

# ECCLESIASTICAL JURISDICTION & CARE OF CHURCHES MEASURE 2018

## DIOCESE OF SOUTHWARK

### SOUTHWARK DIOCESAN ADVISORY COMMITTEE:

#### CONSTITUTION

(EJCCM s36)

##### *Name*

- 1 The committee is known as the Southwark Diocesan Advisory Committee.

##### *Functions*

- 2 The committee must act as an advisory body on matters affecting places of worship in the diocese.
- 3 In carrying out its functions, the committee must have due regard to:
  - (a) the role of a church as a local centre of worship and mission, and
  - (b) the rites and ceremonies of the Church of England.
- 4 Without prejudice to the discharge of its statutory duties the committee shall have due regard to the missional objectives of the diocese, as currently summarised in the vision document for the diocese.

The committee shall adopt the said vision when requested to do so by the diocesan synod, and from time to time may issue a statement on how the committee envisages its advisory functions will be statutorily discharged in such a way as to best serve the said vision in conformity with its various legal obligations.

- 5 In particular, the committee must give advice when requested by a relevant person on matters relating to—
  - (a) the grant of faculties,
  - (b) the architecture, archaeology, art or history of a place of worship,
  - (c) the use, care, planning, design or closure of a place of worship,
  - (d) the use or care of the contents of a place of worship, or
  - (e) the use or care of a churchyard or burial ground.
- 6 For the purpose of the preceding paragraph, each of the following is a “relevant person”—
  - (a) the bishop of the diocese,
  - (b) the chancellor of the diocese,
  - (c) the area bishops of the diocese,
  - (d) the archdeacons of the diocese,

- (e) the parochial church councils and district church councils in the diocese,
- (f) a person intending to apply for a faculty in the diocese,
- (g) the Diocesan Council of Trustees, acting as the bishop's council and standing committee, or the mission and pastoral committee, of the diocese,
- (h) a person engaged in the planning, design or building of a new place of worship in the diocese, not being a place within the jurisdiction of the consistory court, and
- (i) such other persons (which may include other boards, councils or committees of the diocese) as the committee considers appropriate.

- 7 The committee must develop and maintain a repository of—
  - (a) records relating to the conservation, repair and alteration of places of worship, churchyards and burial grounds, and
  - (b) other material (including inspection reports, inventories, technical information and photographs) relating to the work of the committee.
- 8 The committee must issue guidance for the preparation and storage of the records referred to in paragraph 7.
- 9 The committee must make recommendations as to the circumstances in which the preparation of a record of the kind referred to in paragraph 7 should be made a condition of a faculty.
- 10 The committee must review and assess the degree of risk to materials, or of loss to archaeological or historic remains or records, arising from proposals relating to the conservation, repair or alteration of a place of worship, churchyard or burial ground or the contents of such a place.
- 11 The committee must—
  - (a) take action to encourage the care and appreciation of places of worship, churchyards and burial grounds and the contents of such places, and
  - (b) for that purpose, publicise methods of conservation, repair, construction, adaptation and redevelopment.
- 12 The committee must carry out such other functions—
  - (a) as may be imposed on it by an enactment or by a Canon;
  - (b) as may be imposed on it by a resolution of the diocesan synod;
  - (c) as it may be requested to carry out by the bishop or chancellor.

***Membership: appointment***

- 13 The committee consists of—
  - (a) a chair,
  - (b) the archdeacon of each archdeaconry in the diocese, and
  - (c) at least twelve other members.

- 14 The chair is appointed by the bishop of the diocese after consultation with—  
(a) the bishop’s council,  
(b) the chancellor of the diocese, and  
(c) the Church Buildings Council.
- 15 The other members are—  
(a) at least twelve other persons appointed by the bishop’s council of the diocese, of whom—  
(i) two (one lay and one clergy) are appointed from among the elected members of the diocesan synod,  
(ii) one is appointed after consultation with the Historic Buildings and Monuments Commission for England (commonly known as ‘Historic England’),  
(iii) one is appointed after consultation with the relevant associations of local authorities in relation to the diocese, and  
(iv) one is appointed after consultation with the national amenity societies, and  
(b) such other persons as may be co-opted under paragraph 31 below.  
In this paragraph and elsewhere in this constitution, the definition of “national amenity society” has the same meaning as in the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, and the “relevant associations of local authorities” means such associations as may from time to time be designated by the Dean of the Arches and Auditor as the relevant associations of local authorities for that purpose.
- 16 The committee shall appoint from among its members a vice-chair (who shall not be one of the archdeacons of the diocese). When the office of chair is vacant, or when the chair is unable to act through illness or absence, or when the chair (or the bishop) invites him or her to do so, the vice-chair of the committee shall act as chair and have all the powers vested in the chair.
- 17 In making an appointment under paragraph 15(a) above, the bishop’s council must ensure that the persons so appointed have between them—  
(a) knowledge of the history, development and use of church buildings,  
(b) knowledge of Church of England mission, ministry, liturgy and worship,  
(c) knowledge of architecture, archaeology, art and history, and  
(d) experience of the care of historic buildings and their contents.
- 18 Paragraphs 19, 20, and 23 to 26, below, shall not apply to the term of office of any member (including the chair) whose appointment precedes the adoption of this constitution.
- 19 Subsequent new appointments of the chair or of a member appointed under paragraph 15(a) above must be made within the period of one year following the formation of the second new diocesan synod after the previous appointments.

### ***Membership: term of office***

- 20 The term of office of the chair or a member appointed under paragraph 15(a) begins with the appointment and ends with the making of a new appointment under paragraph 19.
- 21 A member of the committee who ceases to hold a qualification by virtue of which he or she became a member ceases to be a member on ceasing to hold the qualification.
- 22 A member of the committee who ceases to hold office otherwise than by virtue of paragraph 21 is eligible for re-appointment.
- 23 A person who has served as the chair or as a member under paragraph 15(a) or as either for two successive terms of office, or such greater number as has been authorised under paragraph 24 below, may not be reappointed (either as the chair or as a member under 15(a)) or co-opted until the next occasion after the end of that period of office on which new appointments are to be made under paragraph 19.
- 24 In the case of a person who is serving the second of two successive terms of office as the chair or as a member under paragraph 15(a) or as either, the diocesan synod may authorise the person, on the expiry of the second term, to continue to hold office (either as the chair or as a member under paragraph 15(a)) for one or more successive terms.
- 25 The diocesan synod may not give an authorisation under paragraph 24 unless—  
(a) the person who has the function under paragraphs 14 or 15 of making appointments to the office to which the authorisation would apply has obtained the advice of the Church Buildings Council on the authorisation, and  
(b) the diocesan synod has been provided with that advice.
- 26 Paragraphs 23 to 25 do not apply in a case where the first of the successive terms of office was held by virtue of an appointment to fill a casual vacancy.

### ***Membership: casual vacancies***

- 27 Where a casual vacancy occurs among the chair and other members appointed under paragraph 15(a), the bishop must appoint a person to fill the vacancy.
- 28 If the person whose place is to be filled was a member of the committee by virtue of being a member of the diocesan synod, the person appointed under paragraph 27 must also be a member of that diocesan synod.
- 29 If the person whose place is to be filled was appointed under sub-paragraph (ii), (iii) or (iv) of paragraph 15(a), the bishop must, before appointing a person to fill the vacancy, undertake the consultation required under the sub-paragraph concerned.

30 A person appointed to fill a casual vacancy holds office only for the unexpired portion of the term of office of the person whose place is being filled.

***Membership: co-opting***

31 The committee may, with the consent of the bishop, from time to time co-opt such persons as it thinks fit to be additional members of the committee.

32 The number of persons appointed under paragraph 31 must not exceed one-third of the total number of the other members.

33 A person co-opted ceases to be a member of the committee on the making of new appointments of members under paragraph 19.

***Membership: quorum***

34 Not less than one-quarter of the members shall form a quorum at meetings of the committee, and shall include the chair (or vice-chair) and at least one member with professional architectural experience.

***Consultants***

35 The bishop may appoint suitably expert persons to act as consultants to the committee if the committee requests the bishop to do so, to be known as ‘associate advisers’. The role of associate advisers is to advise the committee within the area of their expertise as required. Associate advisers do not normally attend meetings of the committee and do not have voting rights.

***Secretary***

36 The secretary to the committee is appointed by the bishop after consultation with—  
(a) the chair, and  
(b) the diocesan secretary.

37 The diocesan secretary may appoint an assistant secretary to the committee after consultation with the chair and the secretary of the committee.

***Delegation to Sub-committees and officers***

38 The committee shall have power to appoint sub-committees.

39 The committee may delegate the exercise of any of its functions to such sub-committee or an officer of the committee as it shall think fit. The officers of the committee are the secretary and any assistant secretary.

- 40 Before delegating its function of giving advice on matters relating to the grant of faculties, the committee shall consult with the chancellor of the diocese on the proposed procedures.
- 41 In carrying out any functions of the committee on a delegated basis, a sub-committee or officer must likewise have due regard to the role of a church as a local centre of worship and mission, and the rites and ceremonies of the Church of England.

### ***Accountability***

- 42 As soon as practicable after the end of each year, the committee must prepare a report of its work and proceedings during that year and must cause the report to be laid before the diocesan synod; and the secretary of the committee must send a copy of the report to the Church Buildings Council.

### ***Procedures***

- 43 Subject to any other provisions of this constitution or of provisions contained in any Rules made under the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, and having regard to any statutory guidance issued by the Church Buildings Council, the committee shall have power to regulate its own business and procedure.
- 44 This constitution is provided by the diocesan synod and was passed by resolution on 8th July 2020. It supersedes all previous constitutions, and shall come into effect from 1st September 2020.