



## DIOCESE OF CHELMSFORD

### PETITION FOR FACULTY CHECKLIST

Please help the Registry to deal with your Petition as quickly and efficiently as possible by ensuring that all the documentation is enclosed, completed correctly and in proper order when you lodge it with the Registry. Delays arising out of the submission of incomplete documentation by Petitioners are inevitable. The papers relating to the petition cannot be processed or formally considered until the documentation is complete.

The address to send your petition to is: The Registrar, Chelmsford Diocesan Registry, Minerva House, 5 Montague Close, London, SE1 9BB. **Do not** send it to the DAC at the Diocesan Office.

The following documentation should be lodged:

#### **Form 1A (Standard Information)**

- If not already submitted to the Registry or if the information has altered since the form was last completed.

#### **Form 2 (Diocesan Advisory Committee Notification of Advice)**

- Please submit the original form and leave the signed and dated documents and plans stamped by the DAC attached to it.
- Please ensure that details of any action taken concerning the provisos on the Notification of Advice or correspondence with the bodies or persons to be consulted are included.

#### **Form 3A (Petition for Faculty)**

##### ***Petitioners***

- The normal expectation is that there will be three Petitioners, i.e. the minister and both churchwardens. If that is not the case it is imperative that an explanation is provided where requested at the foot of the first page.
- The Vicar, Rector, Team Rector or the Priest-in-Charge will need to be a Petitioner if there is a person currently holding one of these offices in the parish. (This does not prevent a Team Vicar from also being a Petitioner, but this will be in addition to, not in place of, the Team Rector)

##### ***Schedule of works or proposals***

- The schedule of works or proposals should match the wording on the DAC Notification of Advice and the Public Notice.
- If any items are to be disposed of please ensure that details are given under the schedule of works or proposals including how they are to be disposed of.

##### ***Section B Changes to the interior and /or exterior of the church***

- If the answer to 3a is 'yes', please include a copy of your Statement of Significance and Statement of Need.

##### ***Section C Financial Information***

- If there is a shortfall between funds already available and the estimated cost of the proposed works as given at 4a please provide clear information about how the necessary funds are to be obtained to meet the shortfall if comprehensive details are not included in any of the other documents submitted.

##### ***Section D Permissions from other bodies***

- Please include a copy of any response from the local planning authority or scheduled monument consent if relevant.

### **Section F Consultation with Amenity Bodies and Local Planning Authority**

- If any amenity bodies have been consulted please include their response, or if 28 days have elapsed since they received your pre-faculty consultation then please include confirmation in your covering letter that you have not received a response.

### **Section G Church Insurance**

- Please include a copy of your insurer's approval or letter if relevant.

### **Section K PCC Resolution**

- Please include a copy of the resolution or extract from the PCC minutes which includes the resolution and in either case it should be certified by the PCC Chair or Secretary.
- Please make sure you complete Question 19 fully, that is the date, the basis on which the resolution was passed and the number of members of the PCC.

### **Declaration at the foot of the final page**

- Please ensure that all the petitioners sign the Petition at the end of the form.
- The provision for a person acting on behalf of the Petitioners to sign the form is intended for the exceptional situation where a solicitor or agent has been formally instructed to act for the Petitioners.

### **Form 4A (Public Notice)**

- Please see the separate checklist for Public Notices.
- The petition for Faculty can be lodged at the Registry while the Public Notices are on display.
- Please ensure that one of the Notices is sent to the Registrar, with the Certificate of Publication completed, promptly after the Notices have been on display for 28 clear days (i.e. not including the day on which the Notice was first displayed or the day on which it was removed from display). The Certificate of Publication is not valid unless it is attached to the original Public Notice to which it relates. It is essential therefore that you send the whole Public Notice and Certificate of Publication to the Registrar rather than simply a photocopy of the Certificate of Publication.

### **Licence under Faculty**

A Faculty may permit the granting of a Licence for a suitable use of part of a church or churchyard for a secular purpose, the use of the church by another denomination, putting up scaffolding on church land for building works to adjacent buildings etc. In such cases, where no physical works requiring the authority of a Faculty are proposed, please contact the Registry for advice.

### **Grave Reservations**

The form to petition for Faculty for a grave reservation can be downloaded from the diocesan website at the following link: <http://www.chelmsford.anglican.org/chelmsford-registry-links>

### **Memorials**

The form to petition for Faculty for a memorial can be downloaded from the diocesan website using this link: <http://www.chelmsford.anglican.org/chelmsford-registry-links>

Petitioners should be made aware of the churchyard regulations set out in the Churchyard Handbook which can be found on the diocesan website using this link:

<http://www.chelmsford.anglican.org/uploads/Churchyard-Handbook.pdf>

Please only download forms for grave reservations and memorials as they are needed to ensure that the Petitioners are only being given the most up to date form, as forms and statutory Court fees do change regularly. The use of out of date forms will often lead to inevitable delays and often causes confusion to Petitioners who are not familiar to church procedures.

### **Exhumations**

Please contact the Registry directly for the relevant form and information.

If you have any queries please contact the Registry Clerk, **Melanie Tucker**, on **020 7593 0353** or at [chelmsfordregistry@wslaw.co.uk](mailto:chelmsfordregistry@wslaw.co.uk)