

Changes to legislation: Care of Cathedrals Measure 2011 is up to date with all changes known to be in force on or before 24 March 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

SCHEDULES

SCHEDULE 1

Section 3(4)

THE CATHEDRALS FABRIC COMMISSION FOR ENGLAND

Membership

- 1 The Commission shall consist of a person who shall be known as “the Chair”, a person who shall be known as “the Vice-Chair” and twenty-two other members.

Commencement Information

11 Sch. 1 para. 1 in force at 1.9.2011 by 2011 No. 2, art. 2

- 2 The Chair shall be a lay person appointed by the Archbishops of Canterbury and York after consultation with the Secretary of State, and the Vice-Chair shall be appointed by the Archbishops after consultation with the Archbishops' Council and with such organisation as appears to the Archbishops to be representative of the deans of cathedral churches.

Commencement Information

12 Sch. 1 para. 2 in force at 1.9.2011 by 2011 No. 2, art. 2

- 3 Seventeen members of the Commission shall be appointed by the Archbishops of Canterbury and York as follows—
- (a) one member shall be appointed on the nomination of the House of Bishops from among the members of that House;
 - (b) two members shall be appointed on the nomination of such organisation as appears to the Archbishops to be representative of the deans of cathedral churches and at least one of those two members shall be a dean of a cathedral church;
 - (c) three members shall be appointed on the nomination of the Church Buildings Council, of whom two shall be selected from among the members of the Council or a committee of the Council;
 - (d) two members shall be persons holding office as cathedral architects or surveyors of the fabric one of whom shall be appointed after consultation with the President of the Royal Institute of British Architects and the other shall be appointed after consultation with that President and the President of the Royal Institution of Chartered Surveyors;
 - (e) one member shall be an architect or chartered building surveyor appointed after consultation with the President of the Ecclesiastical Architects and Surveyors Association and one member shall be a chartered engineer appointed after consultation with the President of the Institution of

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- Structural Engineers and the President of the Institution of Civil Engineers, being persons with experience of the care of historic buildings;
- (f) one member shall be a painter, sculptor or other artist, with experience of work for cathedral or other churches, who shall be appointed after consultation with the President of the Royal Academy of Art;
- (g) six members shall be appointed as follows—
- (i) one shall be appointed after consultation with the Secretary of State;
 - (ii) one shall be appointed after consultation with the Chairman of English Heritage;
 - (iii) one shall be appointed after consultation with the President of the Council for British Archaeology and the President of the Society of Antiquaries of London;
 - (iv) two shall be appointed after consultation with the Chairman of the Liturgical Commission; and
 - (v) one shall be appointed after consultation with the Director of the Royal School of Church Music.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.9.2011 by 2011 No. 2, art. 2

- 4 All the members of the Commission appointed under paragraph 3(b) to (g) shall be persons who between them have special knowledge of archaeology, architecture, archives, art, the care and conservation of books, manuscripts and other historic objects, history (including history of art and architecture) and liturgy (including church music).

Commencement Information

I4 Sch. 1 para. 4 in force at 1.9.2011 by 2011 No. 2, art. 2

- 5 Five members of the Commission, of whom at least one shall be a member of the Chapter of a cathedral, shall be elected by the General Synod from among its members, each person so elected having knowledge of the ways in which cathedral churches are currently used and of their contribution to the work of the Church of England.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.9.2011 by 2011 No. 2, art. 2

- 6 No person who is a member of the Chapter or fabric advisory committee of any cathedral church or a member or officer of a relevant committee of any designated organisation shall be eligible for appointment as the Chair or Vice-Chair of the Commission.

Commencement Information

I6 Sch. 1 para. 6 in force at 1.9.2011 by 2011 No. 2, art. 2

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- 7 The Chair and other members of the Commission shall hold office for 5 years beginning on the first day of May in the year next following the year in which the General Synod is dissolved and a new Synod comes into being.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 7 excluded by S.I. 2020/526, art. 4 (as inserted (15.10.2020) by [The General Synod of the Church of England \(Postponement of Elections\) \(Amendment\) Order 2020 \(S.I. 2020/1123\)](#), arts. 1(2), 2(1))

Commencement Information

- I7** Sch. 1 para. 7 in force at 1.9.2011 by [2011 No. 2](#), art. 2

- 8 Any member of the Commission shall on ceasing to hold office be eligible for re-appointment or re-election unless he or she became such a member by virtue of re-appointment or re-election under this paragraph or appointment under paragraph 9 following re-election under this paragraph.

Commencement Information

- I8** Sch. 1 para. 8 in force at 1.9.2011 by [2011 No. 2](#), art. 2

- 9 Where a member of the Commission elected by the General Synod under paragraph 5 has, following the dissolution of the Synod, not been re-elected to the new Synod, that person may be appointed by the Appointments Committee of the Church of England as a member and shall hold office until the thirtieth day of April following the year in which the new Synod comes into being.

Commencement Information

- I9** Sch. 1 para. 9 in force at 1.9.2011 by [2011 No. 2](#), art. 2

Casual vacancies

- 10 Where a casual vacancy occurs among the members of the Commission appointed by the Archbishops of Canterbury and York, the Archbishops, after such consultation as appears to them to be appropriate having regard to the knowledge or experience of the person whose place is to be filled, may appoint a person to fill the vacancy.

Commencement Information

- I10** Sch. 1 para. 10 in force at 1.9.2011 by [2011 No. 2](#), art. 2

- 11 Where a casual vacancy occurs among the members of the Commission elected by the General Synod, the General Synod may elect one of its members to fill the vacancy, the person so elected having knowledge of the matters mentioned in paragraph 5.

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Commencement Information

I11 Sch. 1 para. 11 in force at 1.9.2011 by 2011 No. 2, art. 2

- 12 Any person appointed or elected to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place he or she is appointed or elected, but shall be eligible for re-appointment or re-election for one further term of office in accordance with paragraph 8, and if the Archbishops of Canterbury and York so direct, shall be eligible for re-appointment or re-election for a second further term.

Commencement Information

I12 Sch. 1 para. 12 in force at 1.9.2011 by 2011 No. 2, art. 2

Secretary

- 13 The Commission shall appoint a secretary to the Commission but no person shall be appointed who is a member or officer of the Chapter or fabric advisory committee of any cathedral church or a member of a relevant committee of any designated organisation.

Commencement Information

I13 Sch. 1 para. 13 in force at 1.9.2011 by 2011 No. 2, art. 2

Committee

- 14 The Commission shall have power to appoint such committees as it considers expedient.

Commencement Information

I14 Sch. 1 para. 14 in force at 1.9.2011 by 2011 No. 2, art. 2

- 15 Persons who are not members of the Commission may be appointed to any committee of the Commission, but the number of such persons appointed to a committee shall be less than half the total number of members of the committee.

Commencement Information

I15 Sch. 1 para. 15 in force at 1.9.2011 by 2011 No. 2, art. 2

Proceedings

- 16 The quorum of the Commission shall be 8 members.

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Commencement Information

I16 Sch. 1 para. 16 in force at 1.9.2011 by 2011 No. 2, art. 2

- 17 The business of the Commission shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the Chair shall have a second or casting vote.

Commencement Information

I17 Sch. 1 para. 17 in force at 1.9.2011 by 2011 No. 2, art. 2

- 18 Subject to paragraph 16, the Commission may act notwithstanding any vacancy in its membership.

Commencement Information

I18 Sch. 1 para. 18 in force at 1.9.2011 by 2011 No. 2, art. 2

- 19 The Commission shall have power to hold public hearings in connection with any matter to be considered by it for the purpose of receiving oral representations from members of the public and may appoint a panel of not less than three members for the purpose of holding a public hearing on any matter specified by the Commission and reporting thereon to the Commission.

Commencement Information

I19 Sch. 1 para. 19 in force at 1.9.2011 by 2011 No. 2, art. 2

- 20 Where the Commission is considering an appeal under section 10 or 14 no member of the Commission who is also a member of the fabric advisory committee against whose decision the appeal is brought shall participate in the proceedings.

Commencement Information

I20 Sch. 1 para. 20 in force at 1.9.2011 by 2011 No. 2, art. 2

- 21 Subject to the preceding provisions of this Schedule and to any directions as to procedure given by the General Synod, the Commission shall have power to regulate its own procedure.

Commencement Information

I21 Sch. 1 para. 21 in force at 1.9.2011 by 2011 No. 2, art. 2

Designated organisations

- 22 The Archbishops of Canterbury and York acting jointly may designate the organisations which are to be “designated organisations” for the purpose of

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paragraphs 6 and 13 and may specify the committees of those organisations which are to be “relevant committees” for the purposes of those paragraphs.

Commencement Information

I22 Sch. 1 para. 22 in force at 1.9.2011 by 2011 No. 2, art. 2

SCHEDULE 2

Section 4(3)

FABRIC ADVISORY COMMITTEES

Membership

- 1 The fabric advisory committee shall consist of—
- (a) not less than 3 nor more than 5 members appointed by the Chapter after consultation with the Commission not being members of the Chapter or persons who are employed or hold paid office in the cathedral; and
 - (b) not less than 3 nor more than 5 members appointed by the Commission after consultation with the Chapter, being persons having special knowledge with respect to the care and maintenance of buildings of outstanding architectural or historic interest and a particular interest in the cathedral church concerned.

The number of members to be appointed by the Chapter and by the Commission shall be the same in each case and shall be determined, on each occasion when the committee is appointed, by the Chapter after consultation with the Commission.

Commencement Information

I23 Sch. 2 para. 1 in force at 1.9.2011 by 2011 No. 2, art. 2

- 2 The committee shall appoint a person who shall be known as “the Chair” from among its members.

Commencement Information

I24 Sch. 2 para. 2 in force at 1.9.2011 by 2011 No. 2, art. 2

- 3 The dean of the cathedral, the administrator of the cathedral and such other members of the Chapter as the Chapter, after consulting the fabric advisory committee, considers appropriate, shall be entitled to attend, and to speak at meetings of the committee or such meetings of the committee as may be specified by the Chapter, but no such person shall be entitled to vote.

Commencement Information

I25 Sch. 2 para. 3 in force at 1.9.2011 by 2011 No. 2, art. 2

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- 4 It shall be the duty of the cathedral architect or surveyor of the fabric and the person (if any) holding office as cathedral archaeologist to attend meetings of the committee unless the Chair permits or directs otherwise.

Commencement Information

I26 Sch. 2 para. 4 in force at 1.9.2011 by 2011 No. 2, art. 2

- 5 No person who holds any paid office in the Commission shall be eligible for appointment as a member of the committee.

Commencement Information

I27 Sch. 2 para. 5 in force at 1.9.2011 by 2011 No. 2, art. 2

- 6 The members of the committee shall hold office for a period of 5 years but shall be eligible for reappointment.

Commencement Information

I28 Sch. 2 para. 6 in force at 1.9.2011 by 2011 No. 2, art. 2

- 7 The committee shall appoint a person, whether or not a member of the committee, to be secretary of the committee, provided that, in the case of a member of the Chapter or a person who is employed or holds paid office in the cathedral, the committee shall have particular regard to the question whether there is any conflict of interests which would make it inappropriate to appoint that person as the secretary.

Commencement Information

I29 Sch. 2 para. 7 in force at 1.9.2011 by 2011 No. 2, art. 2

- 8 Any expenses properly incurred by a member of the committee for the purposes of this Measure shall be reimbursed by the Chapter of the cathedral.

Commencement Information

I30 Sch. 2 para. 8 in force at 1.9.2011 by 2011 No. 2, art. 2

Casual vacancies

- 9 Where a casual vacancy occurs among the members of the committee, the body which appointed the person whose place is to be filled may after carrying out the like consultation as was required when the appointment was made appoint a person to fill the vacancy, and any person so appointed shall hold office for the unexpired portion of the term of office of the person in whose place he or she is appointed.

Commencement Information

I31 Sch. 2 para. 9 in force at 1.9.2011 by 2011 No. 2, art. 2

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Procedure

- 10 The quorum of the committee shall be—
- (a) 6 members, if the membership of the committee is 10;
 - (b) 5 members, if the membership of the committee is 8;
 - (c) 4 members, if the membership of the committee is 6.

Commencement Information

I32 [Sch. 2 para. 10](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

- 11 Subject to paragraph 10, the committee may act notwithstanding any vacancy in its membership.

Commencement Information

I33 [Sch. 2 para. 11](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

- 12 The business of the committee shall be decided by a majority of the members present and voting thereon and, in the event of an equal division of votes, the Chair shall have a second or casting vote.

Commencement Information

I34 [Sch. 2 para. 12](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

- 13 The committee shall hold not less than 2 meetings each year, and if 3 or more members, by notice sent to the secretary of the committee, request that a special meeting be held, such a meeting shall be held within 4 weeks of the sending of that notice.

Commencement Information

I35 [Sch. 2 para. 13](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

- 14 The secretary of the committee shall place on the agenda for the next meeting any matter requested by any member of the committee.

Commencement Information

I36 [Sch. 2 para. 14](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

- 15 The secretary of the committee shall before each meeting send to the Chapter and to the Commission a copy of the agenda for the meeting and shall after each meeting send to the Chapter and to the Commission a copy of the minutes of that meeting.

Commencement Information

I37 [Sch. 2 para. 15](#) in force at 1.9.2011 by [2011 No. 2, art. 2](#)

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16 Subject to the preceding provisions of this Schedule, the committee shall have power to regulate its own procedure.

Commencement Information

I38 Sch. 2 para. 16 in force at 1.9.2011 by 2011 No. 2, art. 2

SCHEDULE 3

Section 33

REPEALS

Commencement Information

I39 Sch. 3 in force at 1.9.2011 by 2011 No. 2, art. 2

<i>Measure</i>	<i>Extent of repeal</i>
1990 No. 2, The Care of Cathedrals Measure 1990	The whole Measure.
1994 No. 2, The Care of Cathedrals (Supplementary Provisions) Measure 1994	The whole Measure.
2005 No. 2, The Care of Cathedrals (Amendment) Measure 2005	The whole Measure.
2007 No. 1, The Dioceses, Pastoral and Mission Measure 2007	In section 63, subsection (5).
2010 No. 1, The Church of England (Miscellaneous Provisions) Measure 2010	In section 10, subsection (3).

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Changes and effects yet to be applied to :

- s. 2(2)(b) words inserted by [2024 No. 1 s. 15\(2\)](#)
- Sch. 1 para. 3(a) words substituted by [2024 No. 1 s. 15\(3\)](#)

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\(1\)](#)