

New Schedule 1 – List A

SCHEDULE 1

Matters which may be undertaken without a faculty

General notes

List A and List B set out matters which may generally be undertaken without a faculty subject to conditions specified in Table 1 and Table 2 and, in the case of List B, subject to the archdeacon giving written notice that the matter may be undertaken. However, a matter may not be undertaken without a faculty despite being included in List A or List B if it comprises

- works which involve alteration to or the extension of a listed building to such an extent as would be likely to affect its character as a building of special architectural or historic interest
- works which are likely to affect the archaeological importance of a building or any archaeological remains within a building or its curtilage
- works for all or part of which scheduled monument consent is required under the Ancient Monuments and Archaeological Areas Act 1979
- works which involve the extension, demolition or partial demolition of a building or the erection of a new building
- a matter which gives rise to a question of law or doctrine, ritual or ceremonial or which would, if undertaken, affect the legal rights of any person
- the exhumation or other disturbance of human remains
- the reservation of a grave space
- the sale or other disposal of an article of architectural, archaeological, artistic or historic interest
- the sale of any book remaining in or belonging to a parochial library⁽¹⁾
- the introduction of an aumbry or another receptacle used for the reservation of the sacrament of Holy Communion
- the introduction of a monument, or the carrying out of work to a monument erected in or on, or on the curtilage of, a church or other consecrated building or on consecrated ground.

In List A and List B—

“authorised” means authorised by faculty or under List A or List B;

“church” includes a building which is included in the list maintained by the Church Buildings Council under section 38(1) of the Measure;

“fabric” means the structure of a building comprising its walls, floor and roof;

“historic”, in relation to material, means material which is of historic or architectural significance;

Advice may be sought from the Diocesan Advisory Committee as to whether material is historic material or whether an article is of architectural, archaeological, artistic or historic interest.

Application may be made to the chancellor for directions as to matters not included in List A or List B that are of such a minor nature that they may be undertaken without a faculty.

(1) “Parochial library” is defined in section 95(4) of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 as “a library in a parish which was founded (whether before or after the commencement of this Measure) by way of charitable contribution in order to assist the clergy of the Church of England with their studies”.

Table 1

List A – Matters which may be undertaken without a faculty and without the need for consultation

This table prescribes matters which may be undertaken without a faculty subject to any specified conditions

See the general notes as to matters which may not be undertaken without a faculty despite being included in List A

| <i>Matter</i> | <i>Specified conditions</i> |
|---|--|
| A1. Church building etc. | |
| <u>(1)(a) Works of maintenance, not involving repair or substantial replacement of material, carried out as part of the regular course of care and upkeep of the building</u> | The parochial church council's insurers are notified if external scaffolding is to be erected |
| <u>(b) works of repair not materially affecting the fabric or any historic material</u> | |
| (2) Repairs and replacement of fittings in existing kitchens, lavatories, office accommodation and other ancillary rooms | |
| (3) Like for like repairs to window glass | <u>The works do not include repairs to stained glass or to clear glass manufactured before 1960</u> |
| (4) The repair or like for like replacement of wire mesh window guards | Only non-corroding fixings are used and, where practicable, are fixed in mortar joints |
| <u>(5) The treatment of timber against beetle or fungal activity where the church is not a listed building</u> | <u>The works do not involve the replacement of timber</u> |
| <u>(6) Works of maintenance, repair and adaptation (not amounting to substantial addition or replacement but including re-wiring) to existing—</u> | The works do not involve making additions to an electrical installation |
| (a) <u>heating systems (including the replacement of control equipment)</u> | Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998) |
| (b) <u>gas, water or other services</u> | |
| (c) <u>electrical installations (including lighting installations) and other electrical equipment</u> | <u>Any work to an oil-fired heating system or to an electrical installation or electrical equipment is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</u> |

In the case of adaptation, the parochial church council's insurers are notified of the proposals

(7) The replacement of a boiler in the same location and utilising an existing fuel supply and existing pipe runs
(See matter B1(5) in List B for replacement using different fuel supply of pipe runs)

Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)

Any work to an oil-fired heating system is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))

The works do not involve the creation of a new external flue

The parochial church council's insurers are notified of the proposals

(8) The like for like replacement of roof lead or other material covering the roof of a building which is not a listed building

The original introduction of the material being replaced was authorised

The parochial church council's insurers are notified of the proposals

(9) The installation of a roof alarm (including an alarm with an image capture facility)

The amount of associated cabling is kept to the minimum that is reasonably practicable

The parochial church council's insurers are notified of the proposals

Any work to an electrical installation is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))

(10) The application of forensic marking on roof lead or other material covering a roof or to rain water goods or flashings

(11) Work to an existing lightning conductor

The parochial church council's insurers are notified of the proposed work

The parochial church council is satisfied that the person who is to undertake the work has the necessary skill and experience

(12) The replacement or introduction of a weathervane on a church which is not a listed building

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| (13) The repair, maintenance, removal, disposal or replacement of a flagpole | Only non-corroding fixings are used where a flagpole is repaired or replaced |
| (14) The introduction, removal or disposal of furniture, furnishings, office equipment and minor fixtures (<u>including safes</u>) in vestries and similar rooms | The existing use of the vestry or similar room is not changed No article of historic or artistic interest is removed or disposed of |
| (15) The introduction, removal or disposal of fire extinguishers | Any instructions from the supplier or the parochial church council's insurer in relation to their type or location is complied with |
| (16) The making of additions to an existing name board | The board is not a war memorial or roll of honour The addition is in the same style (including colour and materials) as existing names on the board |
| (17) The installation of bat boxes as part of a bat management programme | |
| (18) The introduction of anti-roosting spikes | Only non-corroding fixings are used and, where practicable, are fixed in mortar joints |
| <u>(19) The installation of bird netting to tower windows</u> | |
| <u>(20) The adaptation of an existing sound reinforcement system</u> | <u>Any work to an electrical installation is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))</u> <u>In the case of a church which is a listed building, no alteration is made to existing fixings or cable runs (but see matter B1(13) in List B)</u> |
| <u>(21) The introduction of a defibrillator in a church which is not a listed building</u> | |

A2. Musical instruments

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| (1) The introduction or disposal of musical instruments (<u>other than pipe organs and non-portable electronic organs</u>) and associated equipment | No article of historic or artistic interest is disposed of |
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(2) The routine tuning and maintenance of organs and pianos
In the case of organs, any works do not involve tonal alterations, changes to the action or major dismantling of the instrument

(3) The repair or replacement of electrical motors and humidification equipment for organs
Any work to an electrical installation is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))

A3. Bells etc.

(1) The inspection and routine maintenance of bells, bell fittings and bell frames
No tonal alterations are made to any bell
No bell is lifted from its bearings

(2) The repair and maintenance of clappers, crown staples (including re-bushing) and bell wheels
Works do not include the re-soling or re-rimming of a bell wheel
No bell is lifted from its bearings

(3) The repair or replacement of bell stays, pulleys, bell ropes (including in Ellacombe apparatus), rope bosses, sliders or slider gear
No bell is lifted from its bearings

(4) The repainting of metal bell frames and metal bell fittings
No bell is lifted from its bearings

A4. Clocks

(1) The inspection and routine maintenance of clocks and clock dials
Works do not include re-painting or re-gilding of clock dials or repainting clock movements

(2) Maintenance and like-for-like repairs, without removing the clock from the church, of:
(a) ratchets, clicks and click springs on flies
(b) locking levers
(c) pulleys
(d) broken hands
(e) clock hammers and their springs

(3) Replacement of:
(a) weight lines
(b) suspension springs
(c) fixings of clock dials

(4) The reinstallation of disconnected hands and numerals

Works do not include re-painting or re-gilding of clock dials or repainting clock movements

(5) Repairs to bell cranks and clock bell hammers

(6) The upgrading of electrical control devices and programmers

Any work to an electrical installation is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))

A5. Church contents

(1) The repair of woodwork, metalwork and movables

Matching materials are used

The repair does not involve any works to—

- woodwork or metalwork of historic or artistic interest
- Royal coats of arms
- hatchments or other heraldic achievements
- paintings
- textiles of historic or artistic interest
- church plate (including candlesticks and crosses)

(2) The application to articles of forensic marking

No article of historic or artistic interest is marked without first obtaining specialist advice

(3) The introduction, removal or disposal of kneelers, hassocks, pew runners and cushions

The introduction, removal or disposal of the articles does not result in a change to the overall appearance of the church

No article of historic or artistic interest is removed or disposed of

(4) The introduction, removal or disposal of—

No article of historic or artistic interest is removed or disposed of

- (a) movable bookcases
- (b) books
- (c) free-standing noticeboards
- (d) movable display stands
- (e) cruets
- (f) vases and flower stands
- (g) hymn boards

No article being introduced is fixed to historic fabric

(h) altar linen (but not altar frontals or falls)

(i) flags and banners used for temporary displays (but not the laying up of flags, or the removal or disposal of flags that have been laid up)

(j) the Union flag or St George's flag (with or without the diocesan arms in the first quarter) for flying from the church

(k) portable audio-visual equipment

(l) wi-fi routers

(m) equipment for card payment systems

(5) The removal or disposal of—

(a) redundant sound reinforcement equipment

(b) carpet

(c) free-standing chairs (but not pews, benches or stalls)

No article of historic or artistic interest is removed or disposed of

(6) The like for like replacement of carpet

Only breathable material is used

No article of historic or artistic interest is removed or disposed of

(7) Treatment of fixtures and furniture against beetle or fungal activity

No material of historic or artistic interest is treated

(See matter B4(6) in List B for treatment of material of historic or artistic interest)

(8) The replacement of curtains (other than curtains and other hangings associated with an altar)

No article of historic or artistic interest is removed or disposed of

(9) The introduction of free-standing chairs in a church which is not a listed building

(10) The introduction, in a church which is a listed building, of additional free-standing chairs of a design which has previously been introduced in the church under the authority of a faculty

(11) The introduction of a fixed internal noticeboard (including in a porch) in a church which is not a listed building

**A6. Church halls and similar buildings
subject to the faculty jurisdiction**

(1) Works of maintenance and repair to the building and the replacement of fittings in the building

(2) The introduction, removal or disposal of furniture and fittings

No article of historic or artistic interest is removed or disposed of

(3) Replacement of material covering the roof where neither the church nor the church hall or similar building is a listed building

(4) The introduction of a defibrillator in a building which is not a listed building

A7. Churchyard

(1) The introduction and maintenance of equipment for maintenance of the church and churchyard

(2) The repair of paths and other hard-surfaced areas, including resurfacing in the same materials and colour

(3) The introduction of unwired lighting to mark the edge of a path

(4) The maintenance of fences, walls and gates (including lychgates and stiles), not involving repair or replacement, carried out as part of the regular course of care and upkeep of the fence, wall or gate

Any new disturbance below ground level is kept to a minimum

(5) Repairs to, and like for like replacement of, fences and gates other than lychgates, walls or historic railings (See matters B6(2) and (3) in List B for repairs to walls and lychgates)

Any new disturbance below ground level is kept to a minimum

(6) The repair, repainting or like for like replacement of a noticeboard

The wording on the board is not changed except for the purpose of updating existing information that is included on the board

In the case of replacement—

- the Town and Country Planning (Control of Advertisement) Regulations 2007 are complied with,

- the replacement noticeboard is not illuminated, and
- any new disturbance below ground level is kept to a minimum

(7) The grant by the incumbent of a licence for grazing in the churchyard

The licence is in a form approved by the chancellor

(8) The disposal or replacement of gas and oil tanks (and associated pipe work)

No works of excavation are involved

The local planning authority is notified of the proposal

Any work to a gas fitting is carried out by a person who is registered on the Gas Safe Register (or is a member of another class of persons approved by the Health and Safety Executive for the purposes of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998)

Any work to an oil-fired heating system is carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1(6))

In the case of replacement, the replacement tank is of similar dimensions and in substantially the same location

(9) The introduction, replacement or disposal of a flagpole not attached to the church building

The local planning authority is notified of the proposal

Any new disturbance below ground level is kept to a minimum

(10) The introduction of a defibrillator where the church is not a listed building

A8. Trees

(1) The felling, lopping or topping of a tree the diameter of any stem of which does not exceed 75 millimetres (measured over the bark at a height of 1.5 metres above ground level)

The works do not relate to any tree in respect of which a tree preservation order is in force or which is in a conservation area

Regard is had to guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards

(2) The lopping or topping of any tree—
 (a) that is dying or dead; or
 (b) has become dangerous

Regard is had to guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards

(3) The removal of dead branches from a living tree

Regard is had to guidance issued by the Church Buildings Council as to the planting, felling, lopping and topping of trees in churchyards
