



Church Property Measure 2018

2018 No. 8

PART 4

MISCELLANEOUS AND GENERAL

Property rights and obligations

42 Easements

- (1) The incumbent of a benefice or, during a vacancy, the bishop of the diocese to which the benefice belongs—
 - (a) may take an easement for an estate or interest for the benefit of land which is part of the property of the benefice;
 - (b) may grant an easement over land which is part of the property of the benefice.
- (2) A power under subsection (1) may not be exercised without—
 - (a) the consent of the Parsonages Board, and
 - (b) where the power is exercisable by the incumbent of the benefice, the consent of the bishop of the diocese to which the benefice belongs.
- (3) A power under subsection (1) may be exercised—
 - (a) in consideration of the payment of a capital sum or a periodic sum, or
 - (b) without monetary consideration.
- (4) A capital sum payable in respect of the grant of an easement under this section must be paid to the Parsonages Board and applied by it for the purposes for which the proceeds of a sale of the land over which the easement is granted would be applicable.