



# Endowments and Glebe Measure 1976

1976 No. 4

## *Provisions with respect to glebe land*

### **20 Powers of Diocesan Boards of Finance to deal with diocesan glebe land.**

- (1) Subject to subsections (2) to (4) below, a Diocesan Board of Finance may sell, exchange, lease, mortgage or otherwise deal with any diocesan glebe land of the diocese on such terms as the Commissioners may approve, being terms which they consider proper and advisable; and where the amenities of any land will be affected by the proposed transaction and the Commissioners think it necessary to do so in the interest of safeguarding those amenities, they may, notwithstanding anything in section 19(1) of this Measure, approve such terms as having regard to all the circumstances they consider reasonable and proper.
- (2) When the Commissioners first approve a scheme prepared by a Diocesan Board of Finance under section 19 of this Measure they shall authorise that Board in writing to enter into and carry out any transaction relating to the diocesan glebe land of the diocese, other than a transaction specified in Schedule 3 to this Measure, without the approval of the Commissioners.
- (3) If the Commissioners are satisfied—
  - (a) that the scheme for the management of the diocesan glebe land of a diocese which has been approved by them under the said section 19 is not being complied with, or
  - (b) that the scheme is not being so operated as to result in the efficient management of that land,they may by notice in writing given to the Diocesan Board of Finance suspend the authorisation given to that Board under subsection (2) above, and as from the date on which the notice is received by the Board that authorisation shall be of no effect unless and until the suspension is cancelled under subsection (4) below.
- (4) If a Diocesan Board of Finance on which a notice has been served under subsection (3) above satisfies the Commissioners that the scheme for the management of the diocesan glebe land of the diocese is being complied with or, as the circumstances require, that the Board has taken the action necessary to ensure that the scheme will thereafter be

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the  
Endowments and Glebe Measure 1976, Section 20. (See end of Document for details)*

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so operated as to result in the efficient management of that land, the Commissioners shall by notice in writing given to the Board cancel the suspension effected under subsection (3) above.

- (5) Before a Diocesan Board of Finance applies to the Commissioners for their approval of the terms of any transaction under subsection (1) above the Board shall serve on the incumbent of the benefice in the parish of which the land to which the transaction relates is situated or, if the benefice is vacant, on the churchwardens of that parish a notice informing him or them of the nature of the proposed transaction, identifying the land to which it relates and the easements (if any) over any church land or parsonage land of which that land has the benefit, and stating that written representations with respect to the transaction may be made to the Board not later than a date specified in the notice, being a date not less than twenty-one days after service of the notice.
- (6) Where a transaction consists of the lease of diocesan glebe land which had it not become such land would be an excluded part of a parsonage house, a notice under subsection (5) above shall, if the benefice is vacant, be served on the bishop of the diocese as well as on the churchwardens of the parish.
- (7) When making an application to the Commissioners for their approval of the terms of any transaction under subsection (1) above, any such Board shall forward with the application a copy of any representations which have been made to the Board under subsection (5) above with respect to the transaction or, if no such representations were made to the Board on or before the date specified in the notice required by that subsection, a statement by the Board to that effect.
- (8) Before deciding whether to approve the terms of any transaction under subsection (1) above the Commissioners shall consider any representation a copy of which has been sent to them under subsection (7) above, and where the transaction consists of the lease of such land as is referred to in subsection (6) above they shall, if the incumbent concerned so requests, or if during a vacancy the bishop of the diocese or the churchwardens of the parish so request, give him or them, as the case may be, an opportunity to make oral representations to their representative with respect to the proposed transaction.
- (9) As a condition of giving their approval to the terms of any transaction under subsection (1) above the Commissioners may require the Board to include in the conveyance, deed of exchange, lease or other document such provisions, if any, as appear to them to be necessary to give effect to those terms.
- (10) A statement in a document signed by the secretary or other duly authorised officer of the Commissioners that the Commissioners have approved the terms of any transaction under subsection (1) above which is specified in the document shall be conclusive evidence that those terms have been so approved.
- (11) A statement in a document giving effect to a transaction made by a Diocesan Board of Finance under this section that the approval of the Commissioners of the terms of the transaction is not required under subsection (1) above shall, if the document is sealed with the seal of that Board or is signed on behalf of the Board by a person duly authorised by the Board to act in its behalf, be conclusive evidence of that fact.

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**Changes to legislation:**

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