



Care of Cathedrals Measure 1990 (No. 2)

1990 No. 2

Applications for approval

6 Body to which application for approval to be made

- (1) Any application for approval for a proposal shall be made to the Commission where—
- (a) the proposal would involve—
 - (i) the carrying out of works which would permanently alter the fabric of the cathedral church or any building within the precinct of the cathedral church which is for the time being used for ecclesiastical purposes, or
 - (ii) the demolition of any part of the cathedral church or any such building, or
 - (iii) the disturbance or destruction of any archaeological remains within the precinct of the cathedral church, or
 - (iv) the sale, loan or other disposal of any object for the time being designated under section 13(2) of this Measure in relation to the cathedral church as being of outstanding architectural, archaeological, artistic or historic interest, or
 - (b) the Commission declares in writing that the proposal gives rise to considerations of such special architectural, archaeological, artistic or historic interest that the application should be determined by it;
- and any application for approval for any other proposal shall be made to the fabric advisory committee.
- (2) If the administrative body or the fabric advisory committee wishes to have it determined whether under subsection (1) above an application for approval is required to be made to the committee or to the Commission, the Commission shall have power to determine that question.
- (3) Where, on an application made to the fabric advisory committee by virtue of subsection (1) above (not being an application in respect of which a determination has been made under subsection (2) above), at least three members of the committee present and voting determine that the proposal in question gives rise to considerations

of such special architectural, archaeological, artistic or historic interest that the application should be determined by the Commission, the secretary of the committee shall refer the application to the Commission and shall notify the administrative body accordingly; and section 8 of this Measure shall apply in relation to that application.

- (4) Any application under this section shall be made in accordance with rules made under this Measure.

7 Applications for approval of fabric advisory committee

- (1) Where any application is made by the administrative body of a cathedral church for the approval of the fabric advisory committee, the chapter clerk shall display in the prescribed manner a notice in the prescribed form specifying the place where details of the proposal are available for inspection and stating that representations in writing with respect to the proposal may be sent to the secretary of the committee before the end of the prescribed period; and he shall also send such a notice—

- (a) to the Commission, and
- (b) if the application relates to a proposal of a kind described in section 2(1)(a) of this Measure, to the local planning authority.

- (2) After considering any representations made to it under this section, the fabric advisory committee shall determine whether to give its approval to the proposal, either unconditionally or subject to such conditions as it may specify, or whether to refuse to give its approval.

- (3) The secretary of the fabric advisory committee shall send notice of the committee's decision—

- (a) to the administrative body of the cathedral church, and
- (b) to the Commission,

and the chapter clerk shall display in the prescribed manner a copy of the notice sent to the administrative body under this subsection; and, if the decision relates to a proposal of a kind described in section 2(1)(a) of this Measure he shall also send a copy of it to the local planning authority.

8 Applications for approval of Cathedrals Fabric Commission

- (1) Where any application is made by the administrative body of a cathedral church for the approval of the Commission, the chapter clerk shall—

- (a) display in the prescribed manner, and
- (b) send to the fabric advisory committee, the Historic Buildings and Monuments Commission and the national amenity societies (or such person as those societies may jointly appoint for the purposes of this section),

a notice in the prescribed form specifying the place where details of the proposal are available for inspection and stating that representations in writing with respect to the proposal may be sent to the secretary of the Commission before the end of the prescribed period; and, if the application relates to a proposal of a kind described in section 2(1)(a) of this Measure, it shall also send such a notice to the local planning authority.

- (2) After considering any representations made to it under this section, the Commission shall determine whether to give its approval to the proposal, either unconditionally or subject to such conditions as it may specify, or whether to refuse to give its approval.

Status: This is the original version (as it was originally enacted).

- (3) The secretary of the Commission shall send notice of the Commission's decision—
- (a) to the administrative body of the cathedral church,
 - (b) to the fabric advisory committee,
 - (c) to the Historic Buildings and Monuments Commission,
 - (d) to the national amenity societies (or such person as those societies may jointly appoint for the purposes of this section), and
 - (e) to the Royal Commission on the Historical Monuments of England,
- and the chapter clerk shall display in the prescribed manner a copy of the notice sent to the administrative body under this subsection; and, if the decision relates to a proposal of a kind described in section 2(1)(a) of this Measure, he shall also send a copy of it to the local planning authority.