

## SCHEDULES

### SCHEDULE 1

#### PROVISIONS RELATING TO THE LIST

- 2 (1) In the case of a building falling within paragraph (b) of section 1(2) above (episcopal houses of residence), an application shall not be made without the consent of the Church Commissioners nor—
- (a) in the case of Lambeth Palace or Old Palace Canterbury, during a vacancy in the office of the Archbishop of Canterbury;
  - (b) in the case of Bishopthorpe Palace, during a vacancy in the office of the Archbishop of York;
  - (c) in any other case, during a vacancy in the see in which the building is situated.
- (2) In the case of a building falling within paragraph (c) (religious communities), an application shall not be made without the consent of the superior of the religious community concerned. The superior may consult the Visitor before deciding whether or not to consent.
- (3) In the case of a building which is part of a prison, an application shall not be made without the consent of the Chaplain-General of Prisons.
- (4) In the case of a building falling within paragraph (e) (shared churches), an application shall not be made unless the requirements of the relevant sharing agreement, or of any arrangements made under it, relating to consultation or consent in the management of the building have been complied with.
- (5) In the case of a building falling within paragraph (a) or (d) (peculiar, universities etc.) an application shall not be made without the consent of the Visitor (if any).
- (6) In the case of an application to which paragraph 1(a)(ii) above applies the application shall not be made without the consent—
- (a) in the case of a building which is not subject to a tenancy, of the person who is for the time being the estate owner in respect of the fee simple in the building; or
  - (b) in the case of a building which is subject to a tenancy—
    - (i) where the estate owner is the applicant, of the person who is for the time being entitled to the tenancy;
    - (ii) where that person is the applicant, of the estate owner;
    - (iii) otherwise, of both that person and the estate owner:
- Provided that this paragraph shall not apply if the Council is satisfied that the estate owner or person entitled to the tenancy cannot be found after reasonable efforts to find him have been made or that it is impracticable to seek his consent.