



Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (No. 1)

1991 No. 1

PART III

ECCLESIASTICAL JURISDICTION

18 Emergency demolition of churches

- (1) Without prejudice to the powers exercisable under any rule of law by diocesan chancellors at the coming into operation of this section, where the chancellor of a diocese is satisfied—
- (a) that the demolition of the whole or part of a church in the diocese is necessary in the interests of safety or health or for the preservation of the church and, having regard to the urgency of the matter, there is insufficient time to obtain a faculty in respect of it; and
 - (b) in the case of a church which is a listed building or is in a conservation area—
 - (i) that it is not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter; and
 - (ii) that the works to be carried out are limited to the minimum measures immediately necessary,he may by an instrument under his hand authorise the carrying out of the demolition without a faculty.
- (2) An instrument under subsection (1) above—
- (a) may require the person to whom it is issued (subject to his obtaining any necessary faculty) to carry out such works for the restoration of the church following its demolition or partial demolition as may be specified in the instrument;
 - (b) in the case of partial demolition of a church which is a listed building or is in a conservation area, shall require the person to whom it is issued, as soon as

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practicable after the works have been carried out, to give to the local planning authority notice in writing describing the works carried out.

- (3) Where the chancellor of a diocese issues an instrument under subsection (1) above he shall send a copy of the instrument to the Council for the Care of Churches and the local planning authority.