



Care of Cathedrals Measure 2011

2011 No. 1

PART 2

APPROVAL FOR WORKS TO CATHEDRALS AND APPROVAL BODIES

Approval Required for Alterations to Cathedrals

2 Approval required for alterations to cathedrals

- (1) Subject to subsection (2) and to sections 5 and 6 the Chapter of a cathedral shall not, unless it has been approved under this Measure, implement or consent to the implementation of any proposal—
- (a) for the carrying out of works, including works of repair or maintenance, on, above or below land the fee simple in which is vested in [^{F1}the Chapter], being works which would materially affect—
 - (i) the architectural, archaeological, artistic or historic character 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 immediate setting of the cathedral church, or
 - (iii) any archaeological remains in or under the cathedral church or within its precinct, or
 - (iv) any human remains in or under the cathedral church or within its precinct, or
 - (b) for the sale, loan or other disposal of any object the property in which is vested in [^{F1}the Chapter] or which is in the possession or custody of [^{F1}the Chapter] or to whose possession or custody [^{F1}the Chapter] is entitled, being an object of architectural, archaeological, artistic or historic interest, including any object to which section 7 applies, or
 - (c) for the carrying out of any work to any such object as is referred to in paragraph (b) which would materially affect the architectural, archaeological, artistic or historic character of the object, or

Changes to legislation: *Care of Cathedrals Measure 2011, Section 2 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (d) for the permanent addition to the cathedral church of any object which would materially affect the architectural, archaeological, artistic or historic character of the cathedral church.
- (2) Subsection (1) shall not apply in relation to anything which—
- (a) is done by the Chapter in furtherance of its duties under the constitution and statutes of the cathedral church with respect to the ordering of services or otherwise in furtherance of the mission of the cathedral church,
 - (b) is of a temporary nature, and
 - (c) does not materially affect the fabric of the cathedral church.
- [^{F2}(2A) The Chapter of a cathedral shall not implement or consent to the implementation of a proposal for the erection of a building on a disused burial ground the fee simple in which is vested in [^{F3}the Chapter], unless the proposal has been approved under this Measure.
- (2B) The requirement under subsection (2A) for the approval of a proposal is in addition to any requirement under subsection (1) for the approval of the proposal.]
- (3) Where a proposal has been implemented in contravention of this section, anything done in connection with that implementation may be approved under this Measure and, in that event, shall be deemed to have been done in compliance with this section.

Textual Amendments

- F1** Words in s. 2(1) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), **Sch. 4 para. 33** (with ss. 42(4), 48, 52(1))
- F2** S. 2(2A)(2B) inserted (1.9.2020) by [Church of England \(Miscellaneous Provisions\) Measure 2020 \(No. 1\)](#), **ss. 6(1)**, 16(3); S.I. 2020/835, art. 2
- F3** Words in s. 2(2A) substituted (coming into force in accordance with s. 53(3) of the amending Measure) by [Cathedrals Measure 2021 \(No. 2\)](#), **Sch. 4 para. 33** (with ss. 42(4), 48, 52(1))

Commencement Information

- I1** S. 2 in force at 1.9.2011 by [2011 No. 2](#), **art. 2**

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Changes and effects yet to be applied to :

- s. 2(2)(b) words inserted by [2024 No. 1 s. 15\(2\)](#)

Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 2(1)(ba) and word inserted by [2024 No. 1 s. 15\(1\)](#)