



# Mission and Pastoral Measure 2011

2011 No. 3

## PART 6

### BUILDINGS CLOSED FOR REGULAR PUBLIC WORSHIP

#### *Pastoral (church buildings disposal) schemes*

#### **61 Use seeking period**

- (1) Where a declaration of closure for regular public worship is made in a case to which neither section 58 nor section 59 applies, the building closed for regular public worship, together with the contents thereof, shall, when the declaration takes effect, vest by virtue of this Measure, without any conveyance or other assurance, in the diocesan board of finance:

Provided that the Commissioners shall not prepare a pastoral (church buildings disposal) scheme in respect of a building closed for regular public worship for a period of six months after the declaration takes effect if the scheme provides for the demolition of a building which is either a listed building or is situated in a conservation area, unless the Commissioners are satisfied, after consulting the Church Buildings Council through its Statutory Advisory Committee, that, at that stage, there is no objection to the demolition taking place.

- (2) During the period between the taking effect of a declaration of closure for regular public worship and the coming into operation of a pastoral (church buildings disposal) scheme with respect to the building closed for regular public worship—
- (a) the diocesan board of finance shall be responsible for the care and maintenance of the building closed for regular public worship, so far as is reasonable in all the circumstances, and the safe keeping of its contents, whether in the building or elsewhere, and shall insure the said building and contents;
  - (b) the said board may without obtaining a faculty, but after consulting the diocesan advisory committee and the chancellor of the diocese unless the board considers that, having regard to the urgency of the need to safeguard

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*Status: This is the original version (as it was originally enacted).*

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- the contents, it is not practicable to do so, transfer the contents of the building closed for regular public worship or any of them to some other place for safe keeping until the coming into operation of the scheme;
- (c) the said board may with the consent of the bishop and of the incumbent or priest in charge of the benefice in the area of which the building closed for regular public worship is situated permit the building to be used occasionally for worship, including worship by persons belonging to other Christian Churches;
  - (d) while incurring no financial obligation, the incumbent or priest in charge and churchwardens of the parish in which the building closed for regular public worship is situated shall give the diocesan board of finance every assistance in providing for reasonable supervision of the building against damage.
- (3) On a declaration of closure for regular public worship taking effect, any liability of a parochial church council or rector (including a lay rector) for the repair and maintenance of the building closed for regular public worship and the safe keeping of its contents shall cease, and the [Inspection of Churches Measure 1955 \(3 & 4 Eliz. 2 No. 1\)](#) shall cease to apply to the building.
- (4) Where the diocesan board of finance transfers any of the contents of the building closed for regular public worship to some other place, the board shall serve a notice on the Commissioners, the Church Buildings Council, the Churches Conservation Trust and the registrar of the diocese informing them of the transfer and giving particulars of the contents transferred and the address of the place in question, and shall serve a similar notice on any incumbent, priest in charge, parochial church council or sequestrators concerned.