

Minor Matters List B

Matters which can be authorised by the Archdeacon
if prior conditions have been met

THIS LIST sets out relatively minor matters relating to churches which may be undertaken once the advice in writing of the Diocesan Advisory Committee (“DAC”) and a Letter of Authority has been obtained from your Archdeacon (via the DAC Office) as long as the conditions and procedures set out below are satisfied. The List is contained in the Faculty Jurisdiction Rules 2015 (Schedule 1) and is reproduced in this format for ease of reference.

Matters not covered by this List may be covered by List A. If not, a Faculty will be required.

GENERAL EXCLUSIONS

(a) any works which involve alteration to or the extension of a listed building to such an extent as would be likely to affect its character as a building of special architectural or historic interest;

(b) any works which are likely to affect the archaeological importance of a building or any archaeological remains within a building or its curtilage;

(c) any works in respect of all or part of which scheduled monument consent is required under the Ancient Monuments and Archaeological Areas Act 1979;

(d) any works which involve extension, demolition or partial demolition of a building, or the erection of a new building;

(e) any matter which gives rise to a question of law or of doctrine, ritual or ceremonial or which would, if undertaken, affect the legal rights of any person (except grazing rights);

(f) the introduction of an aumbry or any other receptacle used for the reservation of the sacrament of Holy Communion;

(g) the exhumation or other disturbance of human remains;

(h) the reservation of a grave space;

(i) the introduction of, or the carrying out of any work to, a monument.

(j) the sale or other disposal of any article of architectural, archaeological, artistic or historic interest;

(k) the sale of any book remaining in or belonging to a library to which the Parochial Libraries Act 1708 applies.

The Chancellor may also make an Order that certain types of minor repairs or alterations to a specified church always require a faculty; this is likely only to apply in a small number of cases where a church is designed and/or built as a cohesive whole. The Order will be sent to the incumbent and churchwardens of any parish so affected and published on the diocesan website.

CONDITIONS AND PROCEDURES

Before undertaking any of the items in this List, the following conditions must be fulfilled:

- i. Any application made under these provisions must be an “authorised person” acting on behalf of the minister and churchwardens of the parish concerned.
- ii. The applicants should send to the Secretary of the DAC:
 - a) Full details, particulars, specifications and cost (with breakdown where relevant) of the items or works proposed, together with copies of all relevant and appropriate expert reports,
 - b) A copy of the resolution of the PCC certified as a true copy by the PCC secretary or chair authorising the proposal, together with the voting figures,
 - c) Written assurance that there is no reason to suppose the proposals would be opposed by a significant body of opinion in the Parish,
 - d) Written assurance that the work has not yet commenced or the proposals implemented, and
 - e) For items in this List which state that *the PCC’s insurers should be notified*, a written or e-mail response from the church’s insurers;
- iii. If, in the view of the DAC, the proposals are of a minor nature, the Secretary of the DAC will refer the proposals, together with the written advice of the DAC, to the Archdeacon for his or her approval. If the Archdeacon approves, he or she shall issue a Letter of Authority to the applicants (via the DAC office) and copies of the Letter shall be lodged with and retained by the Secretary of the DAC and also with the Registrar for formal recording;
- ii. The Archdeacon may (after considering any recommendations and advice of the DAC) impose such conditions as he or she may consider reasonable and appropriate, but shall not grant permission where work has already commenced or the proposals implemented;
- iii. Subject as below, the applicants may then, having received the Letter of Authority, proceed to implement the proposals in accordance with any conditions imposed;
- iv. If either the Archdeacon or the DAC consider that the proposals require the authority of a Faculty (for example because of the importance of the church building or the scale of the proposals) then the applicants shall be so informed (and the necessary documents forwarded to them) so that the applicants may, if they so wish, present a petition for the grant of a Faculty for the proposed works in the usual way.

Fixtures, fittings, furnishings and equipment	
Matter	Specified Conditions
The installation of a wall offertory box	The installation does not affect historic fabric
The introduction of a safe in a vestry or similar room	

<p>Works of adaptation (not amounting to substantial addition or replacement) to—</p> <p>(a) heating systems</p> <p>(b) gas, water and other services</p> <p>(c) electrical installations and other electrical equipment</p>	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme</p> <p>The parochial church council's insurers are notified of the proposed works</p>
<p>The replacement of a boiler in the same location and utilising an existing fuel supply and existing pipe-runs</p>	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>The works do not involve the creation of a new external flue</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>The introduction or replacement of control equipment that is ancillary to a boiler or existing heating system</p>	<p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)</p> <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>The installation of lighting and safety equipment</p>	<p>The lighting or other equipment—</p> <ul style="list-style-type: none"> • is installed only in a part of the church (such as a tower or crypt) that is not normally visible to the public, or • when installed will not be visible from ground level <p>Any work to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme</p> <p>The installation will not affect any graves or vaults</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>The installation of a sound reinforcement system or loop system or the alteration of an existing system</p>	
<p>Peal Boards – see below (Bells)</p>	
<p>The repair and maintenance of church plate (including candlesticks and crosses) not of special historic or artistic interest</p>	

The introduction, maintenance or replacement of portable audio-visual equipment used in connection with church services	No equipment is fixed to the fabric of the church
The replacement of carpets or other floor covering and underlay	Only breathable underlay is used when underlay is replaced
The replacement of curtains (other than curtains and other hangings associated with an altar)	
The treatment of fixtures and furniture against beetle or fungal activity	
The introduction of a book of remembrance and stand	
The introduction of a fixed internal noticeboard	
The disposal of free-standing chairs	No chair of historic or artistic interest is disposed of

Other fabric matters

Matter	Specified Conditions
The installation of a roof alarm	The amount of associated cabling is kept to the minimum that is reasonably practicable
The installation of a lightning conductor	The parochial church council's insurers are notified of the proposals and the work is carried out by a specialist contractor approved by them
The replacement of gas or oil tanks	The replacement tank is of similar dimensions and in substantially the same location No works of excavation are involved The local planning authority is notified of the proposal

Building maintenance and repairs

Matter	Specified Conditions
Works of routine maintenance and repair affecting the fabric of a church or historic material	The works are identified as routine items of maintenance in the most recent Quinquennial Inspection report prepared in respect of the church or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor Details of the proposed works, including methods and materials, are submitted for the advice of the DAC (see ii a) above) The works do not involve any new disturbance below ground level The parochial church council's insurers are notified if external scaffolding is to be erected

Works of external or internal redecoration (other than to areas of historic wall painting, even if already painted over)	<p>Details of materials and colours are submitted for the advice of the DAC</p> <p>The overall appearance of the building is not changed</p> <p>The parochial church council's insurers are notified if external scaffolding is to be erected</p>
The treatment of timber against beetle or fungal activity	The works do not involve the replacement of timber
The like for like replacement of roofing material	<p>The material being replaced was not introduced unlawfully</p> <p>The parochial church council's insurers are notified of the proposals</p>

Musical Instruments, Bells and bell frames, Clocks

Matter	Specified Conditions
The replacement of a grand piano with another grand piano and the disposal of the original grand piano	No piano of historic or artistic interest is disposed of
The lifting of a bell to allow the cleaning of bearings and housings	<p>Regard is had to any guidance issued by the Church Buildings Council</p> <p>The bell is currently in a fit condition to be rung</p>
The like for like replacement of— (a) bearings and their housings (b) gudgeons (c) crown staple assembly (d) steel or cast iron headstocks (e) wheels	<p>Regard is had to any guidance issued by the Church Buildings Council</p> <p>The bell is currently in a fit condition to be rung</p> <p>The works do not involve the drilling or turning of the bell</p>
The replacement of— (a) bell bolts (b) a wrought iron clapper shaft with a wooden-shafted clapper	<p>Regard is had to any guidance issued by the Church Buildings Council</p> <p>The bell is currently in a fit condition to be rung</p>
The treatment of timber bell frames with preservative or insecticide materials	
The re-pinning or re-facing of hammers in Ellacombe apparatus	<p>Regard is had to any guidance issued by the Church Buildings Council</p> <p>The bells are currently in a fit condition to be rung</p>
The introduction of peal boards in a location not normally visible to the public	
Alterations to clock striking trains to prevent striking at night	No part of the clock mechanism is affected
The upgrading of electrical control devices and programmers	

Churchyards

Matter	Specified Conditions
The introduction of benches in a churchyard	No bench has an inscription on it which would not be permitted on a monument in the churchyard under the applicable churchyard regulations made or approved by the Chancellor
The routine maintenance, repair or rebuilding of walls	<p>The works do not relate to any wall which is included in the Schedule maintained for the purposes of the Ancient Monuments and Archaeological Areas Act 1979</p> <p>The works are identified as routine items of maintenance in the most recent Quinquennial Inspection report prepared in respect of the church or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor</p> <p>Details of the proposed works, including methods and materials, are submitted for the advice of the DAC (see ii a) above)</p> <p>The works do not involve any new disturbance below ground level</p> <p>The parochial church council's insurers are notified if external scaffolding is to be erected</p>
The routine maintenance or repair of lych gates	The lych gate is not separately listed as a building of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990

Trees	
Matter	Specified Conditions
The planting of trees	Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards
The felling of a tree— (a) that is dying or dead; or (b) has become dangerous	<p>In the case of any tree in respect of which a tree preservation order is in force or which is in a conservation area, section 206 of the Town and Country Planning Act 1990 (which provides for the planting of replacement trees) is complied with</p> <p>Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards</p>
All other works to trees (whether or not prescribed in List A) except felling	<p>If applicable, the law relating to the preservation of trees in respect of which a tree preservation order is in force or which are in a conservation area is complied with</p> <p>Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards</p>