

1990 No. 2335

**ECCLESIASTICAL LAW, ENGLAND**

**Care of Cathedrals Rules 1990**

*Made* - - - - - 17th October 1990

*Approved by the General Synod* 13th November 1990

*Laid before Parliament* 26th November 1990

*Coming into force* - 1st March 1991

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In pursuance of section 16 of the Care of Cathedrals Measure 1990<sup>(a)</sup> the Cathedrals (Rules) Committee constituted under the said section 16 hereby makes the following Rules:

## PART I

### PRELIMINARY

#### **Citation and commencement**

- 1.—(1) These Rules may be cited as the Care of Cathedrals Rules 1990.
- (2) These Rules shall come into force on 1st March 1991.

#### **Interpretation**

- 2.—(1) In these Rules—

“the Appendix” means the Appendix to these Rules;

“the Commission” means the Cathedrals Fabric Commission for England constituted by section 3;

“Commission of Review” means a Commission of Review constituted under section 10;

“committee” means the fabric advisory committee established under section 4 for a cathedral church;

“the Measure” means the Care of Cathedrals Measure 1990 and any reference to a section is a reference to a section of the Measure;

“provincial registrar” means the registrar of the province in which the cathedral church concerned is situated.

- (2) The Interpretation Measure 1925<sup>(b)</sup> and the Interpretation Act 1978<sup>(c)</sup> shall apply for the interpretation of these Rules as they apply for the interpretation of Measures passed by the General Synod.

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(a) 1990 No. 2.

(b) 1925 No. 1.

(c) 1978 c.30.

## PART II

### APPLICATIONS, APPEALS AND REVIEWS

#### **Determinations under sections 5 and 6**

3.—(1) The agreement of the Commission to any proposal by a committee to make a determination or a variation or revocation of a determination under section 5(1) shall be in writing.

(2) Any application by an administrative body to a committee under section 5(2) to have it determined whether a proposal is one to which section 2 does not apply by virtue of section 5(1) shall be in writing and the administrative body shall supply to the committee any such further documents or other information as the committee may request for the purpose of determining the application.

(3) The secretary of a committee shall send notice in writing of any determination by the committee under section 5(1) or (2) or of any revocation or variation of a determination under section 5(1) to the administrative body of the cathedral church concerned and to the Commission.

(4) Any application by an administrative body or by a committee under section 6(2) to have it determined whether under section 6(1) an application for approval of a proposal is required to be made to the committee or to the Commission shall be in Form 1 of the Appendix and shall be accompanied by any such plans, drawings, specifications and other documents as may be necessary to provide a full description of the proposal.

(5) The secretary of the Commission shall send notice in writing of any determination by the Commission under section 6(2) to the administrative body of the cathedral church concerned and to the committee for that cathedral church.

(6) Where at least three members of a committee determine under section 6(3) that an application by an administrative body for approval of a proposal should be referred to the Commission, notice of the referral of the application to the Commission shall be given to the administrative body under section 6(3) in Form 2 of the Appendix.

#### **Applications to committees for approval of proposals**

4.—(1) Any application by an administrative body under section 6(1) for approval of a proposal by a committee shall be in Form 3 of the Appendix and shall be accompanied by any such plans, drawings, specifications and other documents as may be necessary to provide a full description of the proposal.

(2) The notices relating to a proposal required by section 7(1) shall be in Form 4 of the Appendix.

(3) The notice required to be displayed under section 7(1) shall be displayed in accordance with rule 13 for a period of not less than fourteen days beginning with the date of first display.

(4) The period for the sending of representations to be specified in the notices required by section 7(1) shall be a period of not less than twenty-one days beginning—

- (a) in the case of a notice displayed under section 7(1), with the date of first display of the notice; and
- (b) in the case of any other notice, with the date of service of the notice.

(5) The notices of the committee's decision required by section 7(3) shall be in Form 5 of the Appendix and shall be sent to the bodies specified in section 7(3)(a) and (b) within the period of ten days beginning with the date of the decision, and the copy required to be displayed under section 7(3) shall be displayed in accordance with rule 13.

#### **Applications to Commission for approval of proposals**

5.—(1) Any application by an administrative body under section 6(1) for approval of a proposal by the Commission shall be in Form 6 of the Appendix and shall be accompanied by any such plans, drawings, specifications and other documents as may be necessary to provide a full description of the proposal.

(2) The notices relating to a proposal required by section 8(1) shall be in Form 7 of the Appendix.

(3) The notice required to be displayed by section 8(1) shall be displayed in accordance with rule 13 for a period of not less than fourteen days beginning with the date of first display.

(4) The period for the sending of representations to be specified in the notices required by section 8(1) shall be a period of not less than twenty-eight days beginning—

- (a) in the case of a notice displayed under section 8(1), with the date of first display of the notice; and
- (b) in the case of any other notice, with the date of service of the notice.

(5) The notices of the Commission's decision required by section 8(3) shall be in Form 8 of the Appendix, shall be sent to the bodies specified in section 8(3)(a) to (e) within the period of ten days beginning with the date of the decision and shall be accompanied by a report in writing of any public hearing held by the Commission for the purpose of receiving oral representations from members of the public with respect to the proposal concerned, and the copy of the notice required to be displayed under section 8(3) shall be displayed in accordance with rule 13.

### **Appeals to Commission**

6.—(1) Any appeal by an administrative body to the Commission under section 9(1) against a decision of a committee—

- (a) shall be sent to the Commission in Form 9 of the Appendix;
- (b) shall be accompanied by a copy of the application to the committee, of any plans, drawings, specifications and other documents accompanying the application and of the notice of the committee's decision sent to the administrative body under section 7(3); and
- (c) shall be made within the period of three months beginning with the date of service of the notice of the committee's decision on the administrative body under section 7(3);

and a copy of the appeal shall be sent to the committee.

(2) Any request by an administrative body to the Commission under section 9(2) to deal with application to a committee for approval of a proposal—

- (a) shall be made by notice given to the Commission in Form 10 of the Appendix, a copy of which shall be sent to the committee;
- (b) shall be accompanied by a copy of the application under section 7(1) and of any plans, drawings, specifications and other documents accompanying the application; and
- (c) shall be made within the period of three months beginning with the date of expiry of the period specified in section 9(2).

(3) Within the period of ten days beginning with the date of service on a committee of any copy of an appeal or notice under sub-paragraph (1)(a) or (2)(a) of this rule, the secretary of the committee shall send to the secretary of the Commission copies of any representations in writing received by him or the committee with respect to the proposal concerned.

(4) The secretary of the Commission shall send notice of the Commission's decision to the administrative body in Form 11 of the Appendix in the case of a decision under section 9(3) and in Form 12 of the Appendix in the case of a decision under section 9(4), accompanied in either case by a report in writing of any public hearing held by the Commission for the purpose of receiving oral representations from members of the public with respect to the proposal concerned.

(5) The chapter clerk shall display in accordance with rule 13 a copy of the notice sent to the administrative body under paragraph (4) of this rule and, if the Commission's decision relates to a proposal of a kind described in section 2(1)(a), he shall also send a copy of the notice to the local planning authority.

### **Directions as to procedure before Commission**

7. The Chairman of the Commission or any other member of the Commission nominated by the Chairman for the purposes of this rule may on the application of any person or of his own motion give such directions as he thinks fit as to any matter of procedure relating to proceedings before the Commission, including (without prejudice to the generality of the foregoing) directions fixing or varying the date of any public hearing by the Commission.

### **Requests for review of determination by Commission of Review**

8.—(1) Any request by an administrative body under section 10(1) that a decision of the Commission be reviewed by a Commission of Review—

- (a) shall be made by notice given to the provincial registrar in Form 13 of the Appendix in the case of a request under section 10(1)(a) and in Form 14 of the Appendix in the case of a request under section 10(1)(b), a copy of which shall in either case be sent to the Commission;
- (b) shall be accompanied by a copy of the application to a committee or to the Commission for approval of the proposal concerned, of any plans, drawings, specifications and other documents accompanying the application, of any notice of a decision by the committee on the application sent to the administrative body under section 7(3), of any appeal or notice of request under section 9(1) or 9(2) in relation to the application, of the notice of the Commission's decision sent to the administrative body under section 8(3) or rule 6(4) and of any report accompanying that notice; and
- (c) shall be made within the period of three months beginning with the date of service of the notice of the Commission's decision on the administrative body under section 8(3) or rule 6(4).

(2) Any request by an administrative body under section 10(2) that an application to or being dealt with by the Commission or an appeal to the Commission be dealt with by a Commission of Review—

- (a) shall be made by notice given to the provincial registrar in Form 15 of the Appendix, a copy of which shall be sent to the Commission;
- (b) shall be accompanied by copies of the documents specified in sub-paragraph (1)(b) of this rule, other than notice of the Commission's decision and any report accompanying it; and
- (c) shall be made within the period of three months beginning with the date of expiry of the period of three months specified in section 10(2).

(3) Within the period of ten days beginning with the date of service on the Commission of any copy of a notice under sub-paragraph (1)(a) or (2)(a) of this rule, the secretary of the Commission shall send to the provincial registrar copies of any representations in writing received by him or the Commission (including any representations of which copies have been sent to him under rule 6(3)) with respect to the proposal concerned and, in the case of a notice under sub-paragraph (2)(a) of this rule, a report in writing of any public hearing held by the Commission for the purpose of receiving oral representations from members of the public with respect to that proposal.

### **Procedure of Commission of Review and orders as to costs**

9.—(1) A Commission of Review shall sit in public and may receive such representations if any as it thinks fit.

(2) Subject to the provisions of this rule and to any directions as to procedure given by the General Synod, a Commission of Review shall have power to regulate its own procedure.

(3) The Dean of the Arches and Auditor or the person appointed by him under section 10(3)(a) may on the application of any person or of his own motion give such directions as he thinks fit as to any matter of procedure relating to proceedings before the Commission of Review, including (without prejudice to the generality of the foregoing) directions fixing or varying the date of any sitting of the Commission of Review.

(4) A Commission of Review shall have power to make any such orders for the

payment of costs (including costs incurred by the Commission of Review) or the giving of security for costs by the administrative body of the cathedral church concerned as seem to the Commission of Review to be just, and sections 60(3) and 61 of the Ecclesiastical Jurisdiction Measure 1963(a) shall apply in relation to any order for payment of costs under this paragraph as they apply in relation to an order or direction for payment of, or award of, costs under section 60 of the said Measure.

(5) In paragraph (4) of this rule "costs" includes fees, charges, disbursements, expenses and remuneration.

#### **Notice of decision of Commission of Review**

**10.—(1)** The provincial registrar shall send notice of any decision of a Commission of Review—

- (a) to the administrative body of the cathedral church concerned;
- (b) to the committee for that cathedral church;
- (c) to the Commission;
- (d) to the Historic Buildings and Monuments Commission;
- (e) to the national amenity societies (or such person as those societies may jointly appoint for the purposes of section 8); and
- (f) to the Royal Commission on the Historical Monuments of England.

(2) The chapter clerk shall display in accordance with rule 13 a copy of the notice sent to the administrative body under paragraph (1) of this rule and, if the decision of the Commission of Review relates to a proposal of a kind described in section 2(1)(a), he shall also send a copy of the notice to the local planning authority.

#### **Proposed applications for listed building consent or scheduled monument consent**

**11.—(1)** Any notice required by section 15 in relation to a proposed application for listed building consent or scheduled monument consent shall be in Form 16 of the Appendix and shall be accompanied by any such plans, drawings, specifications and other documents as may be necessary to provide full details of the proposed application.

(2) The period for the sending of representations to be specified in any notice required under section 15 shall be a period of not less than twenty-eight days beginning with the date of service of the notice on the Commission.

#### **Departures from forms in Appendix**

**12.** Where any notice, application, appeal or request which is not required by the Measure to be in a prescribed form is required by any of the foregoing provisions of these rules to be in a form set out in the Appendix, it may instead be in a form which departs from but does not differ substantially from that form.

#### **Manner of display of notices**

**13.** A notice or copy of a notice required to be displayed under sections 7(1) or (3) or 8(1) or (3) or under rule 7(4) or rule 10 shall be displayed to the public in two or more places designated for that purpose by the committee of the cathedral church concerned, being places—

- (a) to which the public has access; and
- (b) which, in the opinion of the committee, are sufficient to bring the contents of the notice to the attention of members of the public who may wish to have information regarding the proposal or decision to which the notice relates or, in the case of a notice under sections 7(1) or 8(1), who may wish to make representations with respect to the proposal to which the notice relates.

#### **Copies of documents**

**14.—(1)** Where any administrative body makes an application to a committee under

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(a) 1963 No. 1.

section 6(1) for approval of a proposal which falls within section 2(1)(a), the chapter clerk shall send free of charge to the local planning authority one copy of every plan, drawing, specification and other document which accompanies the application or which forms part of the details of the proposal available for inspection in accordance with the notices required by section 7(1).

(2) Where any administrative body makes an application to the Commission under section 6(1) for approval of a proposal, the chapter clerk shall send free of charge to each of—

- (a) the Historic Buildings and Monuments Commission;
- (b) any person whom the national amenity societies may jointly appoint for the purpose of this rule; and
- (c) if the proposal falls within section 2(1)(a), the local planning authority;

one copy of every plan, drawing, specification and other document which accompanies the application or which forms part of the details of the proposal available for inspection in accordance with the notices required by section 8(1).

(3) Where any administrative body has made an application to a committee or to the Commission under section 6(1) for approval of a proposal, it shall on request and on prior payment of a reasonable charge fixed by it (including a charge for postage and packing where appropriate) promptly supply—

- (a) to any person or body who or which is entitled to one copy free of charge under paragraphs (1) or (2) of this rule, not more than three additional copies; and
- (b) to any of the national amenity societies, to any local amenity society and, if it is not entitled to one copy free of charge under paragraphs (1) or (2) of this rule, to the local planning authority, not more than three copies;

of any such plan, drawing, specification or other document as is referred to in paragraph (1) of this rule in the case of an application to a committee or in paragraph (2) of this rule in the case of an application to the Commission.

#### **Proposals affecting clergy housing**

15. Where any administrative body makes an application to a committee or the Commission for approval of a proposal which falls within section 2(1)(a)(ii) or 2(1)(a)(iii) and which would affect any house the whole or part of which is for the time being occupied or to be occupied by a clerk in Holy Orders holding office in the cathedral church—

- (a) the chapter clerk shall send to the Church Commissioners a copy of the notice in respect of the proposal which is required to be displayed under section 7(1) or, as the case may be, section 8(1);
- (b) any observations made by the Church Commissioners to the committee or the Commission with respect to the proposal shall be treated for the purposes of the Measure as representations made under section 7 or, as the case may be section 8; and
- (c) the secretary of the committee, the secretary of the Commission or the provincial registrar shall send to the Church Commissioners a copy of any notice of a decision or determination by the committee, the Commission or a Commission of Review as the case may be, which is required under section 7(3), section 8(3), rule 6(4) or rule 10.

#### **Evidence**

16. For the purposes of any application, appeal, request or other matter under sections 5 to 10, a committee, the Commission or a Commission of Review—

- (a) may receive oral, documentary or other evidence of any fact or matter which appears to it to be relevant to the matter before it, including evidence which would not be admissible in criminal or civil proceedings; and
- (b) may receive oral evidence which is not given upon oath or affirmation.

**PART III**  
**MISCELLANEOUS AND GENERAL**

**Inventories**

17. The form of the inventory compiled and maintained by an administrative body under section 13(1) shall be in accordance with any general or special directions given by the Commission of which notice in writing has been sent to the administrative body.

**Storage of documents**

18. An administrative body shall consult the committee of the cathedral church concerned in relation to any proposed place of storage of—

- (a) the inventory compiled and maintained by the administrative body under section 13(1);
- (b) every report prepared by the cathedral architect of the cathedral church under section 14(1); and
- (c) the record kept by the administrative body under section 14(3).

**Fees**

19. The Fees Advisory Commission established under section 4 of the Ecclesiastical Fees Measure 1986(a) may prescribe such fees as seem to it to be just in relation to any matter under the Measure or these rules.

**Declarations of personal interest**

20. Any member of the Commission or of a committee may take part in discussion of a matter in which he has a personal interest after declaring such interest, but shall not vote on the matter and in any event shall withdraw before a vote on the matter is taken.

**Notices and other documents—general provisions**

21.—(1) Any notice, application, appeal or request required or authorised by the Measure or these rules to be served, sent, given or made, and for which no form is provided in the Appendix, shall be in writing.

(2) Any document required or authorised by the Measure or these rules to be served on or sent or given to any person may be served, sent or given and shall be deemed to be duly served, sent or given by delivering the document to him, or by leaving it at his proper address, or by properly addressing, pre-paying and posting a letter containing the document, and unless the contrary is proved service, sending or giving by post in accordance with this paragraph (and, if applicable, paragraph (3) of this rule) shall be deemed to be effected at the time at which the letter containing the document would be delivered in the ordinary course of post.

(3) Any document required or authorised by the Measure or these rules to be served on or sent or given to any corporation or unincorporated body having a secretary or clerk shall be duly served, sent or given if it is served on or sent or given to that secretary or clerk, and for the purposes of this rule the proper address of the secretary or clerk of a corporation or unincorporated body shall be the address of the principal office of that corporation or body.

(4) For the purposes of these Rules, any reference to service of a document shall be construed as including a reference to giving or sending the document in accordance with paragraphs (2) and (3) of this rule.

Dated this seventeenth day of October 1990

*Eric Cicestr:*  
*J.P. Burbridge*  
*S.M.C. Cameron*  
*R.B. Harris*  
*G.C.H. Spafford*

Approved by the General Synod this 13th day of November 1990

*P.J.C. Mawer*  
Secretary-General

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(a) 1986 No. 2.



# APPENDIX

## FORM 1

CARE OF CATHEDRALS MEASURE 1990 section 6(2)  
CARE OF CATHEDRALS RULES 1990 rule 3(4)

### APPLICATION FOR DETERMINATION WHETHER APPLICATION FOR APPROVAL OF PROPOSAL SHOULD BE MADE TO FABRIC ADVISORY COMMITTEE OR CATHEDRALS FABRIC COMMISSION

To the Cathedrals Fabric Commission

We, the \*administrative body/\*fabric advisory committee of the cathedral church of  
, hereby apply to have it determined under section 6(2) of the Measure  
whether an application under the Measure for approval of a proposal to

is required to be made to the fabric advisory committee of the said cathedral church or to the  
Cathedrals Fabric Commission

The following plans/drawings/specifications/other documents which are necessary to provide a full  
description of the proposal accompany this application:

Dated

Signed by

on behalf of the \*administrative body/\*fabric advisory committee

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\* Delete as appropriate

FORM 2

CARE OF CATHEDRALS MEASURE 1990 section 6(3)  
CARE OF CATHEDRALS RULES 1990 rule 3(6)

NOTIFICATION OF REFERRAL TO CATHEDRALS FABRIC COMMISSION  
UNDER SECTION 6(3)

To the administrative body of the cathedral church of

Whereas on [date] you applied to the fabric advisory committee of the said cathedral church for approval of a proposal to [brief description of proposal]

Take Notice that at a meeting of the fabric advisory committee on [date] at least three members of the committee determined under section 6(3) of the Measure that the proposal gives rise to considerations of such special architectural, archaeological, artistic or historic interest (\*namely ) that your application should be determined by the Cathedrals Fabric Commission

AND Further Take Notice that I accordingly referred your application to the Commission on [date]

Dated  
Signed by

Secretary of the fabric advisory committee

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\* Delete if the relevant considerations not specified by the members concerned

**FORM 3**

**CARE OF CATHEDRALS MEASURE 1990 section 6(1)  
CARE OF CATHEDRALS RULES 1990 rule 4(1)**

**APPLICATION TO FABRIC ADVISORY COMMITTEE FOR APPROVAL OF  
PROPOSAL**

To the fabric advisory committee of the cathedral church of

We, the administrative body of the said cathedral church, hereby apply to you under section 6(1) of the Measure for approval of a proposal to

The following plans/drawings/specifications/other documents which are necessary to provide a full description of the proposal accompany this application:

Dated

Signed by

on behalf of the administrative body

FORM 4

CARE OF CATHEDRALS MEASURE 1990 section 7(1)  
CARE OF CATHEDRALS RULES 1990 rule 4

NOTICE OF APPLICATION TO FABRIC ADVISORY COMMITTEE FOR  
APPROVAL OF PROPOSAL

\*To

Take Notice that the administrative body of the cathedral church of

has applied to the fabric advisory committee of the said cathedral church for the said committee's approval of a proposal to

Details of the proposal are available for inspection at [address] between the hours of \_\_\_\_\_ and \_\_\_\_\_ until [date] and representations in writing with respect to the proposal may be sent to the secretary of the fabric advisory committee at [address] not later than [date]

Dated  
Signed by

Chapter Clerk

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\* Delete in case of notice for public display

FORM 5

CARE OF CATHEDRALS MEASURE 1990 section 7(3)  
CARE OF CATHEDRALS RULES 1990 rule 4(5)

NOTICE OF DECISION OF FABRIC ADVISORY COMMITTEE ON  
APPLICATION FOR APPROVAL OF PROPOSAL

To the administrative body of the cathedral church of  
and to the Cathedrals Fabric Commission

Take Notice that on [date] the fabric advisory committee of the said cathedral church, having considered an application by the administrative body for approval of a proposal to [brief description of proposal], determined under section 7(2) of the Measure

- \* to approve the proposal unconditionally
- \* to approve the proposal subject to the following condition(s):

\* to refuse to give its approval to the proposal  
for the following reasons:

Dated  
Signed by

Secretary of the fabric advisory committee

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\* Delete as appropriate

FORM 6

CARE OF CATHEDRALS MEASURE 1990 section 6(1)  
CARE OF CATHEDRALS RULES 1990 rule 5(1)

APPLICATION TO CATHEDRALS FABRIC COMMISSION FOR APPROVAL  
OF PROPOSAL

To the Cathedrals Fabric Commission

We, the administrative body of the cathedral church of \_\_\_\_\_,  
hereby apply to you under section 6(1) of the Measure for  
approval of a proposal to \_\_\_\_\_

The following plans/drawings/specifications/other documents which are necessary to provide a full  
description of the proposal accompany this application:

Dated \_\_\_\_\_

Signed by \_\_\_\_\_

\_\_\_\_\_ on behalf of the administrative body

FORM 7

CARE OF CATHEDRALS MEASURE 1990 section 8(1)  
CARE OF CATHEDRALS RULES 1990 rule 5

NOTICE OF APPLICATION TO CATHEDRALS FABRIC COMMISSION FOR  
APPROVAL OF PROPOSAL

\*To

Take Notice that the administrative body of the cathedral church of

has applied to the Cathedrals Fabric Commission for the said Commission's approval of a proposal to

Details of the proposal are available for inspection at [address] between the hours of      and  
until [date], and representations in writing with respect to the proposal may be sent to  
the secretary of the Cathedrals Fabric Commission at [address] not later than [date]

Dated

Signed by

Chapter Clerk

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\* Delete in case of notice for public display

FORM 8

CARE OF CATHEDRALS MEASURE 1990 section 8(3)  
CARE OF CATHEDRALS RULES 1990 rule 5(5)

NOTICE OF DECISION OF CATHEDRALS FABRIC COMMISSION ON  
APPLICATION FOR APPROVAL OF PROPOSAL

To

Take Notice that on [date] the Cathedrals Fabric Commission, having considered an application by the administrative body of the cathedral church of [name of cathedral] for approval of a proposal to [brief description of proposal], determined under section 8(2) of the Measure

- \* to approve the proposal unconditionally
- \* to approve the proposal subject to the following condition(s):
- \* to refuse to give its approval to the proposal

for the following reasons:

- \* A report of the public hearing held by the Cathedrals Fabric Commission on [date] accompanies this notice

Dated

Signed by

Secretary of the Cathedrals Fabric Commission

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- \* Delete as appropriate



FORM 9

CARE OF CATHEDRALS MEASURE 1990 section 9(1)  
CARE OF CATHEDRALS RULES 1990 rule 6(1)

NOTICE OF APPEAL TO CATHEDRALS FABRIC COMMISSION

To the Cathedrals Fabric Commission

Whereas we, the administrative body of the cathedral church of

applied to the fabric advisory committee of the said cathedral church on [date] for approval of a proposal to [brief description of proposal]

And Whereas on [date] the fabric advisory committee \*refused to give its approval to the proposal/\*approved the proposal subject to the following condition(s):

We hereby appeal to the Cathedrals Farbric Commission under section 9(1) of the Measure against the said \*refusal/\*conditional approval on the following grounds:

Copies of the following documents accompany this appeal:

- the application to the fabric advisory committee
- the following documents accompanying that application:
- notice of the fabric advisory committee's decision

Dated

Signed by

on behalf of the administrative body

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\* Delete as appropriate

FORM 10

CARE OF CATHEDRALS MEASURE 1990 section 9(2)  
CARE OF CATHEDRALS RULES 1990 rule 6(2)

NOTICE OF REQUEST TO CATHEDRALS FABRIC COMMISSION TO  
DEAL WITH APPLICATION NOT DETERMINED BY FABRIC ADVISORY  
COMMITTEE

To the Cathedrals Fabric Commission

Whereas we, the administrative body of the cathedral church of

applied to the fabric advisory committee of the said cathedral church on [date] for approval of a  
proposal to [brief description of proposal]

And Whereas the application was not determined by the fabric advisory committee within the  
period of three months immediately following the application

Take Notice that we hereby request under section 9(2) of the Measure that the application be dealt  
with by the Commission.

Copies of the following documents accompany this notice:  
the application to the fabric advisory committee  
the following documents accompanying the application:

Dated  
Signed by

on behalf of the administrative body

FORM 11

CARE OF CATHEDRALS MEASURE 1990 section 9(3)  
CARE OF CATHEDRALS RULES 1990 rule 6(4)

NOTICE OF DETERMINATION BY CATHEDRALS FABRIC COMMISSION  
OF APPEAL

To

Whereas the administrative body of the cathedral church of

applied to the fabric advisory committee of the said cathedral church on [date] for approval of a proposal to [brief description of proposal]

And Whereas the fabric advisory committee on [date] \*refused to give its approval to the proposal/\*approved the proposal subject to the following condition(s):

And Whereas on [date] the administrative body appealed to the Cathedrals Fabric Commission under section 9(1) of the Measure against the said \*refusal/\*conditional approval

Take Notice that on [date] the Cathedrals Fabric Commission under section 9(3) of the Measure

- \* confirmed the decision of the fabric advisory committee
- \* reversed the decision of the fabric advisory committee
- \* varied the decision of the fabric advisory committee as follows:

for the following reasons:

- \* A report of the public hearing held by the Cathedrals Fabric Commission on [date] accompanies this notice

Dated

Signed by

Secretary of the Cathedrals Fabric Commission

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\* Delete as appropriate

FORM 12

CARE OF CATHEDRALS MEASURE 1990 section 9(4)  
CARE OF CATHEDRALS RULES 1990 rule 6(4)

NOTICE OF DETERMINATION BY CATHEDRALS FABRIC COMMISSION  
OF APPLICATION NOT DETERMINED BY FABRIC ADVISORY  
COMMITTEE

To

Whereas the administrative body of the cathedral church of

applied to the fabric advisory committee of the said cathedral church on [date] for approval of a proposal to [brief description of proposal]

And Whereas the said application was not determined by the fabric advisory committee within the period of three months immediately following the application

And Whereas the administrative body by notice dated requested under section 9(2) of the Measure that the said application be dealt with by the Cathedrals Fabric Commission

Take Notice that on [date] the Cathedrals Fabric Commission determined under section 9(4) of the Measure

- \* to approve the proposal unconditionally
- \* to approve the proposal subject to the following condition(s):
- \* to refuse to give its approval to the proposal

for the following reasons:

- \* A report of the public hearing held by the Cathedrals Fabric Commission on [date] accompanies this notice

Dated

Signed by

Secretary of the Cathedrals Fabric Commission

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- \* Delete as appropriate

FORM 13

CARE OF CATHEDRALS MEASURE 1990 section 10(1)(a)  
CARE OF CATHEDRALS RULES 1990 rule 8(1)

NOTICE OF REQUEST FOR REVIEW OF DECISION OF CATHEDRALS  
FABRIC COMMISSION ON APPLICATION FOR APPROVAL OF PROPOSAL

To the Registrar of the Province of

Whereas we, the administrative body of the cathedral church of

\*applied to the Cathedrals Fabric Commission on [date] for/\*by notice dated                      requested the  
Cathedrals Fabric Commission to deal under section 9(2) of the Measure with  
an application for approval of a proposal to [brief description of proposal]

And Whereas the Cathedrals Fabric Commission on [date] determined \*to refuse to give its  
approval to the proposal/\*to approve the proposal subject to the following condition(s):

Take Notice that we hereby request under section 10(1) of the Measure that the decision of the  
Cathedrals Fabric Commission be reviewed by a Commission of Review constituted under section  
10 of the Measure on the following grounds:

Copies of the following documents accompany this notice:

the application to the \*fabric advisory committee/\*Cathedrals Fabric Commission for  
approval of the proposal

the following documents accompanying the application:

\*notice of the request to the Cathedrals Fabric Commission to deal with the application  
notice of the Cathedrals Fabric Commission's decision \*and the report accompanying that  
notice

Dated

Signed by

on behalf of the administrative body

---

\*Delete as appropriate

FORM 14

CARE OF CATHEDRALS MEASURE 1990 section 10(1)(b)  
CARE OF CATHEDRALS RULES 1990 rule 8(1)

NOTICE OF REQUEST FOR REVIEW OF DECISION OF CATHEDRALS  
FABRIC COMMISSION ON APPEAL

To the Registrar of the Province of

Whereas we, the administrative body of the cathedral church of

applied to the fabric advisory committee of the said cathedral church on [date] for approval of a  
proposal to [brief description of proposal]

And Whereas the fabric advisory committee on [date] determined \*to refuse to give its approval to  
the proposal/\*to approve the proposal subject to the following condition(s):

And Whereas on an appeal by us dated \_\_\_\_\_ the Cathedrals Fabric Commission  
on [date] \*refused to give its approval to the proposal/\*refused to reverse or vary the said  
conditions

Take Notice that we hereby request under section 10(1) of the Measure that the decision of the  
Cathedrals Fabric Commission be reviewed by a Commission of Review constituted under section  
10 of the Measure on the following grounds:

Copies of the following documents accompany this notice:

the application to the fabric advisory committee for approval of the proposal  
the following documents accompanying the application:

notice of the fabric advisory committee's decision  
the appeal to the Cathedrals Fabric Commission  
notice of the Cathedrals Fabric Commission's decision \*and the report accompanying that  
notice

Dated

Signed by

\_\_\_\_\_ on behalf of the administrative body

\* Delete as appropriate

FORM 15

CARE OF CATHEDRALS MEASURE 1990 section 10(2)  
CARE OF CATHEDRALS RULES 1990 rule 8(2)

NOTICE OF REQUEST FOR COMMISSION OF REVIEW TO DEAL WITH  
APPLICATION OR APPEAL NOT DETERMINED BY CATHEDRALS  
FABRIC COMMISSION

To the Registrar of the Province of

Whereas we, the administrative body of the cathedral church of

\*applied to the Cathedrals Fabric Commission on [date] for approval of a proposal to [brief description of proposal]/\*by notice dated            requested the Cathedrals Fabric Commission to deal under section 9(2) of the Measure with an application for approval of a proposal to [brief description of proposal]/\*appealed to the Cathedrals Fabric Commission on [date] against a decision of the fabric advisory committee of the said cathedral church \*to refuse to approve of a proposal to [brief description of proposal]/\*to approve a proposal to [brief description of proposal] subject to the following conditions:

And Whereas the said \*application/\*appeal was not determined by the Cathedrals Fabric Commission within the period specified in section 10(2) of the Measure

Take Notice that we hereby request under the said section 10(2) that the \*application/\*appeal be dealt with by a Commission of Review constituted under section 10 of the Measure

Copies of the following documents accompany this notice:

- the application to the \*fabric advisory committee/\*Cathedrals Fabric Commission
- the following documents accompanying the application:
  - \*notice of the fabric advisory committee's decision
  - \*notice of the request to the Cathedrals Fabric Commission to deal with the application
  - \*the appeal to the Cathedrals Fabric Commission

Dated

Signed by

\_\_\_\_\_ on behalf of the administrative body

\* Delete as appropriate

FORM 16

CARE OF CATHEDRALS MEASURE 1990 section 15  
CARE OF CATHEDRALS RULES 1990 rule 11

NOTICE OF PROPOSED APPLICATION FOR LISTED BUILDING  
CONSENT OR SCHEDULED MONUMENT CONSENT

To the Cathedrals Fabric Commission

Take Notice that the administrative body of the cathedral church of

proposes to make an application to [authority] for \*listed building consent/\*scheduled monument consent for [brief description of proposed application and building or monument to which it relates], being a building or monument within the precinct of the said cathedral church

And Take Notice that representations in writing with respect to the proposed application may be sent to the chapter clerk at [address] not later than [date]

The following plans/drawings/specifications/ other documents which are necessary to provide full details of the proposed application accompany this notice:

Dated  
Signed by

Chapter Clerk



## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules are made under section 16 of the Care of Cathedrals Measure 1990.

Rules 3 to 16 and the Appendix deal with various procedural matters relating to applications under the 1990 Measure for approval of proposals respecting cathedral churches or objects belonging to or to be added to them, and to appeals from and requests for review of decisions refusing approval. In particular, the Rules prescribe forms for applications, notices and other documents, prescribe time-limits and other periods, and lay down requirements for submission and supply of documents, display of notices and notification of decisions. They also make provision for proposals affecting clergy housing, evidence, costs in proceedings before a Commission of Review constituted under section 10 of the 1990 Measure, and notice of proposed applications for listed building consent and schedule monument consent under section 15 of the 1990 Measure.

Rules 17 to 21 contain miscellaneous and general provisions, including requirements as regards inventories kept under section 13 of the Measure and the place of storage of inventories and certain other documents. They also give power to the Fees Advisory Commission established under the Ecclesiastical Fees Measure 1986 to prescribe fees for matters under the 1990 Measure, and deal with cases where members of certain bodies constituted under the 1990 Measure have a personal interest in matters under consideration by those bodies.