

# WORKS WHICH CAN BE CARRIED OUT WITHOUT A FACULTY (‘List A’ and ‘List B’)

*From 1<sup>st</sup> July 2022*



## **Diocesan Advisory Committee**

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## Background

Since 1<sup>st</sup> January 2016, the Rules have changed. The lists of ‘matters not requiring a faculty’ are now the same nationally across the Church of England, not specific to each diocese. These further changes to legislation, with effect from 1<sup>st</sup> July 2022, resulted in the lists being expanded and updated, as part of the Church of England’s commitment to ‘Simplification’ (seeking to remove barriers to mission and ministry through revising existing legislation).<sup>1</sup>

There are two Lists: ‘List A’ and ‘List B’:

**List A - Matters which may be undertaken without a faculty, but subject to any specified conditions, and without the need for consultation.**

**List B - Matters which may be undertaken without a faculty, subject to an archdeacon’s written notice, and subject to any conditions.**

However, please see the ‘general notes’ (below) as to matters which may not be undertaken without a faculty, despite being included in List A or List B.

**Please note:**

**The Diocesan Chancellor can make “an excluded matters order” for an individual parish, church or churchyard - this would mean that Lists A and B do not apply, and all works require a faculty.**

**You will be informed if this is the case. It would happen only in very rare circumstances.**

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<sup>1</sup> These changes were brought about by the Faculty Jurisdiction Rules 2015, Faculty Jurisdiction (Amendment) Rules 2019, and Faculty Jurisdiction (Amendment) Rules 2022  
[www.legislation.gov.uk/uksi/2015/1568/contents/made](http://www.legislation.gov.uk/uksi/2015/1568/contents/made)  
[www.legislation.gov.uk/uksi/2019/1184/contents/made](http://www.legislation.gov.uk/uksi/2019/1184/contents/made)  
[www.legislation.gov.uk/uksi/2022/155/contents/made](http://www.legislation.gov.uk/uksi/2022/155/contents/made)

## Summary

### ‘List A’

‘List A’ gives the categories of works which may be carried out on your church or in your churchyard without a faculty, but subject to conditions. This replaces the Diocesan Chancellor’s guidance as to ‘matters not requiring a faculty’ issued in 2004, or any earlier versions of that document.

(In other dioceses, this list was sometimes called ‘De Minimis’ or ‘Minor Works’.)

### ‘List B’

‘List B’ gives the categories of works which require consultation with the Archdeacon. You may carry out these works to your church once the written permission of the Archdeacon has been identified. A number of these works would previously (before 2020) have required a faculty. The intention is that the ‘List B’ process is simpler, speedier and more flexible, enabling parishes to get on with work without any unnecessary delay.

The Archdeacon is required to consult the DAC. Consultation with the DAC will be done via the DAC office, and will usually involve seeking the expert advice of one or more of the relevant advisers by email/telephone, rather than requiring a discussion by the full Committee.

When the Archdeacon has decided that work may be carried out without a faculty, he/she will issue a written ‘List B’ notice. Works under ‘List B’ are subject to specified conditions, and the Archdeacon may set additional conditions on the way the works are carried out (usually on the advice of the DAC Secretary / adviser).

Seeking the Archdeacon’s approval under ‘List B’ is done by applying through the Online Faculty System: <https://facultyonline.churchofengland.org>

List A and B are set out in law, as decided by the General Synod of the Church of England and approved by Parliament. They are contained in Schedule I of the Faculty Jurisdiction Rules as amended, and are reproduced here (believed to be up-to-date as at 1<sup>st</sup> July 2022).

All other works (to church buildings and their contents, or to churchyards) not covered under any of the specific categories in List A or List B will still require a Faculty.

## Process for 'List A' requests

*Please consider using the Online Faculty System (OFS) to record a List A matter: it is there to help you, and can be used to record List A matters. Visit the OFS website for more information, and to sign up:*

<https://facultyonline.churchofengland.org/>

### 1. Does this fall under List A, or is a List B permission/faculty needed?

- consult List A, below, as well as the general exclusions/conditions
- or speak to your Archdeacon
- or contact the DAC staff at Trinity House and speak to Katie Jenner or Luke Tatam.

If you think the matter is not on List A, but there is a genuine emergency and the works need to start quickly, contact the Archdeacon. For List B matters, it should be possible to handle this speedily. If a faculty would have been required, contact the Archdeacon and Diocesan Registry: the Chancellor is usually give an 'interim faculty' (i.e. urgent permission for the necessary work to proceed), but usually a confirmatory faculty will be required in due course.

### 2. Prepare details of the proposed work (in consultation with your architect or other professional advisers):

The PCC should always ensure that it obtains from the architect / professional advisers / contractors sufficient technical documentation of the proposed works:

- This is responsible trusteeship, and ensures that the PCC's money is being properly spent;
- It reduces the likelihood of confusion or dispute during (or after) the works;
- It assists the incumbent / churchwardens in ensuring they are not in breach of the law by going ahead with works which require a faculty (or List B permission).

3. Obtain PCC resolution for the work. Even if not legally required, it is usually good practice to notify your church's inspecting architect/surveyor and the PCC's insurance company. It may also be helpful if you inform the Archdeacon.

4. Now you can start the work! (But don't forget to record the completed works in the church's logbook / inventory, as appropriate). You must adhere to any of the specified conditions which are legally-required for that category of work.

## Process for 'List B' requests

From 1st January 2017, you need to use the Online Faculty System (OFS) to apply for List B approval as well as to make a faculty application. Visit the OFS website for more information, and to sign up: <https://facultyonline.churchofengland.org/>

An outline of the procedure that should be followed when requesting a List B Archdeacon's permission in the Diocese of Southwark:

### 1. Does this fall under List B, or is a faculty needed?

- consult List B, below, as well as the general exclusions/conditions
- or speak to your Archdeacon
- or contact the DAC staff at Trinity House and speak to Katie Jenner or Luke Tatam.

In a genuine emergency, contact the Archdeacon. For List B matters, it should be possible to handle this speedily. If a faculty would have been required, contact the Archdeacon and Diocesan Registry: the Chancellor is usually give an 'interim faculty' (i.e. urgent permission for the necessary work to proceed), but usually a confirmatory faculty will be required in due course.

### 2. Prepare full details of the proposed work (in consultation with your architect or other professional adviser(s) for these works):

A request for a List B permission must still include the **technical details of the proposed work** - this should usually be professionally-produced documentation such as an architectural specification, specialist report, detailed annotated drawings, or detailed contractor's quotation that includes a description of the scope of works, method statement, materials used *etc.*

**Photographs** of the relevant area of the building (interior or exterior) should be provided - please assume that the DAC advisor(s) looking at your proposals may have no previous knowledge of your church building.

A short **Statement** explaining what the 'problem' is (why the work needs to be carried out, even if it may appear to be self-evident) and why this 'solution' has been proposed. This is sometimes referred as a 'Statement of Need', but does not need to be a long document for a List B request.

If the work was highlighted in your latest **QI (Quinquennial Inspection) report**, please mention this. (The DAC and Archdeacon's office should both have a copy of the report on their files).

A **supporting statement** from the church's inspecting architect/surveyor will often be necessary - particularly relevant for repair works to the fabric of the building.

N.B. You can assume that the Archdeacon and DAC already have sufficient outline information on your church (e.g. whether the building is listed, approximate age of the building, whether the building is in a conservation area) to process a List B request.

3. Obtain PCC resolution for the work; this is preferable before making a List B request, and essential before the work can go ahead. Submissions should normally be sent in by the Rector/Vicar/Priest-in-charge or the Churchwardens of the parish; if we receive an application direct from anyone else (e.g. architect or surveyor) there should be evidence that the PCC has authorised this. If they are in doubt, the DAC staff or Archdeacon will check with the incumbent.

4. Use the Online Faculty System to 'submit' the request (which includes the supporting documents). This sends your request to both the DAC office and the Archdeacon; they will then liaise regarding the application, and obtain the necessary expert advice from the relevant DAC adviser(s).

5. You will hear from the DAC or Archdeacon if further information or clarification is required, or if the Archdeacon has decided that a faculty should be applied for.

6. If the Archdeacon is content to give permission for the List B works to proceed, the Archdeacon will issue the written notice, via the Online Faculty System. You should receive an email notification of this.

7. Please do **not** go ahead with the works until you have received written notice from the Archdeacon's office, and the works have been approved by the PCC. Even if not legally required, it is usually good practice to notify your church's Inspecting Architect/Surveyor and the PCC's insurance company.

8. Now you can start the work! (But don't forget to record the completed works in the church's logbook / inventory, as appropriate). You must adhere to any of the specified conditions which are legally-required for that category of work, which will be set out on the Archdeacon's written notice.

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## General Notes (Exclusions and Conditions)

Before considering any work, you should check that the works are not excluded from Lists A and B, in which case a faculty will be required. The Rules state that, if any of the following apply, a faculty must be applied for:

(a)	any works which involve alteration to or the extension of a <u>listed building</u> 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;
(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 [but this exclusion does not relate to List A7.(7) i.e. the grant of a licence for the grazing of a churchyard by livestock];
(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 ‘parochial library’ [as specifically defined in law, being a library founded by way of charitable contribution in order to assist Anglican clergy with their studies];
(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 in private ownership [“monument” includes a tomb, gravestone or other memorial and any kerb or setting forming part thereof, and “owner” means the person who erected the monument or, after that person’s death, the heir or heirs at law of the person or persons in whose memory the monument was erected].
<p><b>Additionally, no work can be carried out under List A or List B, if the work would be in breach of:</b></p> <ul style="list-style-type: none"> <li>- any condition subject to which a faculty has been granted;</li> <li>- the terms of any injunction or restoration order; or</li> <li>- the terms of any undertaking given to the court.</li> </ul>	

## Definitions

When consulting the lists, please note the following:

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

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## Guidance from the Church Buildings Council

You are encouraged to consult the range of *ChurchCare* guidance notes which the Church Buildings Council have published to assist churches. Topics include:

- ❖ Audio-Visual and Sound Systems
- ❖ bells
- ❖ building maintenance and repairs
- ❖ clocks
- ❖ electrical wiring
- ❖ flags
- ❖ heating
- ❖ lighting
- ❖ noticeboards
- ❖ organs
- ❖ roofs
- ❖ stained glass

The guidance notes can be found online:

<https://www.churchofengland.org/more/church-resources/churchcare/advice-and-guidance-church-buildings>

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## Guidance - Trees in Churchyards

Before considering any work to **trees in churchyards**, you should read the relevant statutory advice note *Guidance to parochial church councils on the planting, felling, lopping and topping of trees in churchyards* which is issued by the Church Buildings Council and is available online:

<https://www.churchofengland.org/more/church-resources/churchcare/advice-and-guidance-church-buildings/trees>

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## CHURCH BUILDINGS COUNCIL “NET ZERO GUIDANCE”

“net zero guidance” = guidance issued by the Church Buildings Council, under section 55 of the Dioceses, Pastoral and Mission Measure 2007, on reducing carbon emissions

### Faculty changes (2022) and key guidance

The [Faculty Jurisdiction Amendment Rules 2022](#), coming into effect July 2022, require churches to have due regard to the Church Building Council's advice on Net Zero Carbon, for those proposals where it applies.

For these Rules, the following key pieces of guidance must be given due regard when relevant to your proposal:

- [The practical path to net zero carbon for churches](#)
- [Heating Principles](#)
- [Heating Checklist](#)
- [Heating Options Appraisal](#)
- [Electric Vehicle Charging](#)
- [Solar Panel And Faculty](#)
- [Biomass](#)
- [Lighting](#)
- [Floodlighting](#)

These links are specific to particular types of proposals, and only the relevant guidance needs to be taken into account.

The Practical Path to Net Zero Carbon for Churches is included in the guidance and this must be given due regard for all proposals, as it provides the context to show that the proposal is part of a wider understanding by the parish of its route to net-zero carbon.

*taken from*

<https://www.churchofengland.org/resources/churchcare/net-zero-carbon-church#faculty-changes-2022-and-key-guidance>

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### ***Due regard to net zero guidance***

Rule 2.2 defines “net zero guidance” as meaning: “guidance issued by the Church Buildings Council under section 55 of the Dioceses, Pastoral and Mission Measure 2007(c) on reducing carbon emissions”. This is used in:

- rule 3.3 (undertaking List B matters without a faculty)
- rule 4.2 (documents etc. to be submitted to Diocesan Advisory Committee);
- rule 4.9 (notification of Diocesan Advisory Committee’s final advice);
- rule 5.5 (documents to accompany faculty petition), and in
- Schedule 1 (matters which may be undertaken without a faculty); and
- Schedule 3, in Form 2 (notification of Diocesan Advisory Committee’s final advice).

The meaning of “having due regard” is explained in the Church of England’s ***Duty to “have due regard” to House of Bishops safeguarding guidance:***

#### **“What does ‘due regard’ mean?**

Where legislation – whether an Act of Parliament or a Church Measure – imposes a duty on a person to “have due regard” to guidance of this sort, the law understands that duty in a particular way. The legal duty to have due regard means that the person to whom the guidance is directed is not free to follow the guidance or not as he or she chooses. As a matter of law, the guidance should be given great weight and must be followed unless there are ‘cogent reasons’ for not doing so (see below).

#### **What is meant by ‘cogent reasons’?**

‘Cogent reasons’ are reasons that are clear, logical and convincing. It will be very rare indeed for there to be cogent reasons for not following House of Bishops guidance [on safeguarding]. Cogent reasons are likely to arise only where the guidance does not contemplate a particular, unusual situation arising so that it becomes necessary to take a different approach from that set out in the guidance in order to meet the particular circumstances of the case.”

This reasoning is equally applicable to “net zero guidance”. The extent to which adherence to CBC guidance will be considered in the *Duffield* balancing exercise in assessing public benefit is a debatable point, given that the Church of England’s **carbon emissions** are low, even on a **national basis**.

*taken from*

<https://lawandreligionuk.com/2022/02/02/net-zero-and-the-faculty-jurisdiction/>

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## SCHEDULES

### SCHEDULE 1

Rules 3.2 and 3.3

#### 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
- 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;

“curtilage”, in relation to a church, means any land (whether or not consecrated for burials) which is—

- (a) part of the curtilage of the church, or
- (b) if there is a church hall or other building subject to the faculty jurisdiction, part of the curtilage of that other building;

“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.

## Notes on net zero guidance

Those proposing to undertake a matter without a faculty should make themselves aware of net zero guidance (that is, guidance issued by the Church Buildings Council under section 55 of the Dioceses, Pastoral and Mission Measure 2007 on reducing carbon emissions).

Where a matter to which net zero guidance applies is included in List B, the proposal sent to the archdeacon must include an explanation of how the applicants, in formulating the proposal, have had due regard to that guidance.

### 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>
<b>A1. Church building etc.</b>	
(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	The parochial church council's insurers are notified if external scaffolding is to be erected
(b) Works of repair not materially affecting the fabric or any historic material	
(2) Repairs and replacement of fittings in existing kitchens, lavatories, office accommodation and other ancillary rooms	
(3) Like for like repairs to window glass	The works do not include repairs to stained glass or to clear glass manufactured before 1960
(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
(4A) Draught proofing an external door or window	The works do not affect the overall appearance or operation of the door or window and do not involve the replacement of a component
(5) The treatment of timber against beetle or fungal activity where the church is not a listed building	The works do not involve the replacement of timber

<p>(6) Works of maintenance, repair and adaptation (not amounting to substantial addition or replacement but including rewiring) to existing—</p> <p>(a) heating systems (including the replacement of control equipment and the insulation of pipes in the boiler room and ancillary service areas)</p> <p>(b) gas, water or other services</p> <p>(c) lighting installations, other electrical installations and other electrical equipment (but not the replacement of light fittings, and see matter B1(8)(b) in List B as to fittings for low-energy lamps)</p>	<p>The works do not involve making additions to an electrical installation</p> <p>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)</p> <p>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))</p>
<p>(7) (a) The replacement of a boiler in the same location and utilising an existing non-fossil fuel supply and existing pipe runs, whether with existing or similar pipe runs (See matter B1(5) in List B for replacement using different fuel supply)</p>	<p>In the case of adaptation, the parochial church council's insurers are notified of the proposals</p> <p>The works do not involve the creation of a new external flue</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>(b) The replacement of a flue liner</p>	
<p>(8) The like for like replacement of roof lead or other material covering the roof of a building which is not a listed building</p>	<p>The original introduction of the material being replaced was authorised</p> <p>The installation of roof insulation is considered</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>(9) The installation of a roof alarm (including an alarm with an image capture facility)</p>	<p>The amount of associated cabling is kept to the minimum that is reasonably practicable</p> <p>The parochial church council's insurers are notified of the proposals</p> <p>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))</p>
<p>(10) The application of forensic marking on roof lead or other material covering a roof or to rain water goods or flashings</p>	
<p>(11) Work to an existing lightning conductor or to an earth mat connected to an existing lightning conductor</p>	<p>The parochial church council's insurers are notified of the proposed work</p> <p>The parochial church council is satisfied that the person who is to undertake the work has the necessary skill and experience</p>

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| (12) The replacement or introduction of a weathervane on a church which is not a listed building  |  |
| (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 (including safes) in vestries and similar rooms | The existing use of the vestry or similar room is not changed<br><br>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<br><br>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   |
| (19) The installation of bird netting to tower windows  |  |
| (20) The adaptation of an existing sound reinforcement system   | 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))<br><br>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) |
| (21) The introduction of a defibrillator in a church which is not a listed building   |  |

## **A2. Musical instruments**

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| (1) The introduction or disposal of musical instruments (other than pipe organs and non-portable electronic organs) 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 |

(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

(5) The like for like replacement of a wrought iron clapper shaft

### **A4. Clocks**

(1) The inspection and routine maintenance of clocks and clock dials

Works do not include re-painting or regilding 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 regilding 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))
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**A5. Church contents**

(1) The repair of woodwork, metalwork and movables	<p>Matching materials are used</p> <p>The repair does not involve any works to:</p> <ul style="list-style-type: none"> <li>— woodwork or metalwork of historic or artistic interest</li> <li>— Royal coats of arms</li> <li>— hatchments or other heraldic achievements</li> <li>— paintings</li> <li>— textiles of historic or artistic interest</li> <li>— church plate (including candlesticks and crosses)</li> </ul>
(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	<p>The introduction, removal or disposal of the articles does not result in a major change to the overall appearance of the church</p> <p>No article of historic or artistic interest is removed or disposed of</p>
(4) The introduction, removal or disposal of—	No article of historic or artistic interest is removed or disposed of
(a) movable bookcases	
(b) books	No article being introduced is fixed to historic fabric
(c) free-standing noticeboards	
(d) movable display stands	
(e) cruets	
(f) vases and flower stands	
(g) hymn boards	
(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	



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| <p>(5) The removal or disposal of—</p> <p>(a) redundant sound reinforcement equipment</p> <p>(b) carpet</p> <p>(c) free-standing chairs (but not pews, benches or stalls)</p>                            | <p>No article of historic or artistic interest is removed or disposed of</p>  |
| <p>(6) The like for like replacement of carpet or the introduction or replacement of movable floor coverings between individual pews</p>   | <p>Only breathable material is used</p> <p>No article of historic or artistic interest is removed or disposed of</p>  |
| <p>(7) Treatment of fixtures and furniture against beetle or fungal activity</p>   | <p>No material of historic or artistic interest is treated</p> <p>(See matter B4(6) in List B for treatment of material of historic or artistic interest)</p> |
| <p>(8) The replacement of curtains (other than curtains and other hangings associated with an altar)</p>   | <p>No article of historic or artistic interest is removed or disposed of</p>  |
| <p>(9) The introduction of free-standing chairs in a church which is not a listed building</p>   |   |
| <p>(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</p> |   |
| <p>(11) The introduction of a fixed internal noticeboard (including in a porch) in a church which is not a listed building</p>   |   |

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

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|--|--|
| <p>(1) Works of maintenance and repair to the building and the replacement of fittings in the building</p>                                 |  |
| <p>(2) The introduction, removal or disposal of furniture and fittings</p>   | <p>No article of historic or artistic interest is removed or disposed of</p> |
| <p>(3) Replacement of material covering the roof where neither the church nor the church hall or similar building is a listed building</p> | <p>The installation of roof insulation is considered</p>                     |
| <p>(4) The introduction of a defibrillator in a building which is not a listed building</p>  |  |

## **A7. Churchyard etc.**

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

(2) The repair of paths and other hardsurfaced 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

(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)

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

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

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

(See matter B6(4A) in List B for replacement of gas tanks)

Any new disturbance below ground level is kept to a minimum

Any new disturbance below ground level is kept to a minimum

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 Advertisements) (England) Regulations 2007 are complied with,

— the replacement noticeboard is not illuminated, and

— any new disturbance below ground level is kept to a minimum

The licence is in a form approved by the chancellor

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))
(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	
(11) The installation in the churchyard or elsewhere in the curtilage of the church of an upstand with an electrical outlet mounted on it for recharging an electric vehicle, where the church is not a listed building	The upstand and outlet together do not exceed 1.6 metres in height from the level of the surface used for parking vehicles  Any new disturbance below ground level is kept to a minimum  The upstand is situated in an area which may be lawfully used for off-street parking  The upstand is not situated within 2 metres of a highway  No more than one upstand is provided for each parking space  The work is carried out by a body or person who is registered with the relevant government department or other body responsible for accreditation

## **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—that is dying or dead; or 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

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**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 on the proposal to undertake the matter 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.

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

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<i>Matter</i>	<i>Specified conditions</i>
<b>B1. Church building etc.</b>	
(1) Works of repair affecting the fabric or historic material	<p>The repair does not introduce material of a type that does not already form part of the fabric or historic material that is to be repaired</p> <p>The repair does not involve the substantial replacement of a major part of the fabric or of historic material</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>
(2) The installation of a wall offertory box	<p>The installation does not affect historic fabric</p>
(3) Works of external or internal redecoration (other than to areas of historic wall painting, even if already painted over)	<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>
(4) The treatment of timber against beetle or fungal activity where the church is a listed building	<p>The works do not involve the replacement of timber</p>

<p>(5) The replacement of a boiler, whether in the same or substantially the same location and utilising, whether with existing or similar pipe runs—</p> <p>(a) a non-fossil fuel supply in place of a fossil fuel supply, or</p> <p>(b) a different non-fossil fuel supply</p> <p>(See matter A1(7)(a) in List A for replacement using existing non-fossil fuel supply)</p>	<p>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</p> <p>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))</p>
<p>(6) The like for like replacement of roof lead or other material covering the roof of a listed building</p>	<p>The parochial church council's insurers are notified of the proposals</p> <p>The original introduction of the material being replaced was authorised</p> <p>The installation of roof insulation is considered</p>
<p>(6A) The installation of roof insulation in a church which is not a listed building</p>	<p>The parochial church council's insurers are notified of the proposals</p> <p>The insulation material is chosen, and the method of installing the material is decided upon, after obtaining specialist advice</p>
<p>(7) The installation of lighting and safety equipment</p>	<p>The lighting or other equipment:</p> <ul style="list-style-type: none"> <li>— is installed only in a part of the church (such as a tower or crypt) that is not normally visible to the public, or</li> <li>— when installed will not be visible from ground level</li> </ul> <p>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))</p> <p>The installation will not affect any graves or vaults</p> <p>The parochial church council's insurers are notified of the proposals</p>
<p>(8)(a) The extension of an existing lighting system</p> <p>(b) The replacement of light fittings with fittings suitable for low-energy lamps</p>	<p>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))</p> <p>The parochial church council's insurers are notified of the proposals</p>

(9) The installation of a lightning conductor or the connection of an earth mat to a lightning conductor

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

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

(10) The installation of closed circuit television for security purposes

Details of cameras and other equipment, their proposed location and the location of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

Regard is had to any guidance issued by the Church Buildings Council relating to privacy and the protection of personal data

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))

(11) The installation of security and fire alarms

Details of equipment, its proposed location and the location of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

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))

(11A) The installation of equipment for receiving, or for receiving and sharing, wireless broadband services

The equipment does not adversely affect the church's protection against lightning

Any cable runs are secured so as to minimise the risk that they become loose

Details of the equipment, its proposed location and the location and securing of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

In the formulation of those details, regard is had to the desirability of avoiding loss of or damage to historic material

The diocesan registrar is consulted on the terms of any proposed contract for the sharing of the wireless broadband services

(12) The installation of locks (including timed and other electronic locking devices)

(13) The installation of a sound reinforcement system or loop system (including a control desk) or the alteration of an existing system

(14) The introduction of a defibrillator in a church which is a listed building

(14A) The mounting of an electrical outlet for recharging an electric vehicle on an external wall of a church which is not a listed building

The outlet is mounted at a height not exceeding 1.6 metres from the level of the surface used for parking vehicles

Any new disturbance below ground level is kept to a minimum

The wall is adjacent to an area which may be lawfully used for off-street parking

The wall is not situated within 2 metres of a highway

The work is carried out by a body or person who is registered with the relevant government department or other body responsible for accreditation

(15) The introduction of fixed audio-visual equipment in a church which is not a listed building

Details of equipment, its proposed location and the location of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

(16) The removal of asbestos

Works, other than works of minor reinstatement and repair, will not be required following the removal of the asbestos

(17) The refurbishment of facilities for serving refreshments

The original introduction of the facilities being refurbished was authorised

(18) The removal of partitions or divisions that did not form part of the original construction of a church which is not a listed building

(19) The introduction of bird boxes

(20) The installation of photovoltaic panels on a church which is not a listed building or in a conservation area

## 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  |
|  | No modification is made to the manner in which any bell may be sounded  |
|  | No historic material is modified or removed   |
| (2) The like for like replacement of—<br>(a) bearings and their housings<br>(b) gudgeons<br>(c) crown staple assembly<br>(d) steel or cast iron headstocks<br>(e) wheels | Regard is had to any guidance issued by the Church Buildings Council  |
|  | The works do not involve the drilling or turning of the bell  |
|  | No modification is made to the manner in which any bell may be sounded  |
|  | No historic material is modified or removed   |
| (3) The replacement of—<br>(a) bell bolts<br>(b) a wrought iron clapper shaft with a wooden-shafted clapper  | Regard is had to any guidance issued by the Church Buildings Council  |
|  | No modification is made to the manner in which any bell may be sounded  |
|  | No historic material is modified or removed   |
| (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  |
|  | No modification is made to the manner in which any bell may be sounded  |
|  | No historic material is modified or removed   |
| (6) The installation of an electric silent ringing device for the training of ringers  | 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 device is installed in a location not normally visible to the public  |
|  | No alteration is made to the fittings of the bells other than the installation of electric contacts and wires   |
|  | The device does not adversely affect the church's protection against lightning  |



(7) The installation of a sound control measure in a belfry

Any fixings are made into mortar

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

### **B3. Clocks**

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

No part of the clock movement is affected

(2) The repair or replacement of electrical or electronic clocks manufactured after 1950

### **B4. Church contents**

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

(2) The replacement of an electronic organ (but not of a pipe organ)

The original introduction of the electronic organ being replaced was authorised

The replacement electronic organ is on a similar scale to the electronic organ being replaced

(3) Like for like repairs and works of conservation to a pipe organ

The archdeacon is satisfied, having regard to the advice of the diocesan advisory committee or a member or officer of the committee, that the person who is to carry out the work has the necessary skill and experience

(4) The installation of humidification equipment for a pipe organ

The archdeacon is satisfied, having regard to the advice of the diocesan advisory committee or a member or officer of the committee, that the person who is to carry out the work has the necessary skill and experience

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))

(5) The replacement of carpets or other floor covering and underlay other than movable floor coverings between individual pews (see matter A5(6) in List A for like of like replacement of carpets and introduction or replacement of movable floor coverings between individual pews)

Only breathable material is used

No article of historic or artistic interest is replaced

(6) Treatment of fixtures and furniture against beetle or fungal activity (see List A for treatment of material not of historic or artistic interest)

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

(8) The introduction of a stand for candles

(9) The introduction of a fixed internal noticeboard (including in a porch) where the church is a listed building

(10) The introduction of an electrical heating appliance not forming part of a heating system

Details of the appliance, its proposed location and the location of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

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))

(10A) The installation of an electrical heating system for attachment to pews made in or after 1850 and which are not of historic interest

Details of the appliances, their proposed location and fixing and the location of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

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))

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

(11) Works of repair to altar frontals and falls

No work is carried to an article of historic or artistic interest

(12) Disposal of redundant altar frontals and falls

No article of historic or artistic interest is disposed of

#### **B5. Church halls and similar buildings subject to the faculty jurisdiction**

(1) The introduction of a defibrillator in a building which is a listed building

(2) The installation of roof insulation in a building which is not a listed building

The insulation material is chosen, and the method of installing the material is decided upon, after obtaining specialist advice.

(3) The mounting of an electrical outlet for recharging an electric vehicle on an external wall of a building which is not a listed building

The outlet is mounted at a height not exceeding 1.6 metres from the level of the surface used for parking vehicles

Any new disturbance below ground level is kept to a minimum

The wall is adjacent to an area which may be lawfully used for off-street parking

The wall is not situated within 2 metres of a highway

The work is carried out by a body or person who is registered with the relevant government department or other body responsible for accreditation

(4) The installation of photovoltaic panels on a building which is not a listed building or in a conservation area

(5) The installation of equipment for receiving, or for receiving and sharing, wireless broadband services

The equipment does not adversely affect the building's protection against lightning

Any cable runs are secured so as to minimise the risk that they become loose

Details of the equipment, its proposed location and the location and securing of any cable runs are submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter

In the formulation of those details, regard is had to the desirability of avoiding loss of or damage to historic material

The diocesan registrar is consulted on the terms of any proposed contract for the sharing of the wireless broadband services

## **B6. Churchyard etc.**

(1) The introduction and removal of Benches in a churchyard

No bench proposed to be introduced 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 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 or is separately listed as a building of special architectural or

	<p>historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990</p> <p>Any new disturbance below ground level is kept to a minimum</p>
(3) The repair of lychgates	<p>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</p>
(4) The introduction, replacement or alteration of a notice board	<p>A new notice board is not illuminated</p> <p>The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 are complied with</p>
(4A) The replacement of gas tanks (and associated pipe work)	<p>No works of excavation are involved, other than the digging of a trench which—</p> <p>(a) where it is underneath land used for the passage of vehicles (whether or not a public right of way), is at a depth of 600 millimetres, and</p> <p>(b) where it is underneath a footpath (whether or not a public right of way), is at a depth of 450 millimetres</p>
(See matter A7(8) in List A for disposal of gas and oil tanks)	<p>The local planning authority is notified of the proposal</p> <p>Any work to a gas fitting is carried out by a person who is registered on the Gas Safety 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</p> <p>The replacement tank is of similar dimensions and in substantially the same location</p> <p>If articulated human remains are discovered in the carrying out of the work, the work ceases, the discovery is reported to the court and the work does not resume until the court so orders</p>
(5) The introduction of a defibrillator where the church is a listed building	<p>Any new disturbance below ground level is kept to a minimum</p>

(5A) The installation in the churchyard or elsewhere in the curtilage of the church of an upstand with an electrical outlet mounted on it for recharging an electric vehicle, where the church is a listed building

The upstand and outlet together do not exceed 1.6 metres in height from the level of the surface used for parking vehicles

Any new disturbance below ground level is kept to a minimum

The upstand is situated in an area which may be lawfully used for off-street parking

The upstand is not situated within 2 metres of a highway

No more than one upstand is provided for each parking space

The work is carried out by a body or person who is registered with the relevant government department or other body responsible for accreditation

(6) The introduction of stands for bicycles

(7) The resurfacing of paths and other hardsurfaced areas using different materials or colour where the church is not a listed building

(8) The introduction of hand rails to steps or paths

(9) The digging of a cable trench and the installation of cables, and the attachment of wiring, in the trench

A plan showing the proposed route of the trench is submitted to the archdeacon when the archdeacon is consulted on the proposal to undertake the matter and the archdeacon approves the route proposed

No cables exceed low voltage (as defined by the regulations on electrical wiring published by the British Standards Institution)

Where the trench is underneath land used for the passage of vehicles (whether or not a public right of way), the depth of the trench is 600 millimetres

Where the trench is underneath a footpath (whether or not a public right of way), the depth of the trench is 450 millimetres

Where the trench is underneath a footpath (whether or not a public right of way), the depth of the trench is 450 millimetres

If articulated human remains are discovered in the carrying out of the work, the work ceases, the discovery is reported to the court and the work does not resume until the court so orders

## **B7. 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) that 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