



Church Property Measure 2018

2018 No. 8

PART 2

GLEBE LAND

Dealings

21 Consent to dealings

- (1) A DBF or management subsidiary may not enter into a transaction for any of the following dispositions of diocesan glebe land without the consent of the Church Commissioners—
 - (a) a sale;
 - (b) an exchange;
 - (c) the grant of a lease wholly or partly at a premium;
 - (d) the grant of a lease for a term of 21 years or more;
 - (e) the grant of a lease of land which, had it not become diocesan glebe land, would be an excluded part of a parsonage house;
 - (f) the grant of a lease or licence, or the making of an agreement, relating to searching for, or working and getting, mines and minerals and any other operation arising from that;
 - (g) the grant of a mortgage or charge.
- (2) The consent of the Commissioners is not required if the disposition is to a management subsidiary for the purposes of a land management scheme.
- (3) The consent of the Commissioners is not required if—
 - (a) the disposition is to a person who is not a connected person or a trustee for or nominee of a connected person, and
 - (b) before making the disposition or, where there is an agreement for the disposition, before entering into the agreement, the DBF or subsidiary has met the condition in subsection (4).

Changes to legislation: There are currently no known outstanding effects for the Church Property Measure 2018, Section 21. (See end of Document for details)

- (4) The condition in this subsection is that the DBF or subsidiary—
- (a) has obtained a written report on the proposed transaction from a qualified surveyor instructed by and acting exclusively for it,
 - (b) has advertised the proposed transaction for the period and in the manner advised by the surveyor in the report, unless the surveyor has advised in the report that advertising the proposed transaction would not be in the best interests of the diocese, and
 - (c) having considered the report, is satisfied that the terms of the proposed transaction are the best that can be reasonably obtained for the diocese.
- (5) The consent of the Commissioners is not required if the disposition would give effect to the entitlement of a tenant under an enactment—
- (a) to acquire an interest in the land from the DBF or subsidiary,
 - (b) to be granted an interest in the land by the DBF or subsidiary, or
 - (c) to have an interest in the land renewed or extended.
- (6) The Commissioners may, as a condition of giving consent, require the DBF or subsidiary to include in the document giving effect to the transaction—
- (a) terms for safeguarding the amenities of land that will be affected by the transaction, and
 - (b) such other provisions as appear to the Commissioners to be necessary.

Commencement Information

II S. 21 in force at 1.3.2019 by S.I. 2019/97, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Church Property Measure 2018, Section 21.