

Applying for faculty permission - *Important info and helpful tips*



- The faculty permission process has two key stages:
 - 1) Seeking the advice of the Church Buildings team and/or DAC on the scheme
 - 2) Applying to the Diocesan Chancellor (a judge) for faculty permission (the permission needed to undertake works to the church, churchyard and contents).
- All that the Church Buildings team, DAC and Chancellor do is guided by the Faculty Jurisdiction Rules 2015 (as amended 2022).
- The Church Buildings team process the application from early stage advice to issue of the formal Notification of Advice. This is the practical review of the proposals. The Diocesan Registry team then review and progress the application for consideration by the Chancellor. This is the legal review of the application. All of this is done through the Online Faculty System.
- In reviewing the applications the Church Buildings Team follows the casework process and delegated authority policy which operates as follows:

Only 'major' schemes will be considered at meetings of the full DAC. A 'major' scheme is that which meets the following criteria:

 - Alterations (structural or liturgical) which affect the character or significance of the building (whether it is listed or not) or the churchyard.
 - Works involving extensive restoration, conservation, relocation, introduction or disposal of significant instruments (including bells), fittings, fixtures, paintings, treasures or monuments.
 - Works which require consultation with the Church Buildings Council under rule 9.6 of the Faculty Jurisdiction Rules 2015 (as amended 2022).

Applications for alternative roofing materials following theft should be an exception to these criteria and may be considered as a 'minor' item.

Private petitions for memorials in churchyards are reviewed by the Archdeacon with advice from Church Buildings Officers.

All other faculty applications are reviewed by online subcommittees of the DAC via email correspondence, or utilising the authority delegated to case officers by the DAC at its March 2019 meeting. This allows the case officer to issue a Notification of Advice without consulting DAC members or advisors. All Notifications of Advice issued following review by subcommittee or delegated authority are reported to the next meeting of the full DAC. Determination of which of these 'minor' cases are suitable for review under authority delegated to case officers is at the discretion of the Head of Church Buildings.

Should a subcommittee or case officer feel that the submission should be reviewed by the full committee the case will be added to the next available agenda of the DAC. This is also the case when a subcommittee is unable to reach a consensus, or where it feels the application cannot be recommend to the Chancellor for faculty permission. Additionally, the Head of Church Buildings may escalate any application for consideration by the full committee at their discretion.

- Neither the Church Buildings team, nor the DAC can grant permission of any sort, and also cannot force you to undertake works.
- The greater the level of information provided in the application, the swifter the Church Buildings team will be able to provide advice.
- The level of detail required for the Church Buildings team to give advice on a scheme is directly related to the complexity of the proposals, but as a general rule of thumb, we always need to know what is to be done, how, by whom, with what and why. Lots of photos, and a supportive PCC minute should also be provided.
- Once a Notification of Advice has been issued for the scheme a public notice period of 28 days is required to enable formal consultation with the wider congregation and community.
- The DAC membership is supported by specialist advisors who are also volunteers, and experts in their fields. The job of these advisors is to assist the DAC in evaluating whether a proposal is appropriate. Therefore it is not possible for these experts to advise parishes in the development of a proposal.
- Where a proposal requires consultation with other bodies, such as Historic England, your case officer will let you know that this is the case and will guide you through the consultation process.
- Allow plenty of time – the process takes a minimum of 2 months from start to finish and often takes longer than this for complex proposals. This includes the public notice period (see above).
- Further info on the membership of the DAC, how members are appointed, how the DAC comes to a decision on a scheme, and DAC policies on common decisions can be found on the DAC pages of the diocesan website.
- Each faculty application incurs a statutory fee (£327.40 in 2024), paid to the Diocesan Registry for processing the application. In cases where the application is being made by a parochial body the diocese meets this fee. Where a private petitioner, or non-parochial body is applying this fee must be met by the applicant. When an emergency faculty is needed a further fee is due (£282.20 in 2024) and is paid on the same terms as the usual fee.
- The PCC must consult their insurers and receive a response from them prior to the application being submitted to the diocesan registry. This is not needed when approaching the Church Buildings team for advice on the proposals. The PCC will be asked to provide copies of the insurer's response within the application. Any necessary insurance cover must be in place prior to work commencing.

Most importantly – if you are unsure about the process, or have any query, please contact the Church Buildings team for advice.