

MATTERS WHICH MAY BE UNDERTAKEN WITHOUT A FACULTY

The list of matters in the tables below can be undertaken without a faculty from the 1st January 2016.

List A matters should be logged and List B matters applied for via the **Online Faculty System**:

(<https://facultyonline.churchofengland.org/applications>)

The works listed on the following pages do not require a faculty, **with the exception of** the works which fit into categories 1 - 3 listed below (as set out in Rule 3.5 of the Faculty Jurisdiction Rules 2015):

1.
 - (a) any 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;
 - (b) any works which are likely to affect the archaeological importance of a building or any archaeological remains within a building or its curtilage;
 - (c) any works in respect of all or part of which scheduled monument consent is required under the Ancient Monuments and Archaeological Areas Act 1979(a);
 - (d) any works which involve extension, demolition or partial demolition of a building, or the erection of a new building;
 - (e) any matter which gives rise to a question of law or of doctrine, ritual or ceremonial or which would, if undertaken, affect the legal rights of any person;
 - (f) the exhumation or other disturbance of human remains;
 - (g) the reservation of a grave space;
 - (h) the sale or other disposal of any article of architectural, archaeological, artistic or historic interest;
 - (i) the sale of any book remaining in or belonging to a library to which the Parochial Libraries Act 1708 applies;
 - (j) the introduction of an aumbry or any other receptacle used for the reservation of the sacrament of Holy Communion; or
 - (k) the introduction of, or the carrying out of any work to, a monument of the kind referred to in section 3 of the Faculty Jurisdiction Measure 1964(b).
2. The reference in paragraph (1)(e) to a matter affecting the legal rights of a person does not include a reference to the grant of a licence for the grazing of a churchyard by livestock.
3. Where it is proposed to undertake a matter which falls within paragraph (1) a faculty (or an interim faculty under Part 15) must be sought.

Any enquiries about works on the A and B lists should be directed to the Church Buildings Advisers:

t. 01392 294944 or 01392 294945

e. dac@exeter.anglican.org

Table 1

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

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

The matters prescribed in the table are subject to general exclusions set out in rule 3.5 which, among other things, excludes certain categories of works to listed buildings.

<i>Matter</i>	<i>Specified conditions</i>
A1. Church building etc.	
(1) Works of repair and routine maintenance to the church building not affecting the fabric or any historic material	The parochial church council's insurers are notified if external scaffolding is to be erected
(2) Repairs and replacement of fittings in existing kitchens, lavatories and office accommodation	
(3) Like for like repairs to window glass	The works do not include repairs to broken or cracked quarries in stained glass or historic clear glazed windows
(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
(5) Works of repair and routine maintenance to existing:	The works do not involve making additions to an electrical installation
(a) heating systems	
(b) gas, water or other services	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)
(c) electrical installations and other electrical equipment	Any work 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))
(6) The application of forensic marking on roof lead or other material covering a roof or to rain water goods or flashings	
(7) Work to an existing lightning conductor	The parochial church council's insurers are notified of the proposed work and the work is carried out by a specialist contractor approved by them

(8) The repair, maintenance, removal, disposal or replacement of a flagpole	Only non-corroding fixings are used where a flagpole is repaired or replaced
(9) The introduction, removal or disposal of furniture, furnishings, office equipment and minor fixtures (other than safes) in vestries and similar rooms	The existing use of the vestry is not changed No article of historic or artistic interest is removed or disposed of
(10) 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 are complied with
(11) 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
(12) The installation of bat boxes as part of a bat management programme	
(13) The introduction of anti-roosting spikes	Only non-corroding fixings are used and, where practicable, are fixed in mortar joints

A2. Musical instruments

(1) The introduction or disposal of musical instruments (other than organs and grand pianos) and associated equipment	No article of historic or artistic interest is disposed of
(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

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 rerimming 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

The inspection and routine maintenance of clocks and clock faces

Works of maintenance do not include repainting or re-gilding of clock faces

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

(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

- movable bookcases
- books
- free-standing noticeboards
- movable display stands
- cruets
- vases and flower stands
- hymn boards
- altar linen (but not altar frontals or falls)
- 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)
- the Union flag or St George's flag (with or without the diocesan arms in the first quarter) for flying from the church

A6. Church halls and similar buildings

(1) Routine repairs to the building and the replacement of fittings in the building

(2) The introduction, removal or disposal of furniture

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

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 routine maintenance of, repairs to, and like for like replacement of fences and gates (but not lychgates, walls or historic railings)

(4) The carrying out of repairs to a notice board and the repainting of a notice board

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

The works do not involve any new disturbance below ground level

The licence is in a form approved by the chancellor

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

Table 2

List B – Matters which may be undertaken without a faculty subject to consultation etc.

This table prescribes matters which may, subject to any specified conditions, be undertaken without a faculty if the archdeacon has been consulted and has given notice in writing that the matter may be undertaken without a faculty. The archdeacon may impose additional conditions in the written notice.

The matters prescribed in the table are subject to general exclusions set out in rule 3.5 which, among other things, excludes certain categories of works to listed buildings.

<i>Matter</i>	<i>Specified conditions</i>
<p>B1. Church building etc.</p> <p>(1) Works of routine maintenance and repair affecting the fabric of a church or historic material</p>	<p>The works are identified as routine items of maintenance in the most recent report prepared in respect of the church pursuant to section 1(2) of the Inspection of Churches Measure 1955 (commonly known as the “Quinquennial inspection report”) or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor</p> <p>Details of any materials to be used are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter</p> <p>The works do not involve any new disturbance below ground level</p> <p>The parochial church council’s insurers are notified if external scaffolding is to be erected</p>
<p>(2) The installation of a wall offertory box</p>	<p>The installation does not affect historic fabric</p>
<p>(3) The introduction of a safe in a vestry or similar room</p>	<p>The installation does not affect historic fabric</p>
<p>(4) Works of external or internal redecoration (other than to areas of historic wall painting, even if already painted over)</p>	<p>Details of materials and colours are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter</p> <p>The overall appearance of the building is not changed</p> <p>The parochial church council’s insurers are notified if external scaffolding is to be erected</p>
<p>(5) The treatment of timber against beetle or fungal activity</p>	<p>The works do not involve the replacement of timber</p>

(6) Works of adaptation (not amounting to substantial addition or replacement) to:

- (a) heating systems
- (b) gas, water and other services
- (c) electrical installations and other electrical equipment

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 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))

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

(7) The replacement of a boiler in the same location and utilising an existing fuel supply and existing 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)

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 introduction or replacement of control equipment that is ancillary to a boiler or existing heating system

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 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))

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

(9) The like for like replacement of roofing material

The material being replaced was not introduced unlawfully

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

- (10) The installation of a roof alarm
- The amount of associated cabling is kept to the minimum that is reasonably practicable
- (11) The installation of lighting and safety equipment
- The lighting or other equipment:
- is installed only in a part of the church (such as a tower or crypt) that is not normally visible to the public, or
 - when installed will not be visible from ground level
- Any work 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))
- The installation will not affect any graves or vaults
- The parochial church council's insurers are notified of the proposals
- (12) The installation of a lightning conductor
- The parochial church council's insurers are notified of the proposals and the work is carried out by a specialist contractor approved by them
- (13) The installation of a sound reinforcement system or loop system or the alteration of an existing system

B2. Bells etc.

- (1) The lifting of a bell to allow the cleaning of bearings and housings
- Regard is had to any guidance issued by the Church Buildings Council
- The bell is currently in a fit condition to be rung
- (2) The like for like replacement of:
- (a) bearings and their housings
 - (b) gudgeons
 - (c) crown staple assembly
 - (d) steel or cast iron headstocks
 - (e) wheels
- Regard is had to any guidance issued by the Church Buildings Council
- The bell is currently in a fit condition to be rung
- The works do not involve the drilling or turning of the bell
- (3) The replacement of:
- (a) bell bolts
 - (b) a wrought iron clapper shaft with a wooden-shafted clapper
- Regard is had to any guidance issued by the Church Buildings Council
- The bell is currently in a fit condition to be rung
- (4) The treatment of timber bell frames with preservative or insecticide materials

(5) The re-pinning or re-facing of hammers in Ellacombe apparatus

Regard is had to any guidance issued by the Church Buildings Council

(6) The introduction of peal boards in a location not normally visible to the public

The bells are currently in a fit condition to be rung

B3. Clocks

(1) Alterations to striking trains to prevent striking at night

No part of the clock mechanism is affected

(2) The upgrading of electrical control devices and programmers

B4. Church contents

(1) The repair and maintenance of church plate (including candlesticks and crosses) not of special historic or artistic interest

(2) The introduction, maintenance or replacement of portable audio-visual equipment used in connection with church services

No equipment is fixed to the fabric of the church

(3) The replacement of carpets or other floor covering and underlay

Only breathable underlay is used when underlay is replaced

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

(5) The treatment of fixtures and furniture against beetle or fungal activity

(6) The introduction of a book of remembrance and stand

(7) The introduction of a fixed internal noticeboard

(8) The disposal of free-standing chairs

No chair of historic or artistic interest is disposed of

(9) The replacement of a grand piano with another grand piano and the disposal of the original grand piano

No piano of historic or artistic interest is disposed of

B5. Churchyard

(1) The introduction of benches in a churchyard

No bench has an inscription on it which would not be permitted on a monument in the churchyard under the applicable churchyard regulations made or approved by the chancellor

(2) The replacement of gas or oil tanks

The replacement tank is of similar dimensions and in substantially the same location

No works of excavation are involved

The local planning authority is notified of the proposal

(3) The routine maintenance, repair or rebuilding of walls

The works do not relate to any wall which is included in the Schedule maintained for the purposes of the Ancient Monuments and Archaeological Areas Act 1979

The works are identified as routine items of maintenance in the most recent report prepared in respect of the church pursuant to section 1(2) of the Inspection of Churches Measure 1955 (commonly known as the “quinquennial inspection report”) or in subsequent written advice from a person registered under the Architects Act 1997 or a member of the Royal Institution of Chartered Surveyors qualified as a chartered building surveyor

Details of any materials to be used are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

The works do not involve any new disturbance below ground level

The parochial church council’s insurers are notified if external scaffolding is to be erected

(4) The routine maintenance or repair of lychgates

The lychgate is not separately listed as a building of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990

B6. Trees

(1) The planting of trees

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

(2) The felling of a tree:

- (a) that is dying or dead; or
- (b) has become dangerous

In the case of any tree in respect of which a tree preservation order is in force or which is in a conservation area, section 206 of the Town and Country Planning Act 1990 (which provides for the planting of replacement trees) is complied with

Regard is had to the guidance issued by the Church Buildings Council as to the planting, felling, lopping and

topping of trees in churchyards

(3) All other works to trees (whether or not prescribed in List A) except felling

If applicable, the law relating to the preservation of trees in respect of which a tree preservation order is in force or which are in a conservation area is complied with

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

ADDITIONAL MATTERS

The following works may be undertaken without a faculty:

<i>Matter</i>	<i>Specified conditions</i>
(1) The installation in a churchyard of a noticeboard	<p>Provided that the noticeboard complies with all relevant planning regulations such that no planning permission is needed for the same</p> <p>The Archdeacon is satisfied that neither the said noticeboard nor the installation of the same is likely to affect the character of a listed church as a building of special architectural or historic interest</p> <p>To the extent that the works necessary for such installation require excavations within the churchyard the Archdeacon is satisfied that proper measures will be in place in the event of human remains and/or items of archaeological interest being found in the course of such excavations</p>
(2) The introduction of altar frontals, falls, and vestments	<p>Provided that the Archdeacon is satisfied that the said introduction is not likely to affect the character of a listed church as a building of special architectural or historic interest</p>
(3) The introduction of a defibrillator	<p>The works necessary for the attachment or the operation of the defibrillator do not require excavations within the churchyard</p> <p>The location shall be sensitively chosen and, where the church is listed, shall not harm the special character of the building</p> <p>Any electrical works shall be carried out by a person whose work is subject to an accredited certification scheme (as defined in rule 3.1 (6) of the Faculty Jurisdiction Rules 2015)</p>

NB

Permission for List B works will be granted by the Archdeacon after consultation with DAC members or officers.

Enquiries regarding whether works fall under Lists A or B should be directed to the **Church Buildings Office** in the first instance.

Archdeacons can decline to authorise List B works, even if they are listed above. They may consider that that the work proposed does not fall within List B, or that for some reason it ought to be subject to full faculty procedures, including formal DAC consultation and the display of public notices.