
STATUTORY INSTRUMENTS

2000 No. 2047

The Faculty Jurisdiction Rules 2000

PART II

PETITION AND PUBLIC NOTICE

Seeking Advisory Committee Advice

3.—(1) Before submitting a petition for a faculty in the consistory court intending applicants should seek the advice of the advisory committee in respect of the works or other proposals for which a faculty is required (except where the action proposed relates exclusively to exhumation or the reservation of a grave space).

(2) Except in a case within paragraph (4) intending applicants should submit to the advisory committee designs, plans, photographs and other documents giving particulars of the works or other proposals together with a summary list of the works or proposals.

(3) Where significant changes to a listed church are proposed the intending applicant should—

- (a) provide the advisory committee (in addition to the particulars required by paragraph (2) of this rule) with a Statement of Significance and a Statement of Needs, and
- (b) if the works fall within paragraph 1 of Appendix B consult English Heritage, such of the national amenity societies as appears likely to have an interest in the church or the works, and the local planning authority in accordance with Appendix B.

(4) Where the intending applicants are proposing to carry out works to a tree or trees in a churchyard or in a consecrated burial ground for which a faculty is required they shall complete Form No. 16 in Appendix C and send it to the advisory committee at the time of seeking the advice of the advisory committee in respect of the proposed works.

(5) If the advisory committee decides to recommend the works or proposals or to raise no objection to them its decision together with any provisos shall be set out in a certificate in Form No. 1 in Appendix C and shall be sent to the intending applicants together with the designs, plans, photographs and other documents which were submitted to the advisory committee under paragraph (2) of this rule and are the subject of the certificate.

(6) If the advisory committee decides not to recommend the works or proposals it shall inform the intending applicants by way of a certificate in Form No. 1 in Appendix C and shall advise them that they are entitled to petition for a faculty from the chancellor, if they so wish, notwithstanding the committee's decision.

(7) When the advisory committee issues a certificate under paragraph (5) or (6) the certificate may include a recommendation to the intending applicants that they should consult English Heritage, or the local planning authority, or one or more of the national amenity societies, or the Council for the Care of Churches or any other body or person about some or all of the works or other proposals for which a certificate is sought if they have not already done so, and the advisory committee shall consider including such a recommendation in any case where it appears to the committee that the works—

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- (a) involve alteration to or extension of a listed church to such an extent as is likely to affect its character as a building of special architectural or historic interest, or
- (b) are likely to affect the archaeological importance of the church or archaeological remains existing within the church or its curtilage, or
- (c) in the case of an unlisted church in a conservation area, will involve demolition affecting the exterior of the church.