finished, the priest is now eligible to be appointed to run a parish full time. The title of this job is usually Rector or Vicar, holding office in their own right. The property of the benefice – the church(es), the churchyard(s) and the parsonage house is legally vested in the Rector or Vicar until they move or retire. The diocese does not own them. Many appointments today are however temporary and the post is known as Priest-in-Charge.

For complicated historical reasons to do with how the medieval church paid its clergy, some parish priests hold office as **Rectors**. There is no difference between the job done by Rectors or Vicars: it refers only to which particular parish they have been appointed and its history.

**Team Rector/Team Vicar.** Where multiple parishes are legally combined into a Team Ministry, one of the priests is appointed as Team Rector, who is the incumbent of the whole group. The other priests working alongside the Team Rector have the status of an incumbent and are appointed as Team Vicars.

**Priest-in-charge.** Another term used for priests running a parish. The day-to-day work done is almost the same as a Rector or Vicar. The main difference is that a priest-in-charge does not have tenure of office and so does not have the right to remain in office until age 70. They do not hold the freehold of the parish, and – unlike Rectors and Vicars – they work on a time-limited contract basis determined by the diocesan bishop under Common Tenure.

**Stipendiary Clergy.** They are usually paid a "stipend" rather than a salary and provided with a pension if they are in office as clergy. It is not a salary but an allowance given to cover living costs so they can follow their vocation. Most parochial clergy are not employees of the bishop or diocese, but independent office-holders. Their duties are described in Canon Law and in the terms set by Common Tenure for more recent appointments. Clergy directly employed by an employer, such as the Diocesan Board of Finance, or a School or College, are classed as employees. Bishops, deans, cathedral canons, archdeacons and archbishops also receive stipends and pensions, which increase with seniority.

**Non-stipendiary Minister/Self-Supporting Minister.** Both terms refer to a priest who is not paid by the C of E. They can be either full-time or part-time, and make their own provision for funding their role. If they wish, they can be appointed to the same roles as any other priest and take on a stipendiary ministry.

**House for Duty.** A 'house for duty' job means the priest appointed to this parish will not be paid but will be provided with a house to live in, usually the parsonage house of the benefice.

**Permission to Officiate (PTO).** If a priest does not hold a current appointment but still wants occasionally to lead services at churches on behalf of other clergy they must apply to the diocesan bishop for permission to officiate. This requires safeguarding checks and DBS clearance.

**Dean.** A Dean is a priest who leads the Chapter of a cathedral. They act both as spiritual leader, organising the worship and services, and also as a professional chief executive, overseeing the staff needed to keep these large and often ancient buildings serving as places of worship. The cathedral is legally vested in the Dean and Chapter.

**Rural Dean or Area Dean.** Nothing to do with a cathedral but a senior priest in a deanery, with oversight of the clergy chapter and chairing the deanery synod together with the lay chair and working closely with the archdeacon.

**Archdeacon.** Traditionally the 'eyes and ears' of the bishop to oversee the clergy, they work as senior members of a diocese's staff. They have jurisdiction in their own archdeaconry, carrying out various inspections, offering guidance during vacancies, administering human resources, dealing with disciplinary issues and other administration.

**Reader.** These are lay people, not priests, who have received theological and ministry training and are licensed to help lead worship, preach at services, and assist in pastoral and evangelistic work.

**Licensed Lay Ministers (LLM).** There are now a number of lay ministries for which specific training is provided. LLMs hold a licence from the bishop for this showing that this is an authorised ministry in the diocese.

**Laity.** The collective term for everyone who is not ordained as a deacon or priest, i.e. most of us. The adjective form is "lay", as in "lay leadership".

**Churchwarden.** Each parish church is required to appoint two members from its congregation to act as churchwardens. They must be elected annually by the church and can normally only serve six years in a row before standing down. Their role is to represent the laity and to support the parish priest in running the church, in particular carrying some of the administrative responsibilities. They are particularly important

during a clergy vacancy, as they must ensure the worship and life of the church continues while the search for a new priest is carried out.

## **b. Modern 'Styles' of Church other than the Parish.**

**Church Plant.** In recent decades, the C of E has disrupted the traditional parish structure of one church in every community. Church plants are where a new congregation is started from scratch in a particular place, even if there is already a parish church nearby. They more often come from the evangelical wing of the Church and are generally popular with younger people. Sometimes a church will be "planted" into an existing parish, with a new leader and congregation parachuted in from outside, in spite of there already being an incumbent and in some cases without their consent. They do not have the right to use the parish church which remains under the control of the incumbent.

**Fresh Expression.** This is another new movement which has grown quickly in recent decades. A fresh expression of church is any kind of congregation which does not meet in the standard Sunday morning parish church style.

**Messy Church.** This is a similar movement to fresh expressions but focused on creating a way of being church for families and others which is more informal and child-friendly, and more attractive to families who would not attend a traditional service. They generally have less formal religious content than traditional Sunday School and can take place on other days of the week and often feature toys, sports, crafts and music. It is a Fresh Expression and the most successful one, run mainly by parishes.

**Festival Church.** This is a church building which is not used for weekly worship, but remains valued and required by the local community for local events, and for church festivals and for rites of passage (Baptisms, Weddings, Funerals). The defining feature of a festival church is the ability to vary the service pattern as needed and valued by the community. A festival church can retain its status as a parish church, while embracing this flexibility. The Church Buildings Council recommends a minimum of six services per year, and that the bishop should be informed of the PCCs intention as expressed in a formal resolution, following wide consultation. Becoming a festival church can however be perceived to be a step towards closure.

**Resource Church.** A resource church is a church which is designated by the bishop to work strategically across a city or town. It plants and revitalises and is resourced by the diocese to do so. It develops leaders for mission, particularly vocations and develops resources for the wider church.

## **c. Church Law.**

**Canon law** is the Church's own rule book, dating from its earliest days, now approved by the General Synod. Permission must be sought from the Crown to legislate in this way,

but it is not subject to parliamentary scrutiny. It is used to make liturgical and doctrinal changes which it would be inappropriate for a secular Parliament to make. Generally, a two-thirds majority in each House of General Synod (Bishops, Clergy and Laity) is required to make such changes.

**Consistory Courts.** Each diocese has a consistory court which can hear cases relating to the use of church buildings and their contents, and consecrated grounds such as churchyards. With origins going back to the Norman Conquest, consistory courts maintain some High Court powers, for example in relation to witnesses and documents. They are courts of the land just as the High Court or County Courts, and subject to review in the High Court.

**Chancellor.** Each diocese has a chancellor who is the judge in the consistory court. To be appointed, a candidate must be a senior barrister.

**Faculty.** The Church has an exemption from many secular planning laws and has its own planning system. A faculty is legal permission to alter the fabric of a church or churchyard, e.g. taking out pews. This is requested by the PCC or by the incumbent or by parishioners, and granted by the consistory court of the diocese on the recommendation of the Diocesan Advisory Committee. Some powers are exercisable by the Archdeacon where simple matters are concerned. It is a highly onerous and time-consuming system for PCCs to deal with. The court can veto proposed changes, and various heritage bodies have the right to be consulted.

**Bishop's Mission Order (BMO).** This is how a bishop authorises a 'mission initiative'. BMOs can recognise existing mission initiatives or promote fresh expressions of church. Examples may include:

- A new network congregation for young adults across a town.
- A revitalisation of an existing congregation in a socially & economically deprived part of a city, built on a partnership between a number of parties and the drawing-in of new resources.

#### **d. Property**

**Parsonage.** A term used to describe the vicarage, rectory or any other dwelling used to accommodate parish clergy. They can be the property of the incumbent, the DBF, a trust, or private property which is let to the incumbent. This depends on circumstances and is important to be understood as it applies to each parish. The 2018 Church Property Measure gave dioceses powers to sell or otherwise dispose of parsonages

**Glebe.** This refers to land and other property which was or still does belong to the benefice through the incumbent. In 1976 the Endowments and Glebe Measure transferred most glebe property from parishes to dioceses. The assets (cash or property) were placed into an endowment fund restricted to pay the full cost of parish clergy. Those assets have dwindled significantly. Most parish clergy are now funded out of the parish share, donated by their own and other parishes in the diocese.

**Church buildings.** A term used to differentiate from the church as an entity.

**Churchyard.** Churchyards are generally adjacent or surrounding the church. Sometimes, as burial grounds they may be in a separate area. The parish churchyard is a place of history and remembrance and is therefore special to people far beyond the immediate church congregation. It is also frequently a rare conservation area, home to diverse species of plants and wildlife. In both cases it deserves protection. The Diocesan Advisory Committee for the Care of Churches (DAC) is the relevant authority. The incumbent is the owner of the churchyard.

**Redundant Church.** A redundant church is a church building that is no longer used for Christian worship.

**Church Schools.** There are 4,644 Church of England. A quarter of primary schools and over 200 secondary schools are Church of England. Each diocese runs a Diocesan Board of Education supporting Church schools. Many church schools have the local parson as a governor.