



Cathedrals Measure 2021

2021 No. 2

Property

PROSPECTIVE

22 Disposal of land

- (1) The Chapter of a cathedral may not dispose of land unless it has obtained the consent of the Church Commissioners.
- (2) The Chapter of a cathedral may not dispose of a house of residence unless it has obtained (in addition to the consent required under subsection (1))—
 - (a) the consent of the dean or residentiary canon who normally occupies the house, except during a vacancy in the office concerned, and
 - (b) if the house is allocated for the use of the holder of a dignity the right of presentation to which is vested in Her Majesty, Her consent.
- (3) Subsections (1) and (2) do not apply to a house of residence occupied by or allocated for the use of the holder of an office who is subject to common tenure.
- (4) Consent under this section is not required for—
 - (a) the grant of a lease or tenancy to a clerk in Holy Orders holding office in the cathedral or to a person employed by the Chapter;
 - (b) a transaction relating to land which, immediately before the original appointment date under the Cathedrals Measure 1999, was held by the dean and chapter of the cathedral of St. Paul in London as part of the Tillingham estate.
- (5) The Church Commissioners may by order except from subsections (1) and (2)—
 - (a) transactions relating to land forming part of an estate specified in the order;
 - (b) transactions of a class, or relating to property of a class, specified in the order.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Cathedrals Measure 2021, Section 22. (See end of Document for details)

- (6) A disposal of land by the Chapter of a cathedral which does not require consent under this section must nevertheless comply with Part 7 of the Charities Act 2011 (charity land).
- (7) Consent under subsection (1) or (2) may be given even if the consideration for the disposal is not the full consideration but consent is not needed if the Church Commissioners give a statement in writing that the disposal is of the kind described in section 117(3)(c) or (d) of the Charities Act 2011 (transaction at undervalue).
- (8) A statement in writing by the Church Commissioners that the requirements of this section with respect to the disposal have been complied with is conclusive evidence of that fact.
- (9) A statement in a document sealed by the Chapter that the consent of the Church Commissioners under this section is not required is conclusive evidence of that fact.
- (10) The reference in subsection (2) to a house of residence includes a reference to the buildings, gardens and other land held with the house.
- [^{F1}(11) In the case of a lay residentiary canon who is provided with a house of residence under section 4 of the Ecclesiastical Offices (Terms of Service) Measure 2009, the reference in subsection (2)(a) to a residentiary canon includes a reference to that lay residentiary canon.]

Textual Amendments

- F1** S. 22(11) inserted (coming into force in accordance with s. 22(3) of the amending Measure) by [Church of England \(Miscellaneous Provisions\) Measure 2024 \(No. 1\)](#), [Sch. 1 para. 22](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Cathedrals Measure 2021, Section 22.