

What happens when a church building closes?

Advice for those faced with a building no longer required for worship

No one ever wants to close a church building. It is painful for those who worship there, for those who have had long standing connections with the building and for those who have to take the difficult decisions that are sometimes necessary. However, churches, like other buildings, can outlive their original purpose. Those no longer required by the Church of England for public worship are closed under the provisions of the Mission and Pastoral Measure 2011. This also sets out procedures for settling the futures of these building and finding suitable alternative uses for what are often important parts of our heritage.

Stages leading to closure

Initially, the Diocesan Mission and Pastoral Committee will consider the proposals to close a church building and will undertake a first round of consultation with the PCC, Rural Dean, Deanery Lay Chairman, Patron, Archdeacon and local planning authority. Should there be no representations against the proposals, the Bishop will sign them and ask the Church Commissioners to prepare a draft pastoral scheme. This too will be sent out for consultation with these interested parties. If representations are made during the consultation periods then these will be taken into account and it may be that the scheme is either modified or withdrawn. The Church Commissioners actually make the final decision, based upon the results of the consultations that have been undertaken and any information that may have been required as background, and a date is set for the closing of the church for public worship. It is impossible to give a length of time for this process to be completed – PCCs and incumbents affected by such proposals have the right to meet with representatives of the Pastoral Committee and these – and any other representations – can lengthen the process. The exact date of the closure will be negotiated between the Church Commissioners, the Bishop and the PCC in order to give time for a final service of thanksgiving if one is desired.

The immediate future

People living close to the church building can be helpful in notifying Steven Sleight at Edward King House about any apparent damage to the building or suspected thefts – 01522 504069. A set of keys is usually left in the former parish (often with one of the former Churchwardens) in case of emergency or the need for quick access to the building.

A new lease of life?

The Diocesan Mission and Pastoral Committee is charged with finding a new use for a church no longer required for worship. When a suitable use and purchaser/lessee has been identified, the Church Commissioners prepare a draft Pastoral (Church Buildings Disposal) Scheme for public consultation. The prospective user may have to apply for listed building consent and planning permission. The Church Commissioners will obtain independent

advice from their Advisory Board on any plans for alterations. If there are representations against the proposal, the Church Commissioners again will adjudicate. Acceptance of an offer will ultimately be subject to various commitments and covenants, giving the Commissioners a residual interest in the building as protection for the future. Uses for churches closed for public worship are many and varied and examples of some of these uses can be supplied by Steven Sleight at Edward King House on 01522 504069. However, what is proposed must be both seemly and sustainable in the long term.

Contents, furnishings and fittings

Upon the date of closure, the ownership of the building and its contents transfers to the Lincoln Diocesan Trust and Board of Finance. LDTBF is responsible for the care of the building and contents until the future is settled by a further Pastoral (Church Buildings Disposal) Scheme and pays for the buildings and contents insurance until such time. From the moment it is closed and enters this use seeking period, the building becomes fully subject to the normal listed building and conservation area controls. Until the future use of the building has been formally agreed, it also remains subject to Faculty Jurisdiction. However, the temporary removal of contents for safekeeping may be undertaken by the DBF without a faculty. The PCC must not remove items from the building. As part of the agreed terms of disposal, the Diocesan Mission and Pastoral Committee may recommend that certain contents should be left in the building and included in the property conveyed to the new owner. Alternatively the bishop may agree to allow the contents to remain in the building on loan. The Mission and Pastoral Measure 2011 contains separate provision for the dealing with the font, altar and communion plate. The Measure also provides that where a building and/or churchyard are to be disposed of, provision should be made for the headstones, monuments and memorials. This often includes leaving them where they are.

Registers and records

The disposal of the parochial records and registers are regulated by the Parochial Registers and Records Measure 1978. Marriage registers will need to be returned to the Registrar General. The advice of the county archivist should be sought before any decisions are taken as to the future of other items, especially with respect to old parish magazines, plans and miscellaneous papers etc.

Accounts and finances

The PCC's cash and investments will in due course pass to the successor PCC. When outstanding payments and receipts have been completed the PCC's accounts will be closed and accounts to the date of closure prepared as soon as possible thereafter. Arrears in regard to parish contribution are not a legal liability and do not automatically pass to the successor PCC. However, any voluntary contribution to the Diocese from the former PCC or its successor to which its funds will pass would be gratefully received. Utilities should be paid up until the date of the building's closure and then transferred into the name of Lincoln Diocesan Trust and Board of Finance.

Money from any fabric fund which has been specifically given for the purpose of maintaining the building should be spent for that purpose, passed on to the body or person responsible for the upkeep of the building or returned to the original donors. Other monies and legacies which have simply been designated for the purposes of the PCC are not 'restricted' funds and can be spent on other purposes by a further determination by the PCC. The Treasurer will have some final duties after the closure takes effect. He will need to administer final payments and receipts and to draw up final accounts for the final months of the PCC's activities. When these accounts have been completed, the former PCC members will need to meet once to approve them. It is suggested that the Treasurer of the successor PCC is invited to attend this meeting in order to help with make a smooth handover. A written account of that handover would be advantageous. Records relating to financial matters of the parish should be retained by the Treasurer of the successor parish for seven years, just in case His Majesty's Revenues and Customs or the Charity Commissioners require access to them to verify claims for tax refunds.

Church halls

Church halls are often owned by the PCC with the DBF acting as custodian trustee. They can therefore be transferred to the successor PCC. In some instances they can be disposed of as a part of the lease/sale of the former church building. Queries and questions on this should in the first instance be directed to Steven Sleight at Edward King House on 01522 504069.

In conclusion

These notes can be no more than broad indications of what may happen as every case is different. However, the Archdeacon and staff at Edward King House and the Church Commissioners are more than happy to talk through particular problems and concerns which may occur