



# Pastoral Measure 1983 (repealed)

1983 No. 1

## PART III

### REDUNDANT CHURCHES

#### *Redundancy schemes*

#### **50 Procedure for making redundancy schemes.**

- (1) The Commissioners may at any time after the expiration of the period of six months mentioned in section 49(1) or, in the cases mentioned in the proviso to that subsection, at any time after the conditions therein mentioned are fulfilled, and shall in any case not later than three years after the declaration of redundancy takes effect, prepare a draft scheme with respect to the redundant building providing for any of the matters mentioned in the next following section:

Provided that if before the end of the said period of three years it is found to be impracticable to prepare the draft scheme before that period expires, and it seems to the Commissioners after consulting the diocesan board of finance, reasonable so to do, they may, with the consent of the bishop, postpone the preparation of the draft scheme for such minimum further period or periods as they find to be necessary.

- (2) Before preparing any such draft scheme the Commissioners—
- (a) shall consult the bishop; and
  - (b) if it is proposed to provide for the demolition or the care and maintenance by the Redundant Churches Fund of the redundant building or any part thereof, or for any architectural or structural changes in the redundant building or any part thereof for the purpose of facilitating the use thereof, shall consult the Advisory Board:

Provided that if the said Board has advised that the demolition of the redundant building or part thereof would not in their opinion be objectionable, paragraph (b) of this subsection shall not apply in relation to that building or part, as the case may be.

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Pastoral Measure 1983 (repealed), Section 50. (See end of Document for details)*

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- (3) The Commissioners shall serve a copy of the draft scheme on the diocesan board of finance, the local planning authority or authorities concerned, the Commonwealth War Graves Commission and the Advisory Board and, if the draft scheme provides for the care and maintenance by the Redundant Churches Fund of the redundant building or any part thereof, on that Fund.
- (4) The Commissioners shall also publish in one or more newspapers circulating in the locality in which the redundant building is situated a notice stating the effect of the draft scheme and naming a place or places where a copy thereof may be inspected, and stating that written representations with respect to the draft scheme may be made to the Commissioners not later than a date specified in the notice, being a date not less than twenty-eight days after the first publication of the notice in such a newspaper as aforesaid.
- (5) The Commissioners shall consider any representations duly made with respect to the draft scheme and any unforeseen change of circumstances affecting its implementation, and may decide not to proceed with it or to amend it or to proceed with it in its original form, and shall consult the bishop before making their decision.
- (6) If the Commissioners decide to proceed with the draft scheme, they shall seal a copy thereof, with such amendments (if any) as they may have made therein, and shall thereby make the scheme, and shall submit the scheme for confirmation by Her Majesty in Council, who may confirm the scheme by Order in Council.
- (7) If the Commissioners decide in accordance with subsection (5) not to proceed with a draft scheme, or to withdraw a scheme owing to an unforeseen change of circumstances before it has been confirmed by Order in Council, they shall as soon as possible prepare a new draft scheme, and subsections (2) to (6) shall apply thereto.
- (8) An Order in Council made under this section shall not be a statutory instrument as defined by section 1 of the <sup>M1</sup>Statutory Instruments Act 1946 and the provisions of that Act shall accordingly not apply thereto.
- (9) Sections 10 and 11 shall apply, with the necessary modifications, to schemes made and confirmed under this section as they apply to pastoral schemes, and a notice sufficiently identifying a scheme under this section and stating that it has been confirmed and where a copy of the Order in Council may be obtained shall be published in a newspaper circulating in the locality.

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#### **Marginal Citations**

**M1** 1946 c. 36.

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Pastoral Measure 1983 (repealed), Section 50.