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APPENDIX B

Form No 1DIOCESAN ADVISORY COMMITTEE CERTIFICATE

Rule 3

Diocese of:

Parish of:

Church of:

I HEREBY CERTIFY that at a Meeting of the Diocesan Advisory Committee held on the day of 19 :

1. The following works/purposes were considered:

The Committee considers that the works/purposes [will][will not] result in a material alteration to the appearance of the church or affect its setting.

2. The Committee decided to RECOMMEND the above works/purposes [SUBJECT to the following provisos:]

(1)

(2)

OR 3. The Committee has no objection to the above works/purposes [SUBJECT to the following provisos:]

(1)

(2)

OR 4. The above works/purposes were NOT RECOMMENDED for approval for the following principal reasons. You are nevertheless entitled to petition for a faculty, if you so wish, notwithstanding the Committee's decision.

(1)

(2)

Signed
Secretary of the Diocesan Advisory Committee

Date

Form No 2

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Rule 3(5)

To the Consistory Court of the Diocese of

Parish of

Church of

We

State in respect of each petitioner in capital letters (a) full name (b) residential address and (c) office held (e.g. churchwarden)

Petition as follows:

1. The Petitioners seek a faculty authorising the works or purposes described in the Schedule hereto.

2. The particulars of the works or purposes are accurately shown in the designs, plans, specification or other documents accompanying this petition.

- 3. *(i) An *estimate/quotation has been obtained for the works or purposes in the sum of £ from the contractor or supplier named in the answer to Question 10 below or
- *(ii) The architect or surveyor who has been engaged in respect of the works or purposes has indicated the cost as being of the order of £ , or
- *(iii) No *estimate/quotation/indication of cost has been obtained for the works or purposes.

- 4. *(i) The Parochial Church Council will contribute to the cost of the works or purposes the sum of approximately £ which it has immediately available from the following sources;
- *(ii) The Parochial Church Council proposes to raise any balance in the following ways or
- *(iii) The works of purposes will be paid for privately or by way of gifts which have already been made or promised.

5. The Parochial Church Council at its meeting on passed [*unanimously] [without dissent] [*by a majority of to among those present and voting] a resolution relating to the works or purposes. A copy of such resolution signed by the [*Chairman] [*Secretary] is attached to this Petition. There are members of the Council.

6. The Diocesan Advisory Committee [*has] [has not] been consulted in relation to the works or purposes. A certificate from the Committee [*accompanies] [does not accompany] this petition.

*Delete that which does not apply

SCHEDULE OF WORKS ON PURPOSES

(Please set out clearly in numbered paragraphs what you want leave to do.)

NOTES

1. You must set out a clear summary of the works or purposes and the petition should be accompanied by all relevant plans, specification and other documents identifying the works or purposes to be undertaken.

2. The reference number and date on the architect's or surveyor's drawing[s] and specification[s] should be included adjacent to the description of the works or purposes to which they refer. All documents lodged with the Petition will be retained in the registry after the issue of the faculty.

3. The subject and position of any window, tablet or other memorial and the wording and style of any inscription should be included.

4. Where the advice of the Diocesan Advisory Committee has been obtained the works or purposes must be the same as those described in the certificate from the Committee.

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5. Any faculty granted on this petition can only authorise works or purposes which are clearly included in the schedule.

QUESTIONS

Such of these questions as apply to the case are to be answered by the Petitioners. Any question that is not applicable should be marked "N/A". If the answer to any question cannot conveniently be fitted in the space provided a separate piece of paper duly identified should be used.

1. What is the approximate date of the building?
2. (a) Is the building listed as a building of historic or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990? YES/NO
(b) If yes, state of what grade.
3. (a) Has any previous faculty or archdeacon's certificate, relevant to the present proposals, been sought or granted? YES/NO
(b) If yes, give date and other details.
4. (a) Is grant aid being sought from English Heritage? YES/NO
(b) If yes, attach copies of correspondence including copies of any application and any offer of assistance or grant.
5. (a) Has the building previously been the subject of a grant from English Heritage, or one of its predecessors? YES/NO
(b) If yes, have the present proposals been reported to English Heritage? YES/NO
(c) If so, state with what result. If appropriate, please send copies of any relevant correspondence showing that English Heritage agrees with the specification for the works proposed.
6. (a) If any external works to the building are proposed, has outline or detailed planning permission been sought? YES/NO
(b) If yes, with what result? Please supply a copy of any planning permission or notice of refusal
7. (a) Is any part of the building to be demolished? YES/NO
(b) If yes, which ground or grounds under section 17 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 are relied upon?
8. If work to a churchyard, or other land occupied with the church, is involved in the works or purposes:
 - (i) is the land in question consecrated or unconsecrated?
 - (ii) has any part of the land on which the works will take place ever been used for burials? YES/NO
 - (iii) is any part of the churchyard or other land occupied with the church still being used for burials? YES/NO
 - (iv) if the churchyard is no longer in use, has it been closed by Order in Council? YES/NO
9. (a) Who is the architect or surveyor appointed for the church in question under the Inspection of Churches Measure 1955?
(b) Has this architect or surveyor been:
 - (i) instructed, or YES/NO
 - (ii) consulted YES/NOin relation to the proposed works?
(c) If another architect or surveyor is to be employed:
 - (i) state his name and address
 - (ii) why is he being instructed in relation to the proposed works?
10. What are the names and addresses of the contractor, builder, electrical engineer, organ builder, artist or other person instructed to carry out the proposed works?
11. If the proposed works would affect the organ, the electrical installation or will affect the

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security of the building against fire, vandalism, theft or other risks, has the consent of the insurers of the church been sought? YES/NO

A copy of the Insurers' approval or other reply must be submitted.

12. (i) Do bats use any part of the church? YES/NO
 (ii) If yes, do you or your architect or surveyor think that the works or purposes might harm or disturb bats or their roosts? YES/NO
 (iii) If the answer to (ii) is yes, have you obtained advice from English Nature? YES/NO
 (Please supply copy of letter of advice.)

- 13.(a) How soon will work start after a faculty is granted?
 (b) After work has been started, how long will it take for the work to be completed?

14. If works inside a church are proposed
 (a) (i) will any graves, monuments, or inscriptions be affected? YES/NO
 (ii) if yes, how?
 (iii) have the owners consented and on what terms?
 (iv) if the owners have not been found, what efforts have been made to find them?
 (b) (i) if a commemorative plaque or other memorial is proposed to be introduced into the church, what special contribution has been made by the person to be commemorated to the life of the Church, country or mankind?
 (ii) are there any relevant circumstances as to that person's local connections or services?
 (c) (i) will divine service be interrupted? YES/NO
 (ii) if yes, what alternative arrangements are proposed?
 (d) (i) are any private rights in seats likely to be affected? YES/NO
 (ii) if yes, have the owners consented and on what terms?

- 15.(a) Is the disposal of any item of church property contemplated? YES/NO
 (b) Has a professional valuation been obtained? YES/NO
 (c) If yes, supply a copy.
 (d) If not, what is the Petitioners' estimate of the value of the item?
 (e) How do the Petitioners propose to dispose of it?
 (f) What do the Petitioners wish to be authorised to do with any proceeds of sale?

- 16.(a) Is work to a churchyard proposed? YES/NO
 (b) If yes, will any graves, reserved grave spaces, monuments or inscriptions be interfered with? YES/NO
 (c) (i) how will they be dealt with?
 (ii) to what extent do the owners consent and on what terms?
 (iii) if the owners have not been found what efforts have been made to find them?

Note: In dealing with this question the consent of known near relatives should be sought as if they were owners.

- (d) (i) Will there be interference with a grave containing a burial made between 1914 and 1947? If so what is the name of the deceased and date of burial?
 (ii) Will there be interference with a memorial commemorating a death between 1914 and 1947? If so what is the name of the person commemorated and date of death?
 (iii) Does the grave in (i) or (ii) appear to be a War Grave? YES/NO
 (iv) Does the Commonwealth War Graves Commission consent? YES/NO
 (Please attach any letter of consent.)
 (e) Is any such monument listed as being of historic or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990? YES/NO
- 17.(a) If work to a chancel is proposed, is there a Lay Rector? YES/NO
 (b) If so, state his or her name and address.
 (c) Has the Lay Rector been informed of the work? YES/NO
 (d) Is he or she intending to contribute to the cost? YES/NO

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18.(a) Is there any further information which the Petitioners would like the Court to take into account? YES/NO

(b) If yes, please set out in an accompanying statement or letter.

The statements in this Petition and the answers to the questions above are true to the best of the knowledge and belief of each one of us.

Date 19

.....

.....

(Signature of Petitioners)

Form No 3 GENERAL CITATION AND NOTICE OF OBJECTION

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Rules 5(1), 5(6) and 12(6)

Diocese of

Parish of

Church of

Petitioner(s)

(names and addresses and any office held e.g. churchwardens)

1

2

3

TAKE NOTICE that we the above named petitioners are making an application to the consistory court of the diocese for a faculty to give us authority and permission to carry out the following works or purposes:

SCHEDULE OF WORKS AND PURPOSES

(here describe the works or purposes as they appear in the Schedule to the petition)

(Note: Copies of the relevant plans, specifications and other documents, relating to the works or purposes, may be examined at (address) between (times) or by arrangement with (specify).)

IF ANY PARISHIONER or person whose name is entered on the church electoral roll of the ecclesiastical parish or other person having a lawful interest in the proposed works or purposes, wishes to object to them he should deliver to the Diocesan Registrar at (address of the Diocesan Registry) AND ALSO to the Petitioner(s) at the following address namely a written notice of objection, using the form of words below, so as to reach the Registrar NOT LATER than (date) (Note: Petitioners to insert date 21 days after this citation is first affixed)

TAKE NOTE that if no valid notice of objection has been given to the Diocesan Registrar within the period set out above, a faculty may be granted for these works or purposes or otherwise as the consistory court of the diocese thinks fit.

Dated this day of 199 . (Signature of Petitioners)

NOTICE OF OBJECTION

Parish of

I, (name in capital letters) of (address in capital letters) wish to object to the grant of a faculty authorising and permitting the proposed works or purposes.
I have an interest in the subject matter of the petition as:

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(Note to Objector: copy and use whichever of the following applies to you)

- a parishioner of the parish;
- a person whose name is entered on the electoral roll of the parish;
- an officer of the local planning authority in whose area the church or place of worship lies;
- an officer of a statutory amenity society, namely the _____ Society;
- a _____ (state any other interest not in preceding examples).

Dated this _____ day of _____ 199 . _____ (..... Signature)

To: the Diocesan Registrar at:-

To: the Petitioner(s) at:- _____ (use address given in citation above)
(Note: on receipt of your note of objection, the Diocesan Registrar will send you a form upon which you will be required to give full particulars of the grounds of your objection, which will have to be sent to the Registry, and a further copy to the Petitioners).

DIRECTIONS TO PETITIONERS

If you are NOT a minister, churchwarden or member of the PCC you must send the citation to the Diocesan Registrar. If you are one of the above you must affix a copy of this citation for a continuous period of not less than 14 days in each of the following places:

In the case of works or purposes affecting a parish church:

- (1) inside the church on a noticeboard or in some other prominent position and
- (2) on a noticeboard outside but within the grounds of the church, or, if there is no such noticeboard, then on or near the outside of the principal door of the church.

In the case of works or purposes affecting a church or place of worship which is not a parish church:

- (1) on a noticeboard or in some other prominent position inside the church or place of worship and inside EACH parish church in the parish concerned and
- (2) on a noticeboard outside but within the grounds of the church or place of worship and EACH parish church in the parish concerned, or, if there is no such notice board, then on or near the outside of the principal door of the church or place of worship affected by the works or purposes and EACH parish church in the parish concerned.

CERTIFICATE OF EXECUTION

To be returned to the Diocesan Registrar:

I, the undersigned, one of the Petitioners, hereby certify that a copy of this citation was affixed during the period from _____ to _____ inclusive.

- (1) On a notice board (on a _____) inside the parish church(es) of (name) (and of the church or place of worship known as _____);
- (2) outside the parish church(es) on a notice board (on the principal door) (and outside the above-named church or place of worship on a notice board (on the principal door)).
- (3) on the notice board (on a _____) elsewhere in the parish, namely at _____

Dated _____ day of _____ 199
(Signature of Petitioner)

- 1. Note: the certificate of execution must be completed in full by making appropriate entries in the blank spaces and deleting inappropriate words.
- 2. Complete (3) only where citation elsewhere in the parish had been directed.

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Form No 4 PARTICULARS OF OBJECTION TO PETITION FOR FACULTY

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Rule 15(3)

To the Registrar of the Diocese of

Parish of

Church of

In the matter of a petition requesting a faculty for

state generally works or purposes

I have previously given notice of objection. By objection relates to the whole (part) of the proposed works or purposes. [The part(s) of the proposed works or purposes to which I object are:

Delete whichever is inapplicable

(A)

(B)

.]

The grounds for my objection are:

(Here set out concisely the points which you rely upon in support of your objection.)

(1)

(2)

(3)

(If necessary continue with numbered paragraphs on a separate sheet.)

Dated this day of 19

Signature of objector (or counsel or solicitor)

Full name:

Address:

DIRECTIONS

1. This form must be completed and returned to the Registrar at if you wish to continue to be treated as an objector.
2. If you do not return the form within 21 days from the date of this direction it will be assumed you no longer wish to object and you will have to apply to the Consistory Court for leave to continue with your objection out of time.
3. You must deliver or send a copy of these Particulars of Objection to the Petitioners not later than 21 days from the date of this direction.

Dated this day of 19

Signature of Registrar

I certify that I have sent a copy of these Particulars of Objection to the Petitioners today.

(Signature of objector or solicitor)

Dated this day of 19

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Form No 5 FACULTY IN UNOPPOSED PROCEEDINGS

Rules 6(4) and 11(2)

IN THE CONSISTORY COURT OF THE DIOCESE OF

The Venerable

Archdeacon of

OR A.B. Chancellor of the diocese and Official Principal of the Right Reverend

Lord Bishop of

To C.D. and E.F. State names and descriptions of petitioners

Whereas a petition presented by you has been lodged in the registry of this Court together with all necessary designs, plans or other documents, requesting a Faculty to issue authorising the works or purposes specified in the said petition and documents and described in the Schedule hereto.

And whereas a citation was duly displayed giving an opportunity to all persons interested to show cause why a Faculty should not issue, and no objections have been taken to the granting of a Faculty.

Now this Court hereby grants a Faculty authorising you to carry out the said works or purposes in accordance with the said designs, plans or other documents and subject to the conditions set out in the Schedule hereto.

Provided that the said works should be completed within months from the date hereof or such further period as this Court may allow and the certificate of completion shall be sent to the registry within the period allowed.

In witness whereof the seal of this Court is affixed to this Faculty.

Dated this day of 19

Signature of Registrar

SCHEDULE

Description of Works or Purposes and any conditions attached to the Faculty

Form No 6 Certificate of Completion of Works Authorised by Faculty

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Rule 6(4)(b)

Parish of

Church of

We, A.B. of and C.D. of

hereby certify that the works (brief description) authorised by the faculty dated the day of 19 have been carried out in accordance with the said faculty.

[the work was carried out under the supervision of]

Dated this day of 19

Signature of petitioner or person (if any)
directed to supervise the works.

Form No 7

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(Rule 8)

In the Consistory Court of the Diocese of

The Venerable
Archdeacon of

Parish of

Church of

To the Reverend

Whereas you have requested permission to carry out temporary minor re-ordering, and have satisfied me that you have the support of a majority of the parochial church council and that it is expedient to grant your request.

I HEREBY give you my LICENCE

- (a) for the following works or purposes,
- (b) for the period expiring on the date given below (which cannot exceed 12 months from the date of this licence)
- (c) subject to the conditions set out overleaf (including conditions as to how the re-ordering is to be carried out and the safeguarding and storing of any item moved as a result of the reordering).

WORKS OR PURPOSES

DAY OF EXPIRY OF LICENCE

day of 19

NOTES

- (a) If you desire to extend the above period, with or without changes, you should NOT LATER than two months before the expiry of the above period consult the DAC and lodge with the diocesan registrar a petition for a faculty describing fully the works or purposes including any changes, AND ALSO PROCEED TO GENERAL CITATION in accordance with Rule 5 of the Faculty Jurisdiction Rules 1992.
- (b) If such a petition is lodged then the period of authorisation given by this licence set out above will continue in force until determination of your petition.
- (c) If no such petition is lodged, you must immediately after expiry of the period set out above, cause the position as it existed before the grant of the licence to be restored.

CONDITIONS TO BE COMPLIED WITH ON CARRYING OUT OF WORKS OR PURPOSES

Signed

Date

Copy to Diocesan Registrar
Secretary of D.A.C.

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Form No 8 Notice by Registrar to Secretary of Diocesan Advisory Committee for Register of Petitions

Rule 10

Diocese of

To the secretary of the Diocesan Advisory Committee

I hereby notify you that a petition for a faculty requiring the advice of the advisory committee was lodged in the Registry on the (date)

Details of the petition are as follows:-

1. *Name of Petitioners* (and office held)

(1)

(2)

(3)

2. *Parish of*

3. *Church of*

4. *Description of Works or Purposes in Schedule to Petition is annexed or as follows*

Signed
Registrar of the Diocese

Date

Form No 9 Notice by registrar to the Council for the Care of Churches on matters which may be of historic or artistic interest.

Rule 14

To the Secretary of the Council for the Care of Churches

Diocese of

Church of

Whereas on the day of 19 there was lodged in the registry a petition which affects an article or matter in the above church which in the chancellor's opinion may be of historic or artistic interest, I hereby request the Council for the Care of Churches to advise the chancellor in the matter.

Description of the subject or matter concerned.

I enclose herewith a copy of the petition and of the accompanying documents (including the petitioners' reasons for the proposal and a good set of photographs and/or plans).

I enclose herewith a copy of the certificate of the Diocesan Advisory Committee.

Date:

Signature of Registrar

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Form No 10 Application to give evidence by Member of Council for Care of Churches or Person authorised by Council or by English Heritage

Rules 21, 22 and 23

Diocese of

I, _____ of _____, hereby apply to give evidence to open court in the proceedings for a faculty to _____ in the parish of _____

I am [a member of] [a person] duly authorised by [the Council for the Care of Churches] [English Heritage] to give evidence in the said proceedings. A copy of my authority is annexed hereto.

Dated this _____ day of _____ 19____

.....
Signature of Applicant

Form No 11 Application by person other than Member of or Person Authorised by Council for the Care of Churches to give Evidence under Section 17(4)(d)(ii)

Rule 21

Diocese of

I, _____ of _____, hereby apply under section 17(4)(d)(ii) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 to give evidence in open court in the proceedings for a faculty to demolish [a part of] the church of _____ in the parish of _____

I am interested in the said proceedings because:-

- 1. Here state the reason e.g. that the applicant is a parishioner, but the reason need not necessarily disclose an interest in the legal sense.

I wish to give evidence in relation to the following matter(s):-

- 2. State in headings the matters on which the applicant proposes to give evidence.

Dated this _____ day of _____ 199__

Signature of applicant

Form No 12 Instrument of Appointment under Section 16(3) of Person to Act for Archdeacon

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Rule 26

To _____ of _____

I, A _____ Bishop of _____
in pursuance of section 16(3) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991
hereby appoint you to act in the place of the archdeacon of _____ [the archdeaconry being
vacant] [the archdeacon being incapacitated] [the archdeacon being in my opinion unable or
unwilling to act] [it being inappropriate in my opinion for the archdeacon to act] in the matter of

Here specify the
case on which the
person appointed
is required to act.

Dated this _____ day of _____ 19 _____

Signature of Bishop