

# Lichfield DAC Delegated Authority Policy

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## **DAC delegated authority under the Church of England (Miscellaneous Provisions) Measure 2018 (came into effect nationally on 1st March 2019)**

A change in ecclesiastical legislation, granting delegated authority from DACs, came into effect on 1st March 2019, which has the potential to make a significant contribution to the work of DACs, enabling more effective use of DAC time and a swifter response to parishes.

The Church of England (Miscellaneous Provisions) Measure 2018, [section 12\(1\)](#), provides powers for a DAC to delegate matters to its officers (i.e. DAC Secretariat). The provision states that: *'The committee may delegate the exercise of any of its functions to an officer of the committee'*. Officers of the Church Buildings Council (CBC) have also been granted delegated authority, from the CBC, under [section 12\(2\)](#) of the 2018 Measure.

At the 15th May 2019 DAC meeting, the Lichfield DAC confirmed that delegated authority shall be used in the Diocese of Lichfield in the case of 'minor' faculties (i.e. those that do not affect character) that are currently dealt with by the full Committee. At the 6th May 2020 DAC meeting, further to the coming into effect of the Faculty Jurisdiction (Amendment) Rules 2019 on 1st April 2020, it was confirmed that in all delegated authority cases the DAC officer will obtain the written advice, through consultation, of the DAC member or adviser that they deem most applicable (equivalent to the procedure for the processing of List B applications), prior to issuing the DAC's Notification of Advice.

Examples of minor faculties include the felling of a living, healthy tree, the installation of a small memorial plaque, and the 'laying up' of a flag. Cases which are dealt with by delegated authority will be noted in the agenda of the subsequent DAC meeting. The agreed criteria for a 'major' faculty case, which must be considered by the full Committee, and to which delegated authority is not applicable, are:

1. Extensive repairs and alterations (structural or liturgical) which affect the character of a listed church building;
2. Extensive alterations (liturgical) which affect an unlisted church building;
3. Works involving extensive restoration, conservation, relocation, introduction or disposal of significant fittings, fixtures, bells, clocks, organs, paintings or treasures;
4. Works which require consultation with the Church Buildings Council under [rule 4.6](#) of the Faculty Jurisdiction (Amendment) Rules 2019.

The Lichfield DAC has accordingly granted delegated authority for minor faculties to the DAC officers, with the following provisos:

1. The DAC officers are to act within their professional capabilities and ensure that the advice of an expert DAC member or adviser is obtained in all cases;
2. A note of all Notifications of Advice issued under delegated authority is to be reported in the agenda of the subsequent DAC meeting for information.