

CLAS CIRCULAR 2022/08 (1 JUNE 2022)

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CLAS is not qualified to advise on the legal and technical problems of members and does not undertake to do so. Though we take every care to provide a service of high quality, neither CLAS, the Secretary nor the Governors undertakes any liability for any error or omission in the information supplied.

It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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NORTHERN IRELAND

Charity regulators: Memorandum of Understanding

For information

The Charity Commission for Northern Ireland has [announced](#) that it has signed a Memorandum of Understanding with the Charities Regulatory Authority of Ireland. Its purpose is to build on the existing shared work between the regulators in supporting registered charities, further to enhance levels of public trust and confidence in the sector.

The formal agreement sets out a framework by which the regulators will cooperate and collaborate to uphold the integrity of charitable organisations and charitable trusts across the island of Ireland.

[Source: CCNI, 31 May]

Investment in built heritage

For information **and possibly for action**

The Department for Communities has [announced](#) that three funds totalling more than £1million aimed at conserving heritage assets, tackling social isolation, poverty, and increasing knowledge and public awareness, are now open for applications.

[Source: Department for Communities, 20 May]

PROPERTY & PLANNING

DCMS guidelines on challenging the decision to list a building

For information

DCMS has [rewritten](#) its guidelines on how to challenge its decision to list or not to list a building. Anyone can challenge a listing decision by requesting a review, but you can only do so up to 28 days after the listing notification has been published. The review will decide whether the original decision should be upheld, amended or overturned. A review will only be carried out:

- if there is significant evidence that the original decision was wrong,
- where there was a significant factual error,
- where there was irregularity in the listing process, or
- if there is significant evidence which was not previously considered about the special architectural or historic interest of the building in a national context.

[Source: DCMS, 21 April]

Energy Bills Support Scheme

For action

As members will be aware, the Government has announced the [Energy Bills Support Scheme](#) for England, Scotland and Wales. (Energy policy is devolved in Northern Ireland, but the Government said that the Northern Ireland Executive would be funded via the Barnett Formula to provide comparable support for the financial year 2022 to 2023.) The announcement says that:

‘Households will not need to apply for the Scheme, and in most cases we expect electricity suppliers to apply the reduction automatically to bills from October 2022.’

However, because relief is targeted at electricity bills rather than at individual consumers, we foresee a problem for religious communities whose electricity bills for the property or properties that their members occupy are paid centrally from community funds. On our understanding of the scheme, a single rebate will be applied to the bill, even if twenty individuals are living in the communal premises. A similar issue is likely to arise for university colleges and halls of residence and, possibly, for some types of community housing.

We assume that the decision to apply the reduction to bills rather than to individuals was taken as a matter (understandably) of administrative convenience. Nevertheless, we believe that this is an issue that should be brought to the attention of Government, and we propose to do so in conjunction with the Association of University Directors of Estates, the British Universities Finance Directors Group, the Charity Tax Group and the Charities' Property Association.

Any information from members on this issue that we can bring to the attention of Government would be extremely helpful.

[Source: CLAS, 1 June]

Fire safety

For information

The Home Office has [published](#) a policy paper on the Fire Safety Act 2021. The paper provides information about the commencement of the Fire Safety Act and how it affects Responsible Persons and others. The Fire Safety Act clarifies the scope of the Fire Safety Order to make clear that it applies to the structure, external walls (including cladding and balconies) and individual flat entrance doors between domestic premises and the common parts of a multi-occupied residential building.

If you are a Responsible Person, you must consider these parts when conducting fire risk assessments, if you have not done so already.

To support the commencement of the Fire Safety Act, the Home Office has also published the [Fire Risk Assessment Prioritisation Tool](#). This is an online tool for Responsible Persons to prioritise how soon your fire risk assessments should be updated. It has also [published](#) guidance on the Fire Safety (England) Regulations 2022, which introduce new duties under the Fire Safety Order for building owners or managers ("Responsible persons").

[Source: Home Office, 18 May]

Leasehold reform in England and Wales: What's happening and when?

For information

The House of Commons Library has [published](#) a briefing titled "Leasehold reform in England and Wales: What's happening and when?" The briefing notes that "The Government has committed to reform leasehold tenure to make buying/extending lease agreements 'easier, faster, fairer and cheaper'. This page explains what's known about the reforms and timetable."

[Source: House of Commons Library, 31 May]

Protective Security Funding Scheme

For information

The next round of the [Places of Worship \(POW\): Protective Security Funding Scheme](#) for England & Wales opened on 19 May and closes for applications on **14 July**. It covers the costs of equipment and installation of all security measures, and maintenance costs for one year from the installation date.

[Source: Home Office, 19 May]