

Building work to church property

A guide to gaining the necessary consents

Introduction

The church buildings, church halls and other buildings on your church site, are probably governed by trusts set out in Schedule 2 to the United Reformed Church Acts 1972 and 1981. This places certain responsibilities on Church Meeting, Synod and Trustees which are described in detail in the schedules to the Acts.

Under the Acts building repair and upkeep including insurance is the responsibility of the local church. Other building works cannot be undertaken by the local church without Trust (and often Synod) consent. In the words of the URC Acts:

“The trustees may, if in their discretion they think fit, but not without the authority of a resolution of the Church Meeting and (except as to work on or in a building which does not substantially alter its character, appearance or value) not without the approval of the Provincial Synod ... and subject to any statutory restrictions ... permit the buildings on the premises to be altered, enlarged, improved, rebuilt, supplemented or demolished.”

The church consents are, of course, additional to the requirements of Planning law and Building Regulations.

Where a building is listed or in a conservation area, further consents may be required. In this respect the United Reformed Church has been granted Ecclesiastical Exemption from the need to obtain consent from the planning authority. This means that instead churches must contact the Secretary of the Synod’s Listed Buildings Advisory Committee (LBAC) if any changes to a Listed Church Building or a building in a Conservation Area are being considered. Any maintenance to a listed building that replaces like with like should be also discussed with the Secretary to the LBAC, but may not need formal LBAC approval.

Note that for listed property churches may also need local council planning consent for changes the external facade of the building or when building an extension; it is always best to check.

Generally, the local church initiates building projects, and that is the assumption in what follows. **No building works may commence before any necessary church consents have been given.**

Synod Property Officers

You are strongly encouraged to work with your Property Officer in developing your plans from an early stage. They are able to advise on projects from the very start and will then provide you with the necessary application form to gain the church permissions.

The officers can guide you through the steps necessary to plan and execute your building works. They have experience of the legal requirements and have contacts with reliable professionals and contractors.

Even where all costs are being borne by the local church, the Trust will need to be satisfied that the works are to be carried out in compliance with all legal requirements and in a way that does not risk the integrity or value of the property. A clear recommendation that your development meets these standards and in support of your proposal is therefore required from your Property Officer.

How to apply for Trust and Synod consent

Applications are considered at three Trust meetings each year and should be submitted at least three weeks before the meeting date; your Property Officer will let you know the relevant dates. Once the Trust is satisfied that the proposals are acceptable, details are passed to the Synod Executive for Synod consent.

Where financial support from the Synod is also being sought, a combined application form is used. Supporting notes for this are in the booklet '**Local Church Mission Projects - A guide to applying for financial support**'. In any event, churches are advised not to go out to tender to a contractor until at least 90% of the anticipated project funds are available.

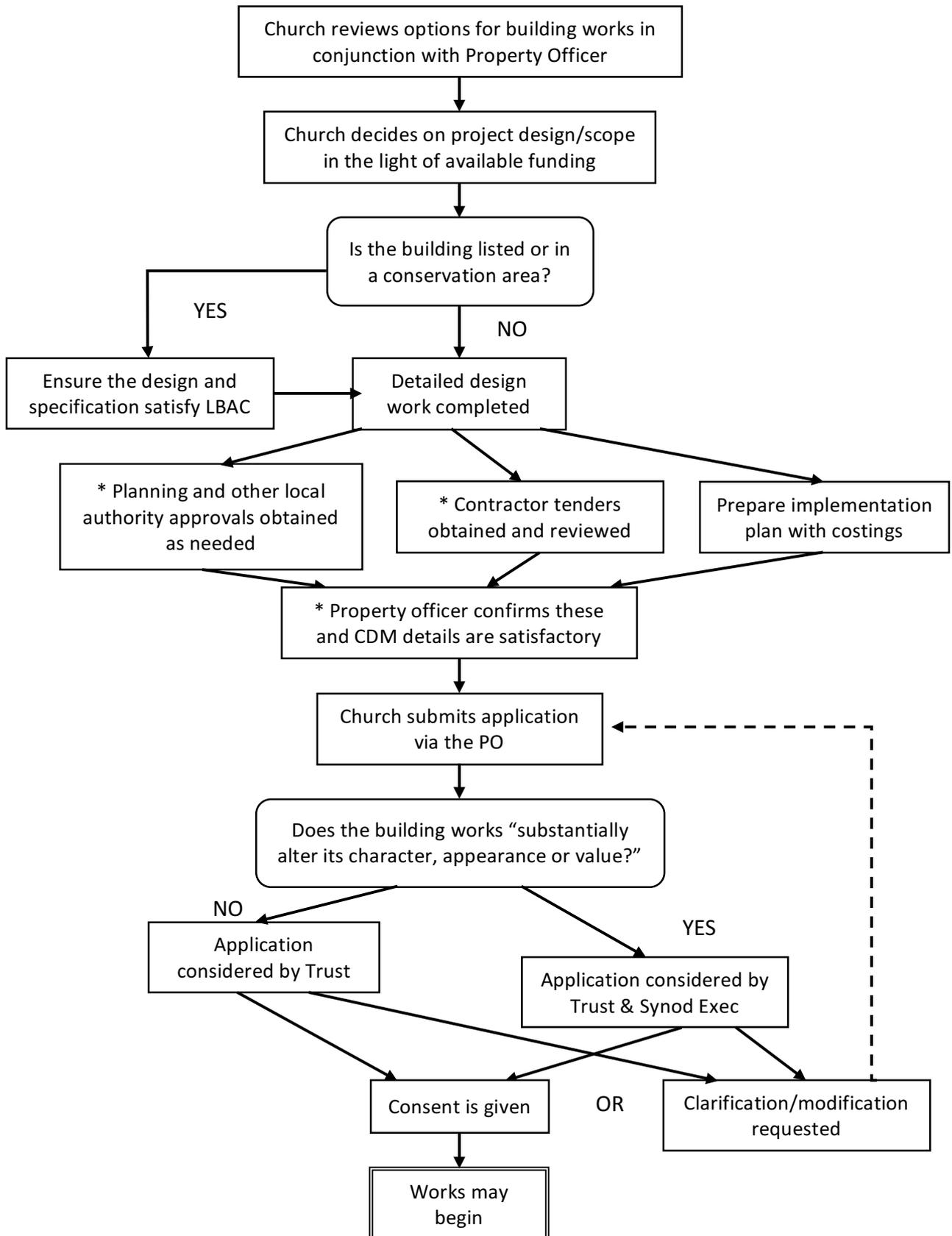
If your church is fully funding the building works, then a simplified application form is available. This will normally be accompanied by:

- A church meeting resolution supporting the development and application
- Planning permission and Building Regulations approval.
- If your building is listed, your latest quinquennial inspection report and evidence that the LBAC have approved the plans
- Asbestos management plan
- Fire risk assessment
- Insurance policy summary
- Drawings/photographs/plans
- Programme of work
- CDM compliance details
- Summary budget and summary supplier quotations

The Property Officer will arrange for your application to may be submitted to the Trust and, where required, Synod Executive for approval. Note that, where your Property Officer agrees, you may submit your application before you have obtained final planning permission, tendered for a contractor and planned your CDM compliant programme of work. The work may not begin until the Property Officer has seen and approved all the information required.

Consent will not be withheld unreasonably. However, the Trust will wish to be satisfied that the work is appropriate, for an appropriate purpose, sustainable, is compliant with all relevant laws and represents a sensible use of the local church's charity resources and that the specification and contractor(s) have been approved by a Property Officer.

Flowchart for Gaining Consent to Building Works



IMPORTANT NOTE – Items marked * may be completed after Trust/Synod approval which will both be subject to the Property Officer confirming that they are completed before work commences