

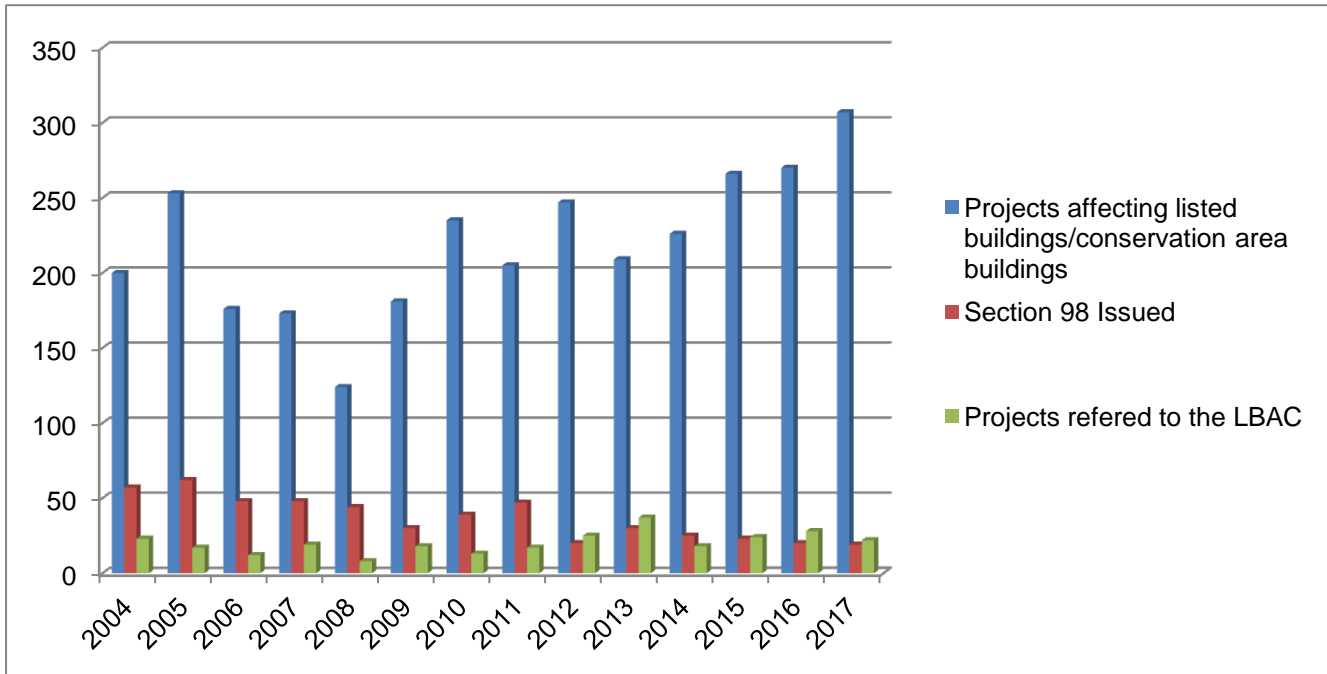
ECCLESIASTICAL EXEMPTION

Report to the Methodist Council on the work of the Listed Buildings Advisory Committee and Conservation Officer and the operation of Section 98 Procedures, 2016/2017

Background

1. This is the annual report on the operation of the adopted procedures of the Methodist Church in respect of Ecclesiastical Exemption for the Connexional year 2016 – 2017. The legal basis of Ecclesiastical Exemption is outlined in Appendix D.
2. The Methodist Church is responsible for around 5026 church buildings and around 12% of these are listed buildings (628). It is believed that 1200 of our churches are located within conservation areas. Although this report is primarily concerned with projects that had to be considered under Section 98 of Standing Orders during 2016/2017, this represents only a "snapshot" of the work of the Connexional Conservation Officer. The full picture is one of a process which may stretch over a number of years as many of the projects approved in any one year started the process in the previous year or years. Similarly, the visits and preliminary discussions carried out during 2016/2017 will often result in projects being submitted in later years. It is also true that many enquiries received by the Conservation Officer relate to works of repair, which do not result in projects, but have to be assessed in case they alter the special interest of the building.
3. During 2016/2017, we were notified of 307 projects via the consents website. 160 of those affected listed buildings and 147 in Conservation Areas. These all had to be checked to determine whether Section 98 would apply. The Connexional Conservation Officer visited eighteen chapels during the year, either to discuss ideas for projects or potential projects or to see completed projects.
4. Three visits were made by a sub-committee of the Listed Buildings Advisory Committee (LBAC) during the year (Malton, Swaffham and Snaith) and various other meetings were held with a member of the PDC or DPS's. Each of these cases was complex and it was decided a site visit and discussion with the managing trustees would be beneficial in understanding all of the issues involved. These initial pre-application discussions are an important element of the process. It is often possible to advise churches not to proceed with inappropriate options at an early stage and thus save time, energy and money. Similarly, projects can often be modified to reduce the impact of changes to historic fabric. This is much easier for everyone to accept if discussions are held before the project is finalised.
5. Nineteen projects successfully completed the procedures set out in Section 98 of Standing Orders during 2016/2017 and these are listed in Appendix A. It should be noted that successful completion of these procedures does not grant full project consent. A project is only approved when all outstanding matters, e.g. financial viability and grant submissions have been resolved and Section 98 only relates to the listed building or conservation area element of a project. Final consent is given locally by authorised District bodies but only when the conservation issues have been completed successfully.
6. **Table 1** shows the total number of projects affecting listed building and highlights how these have increased steadily since 2013. This also shows that Managing Trustees continue to make alterations and to repair our historic building stock (see also Tables 2 & 3 below).

Table 1 – Total number of projects per Connexional Year and the number of Section 98's issued.



Project Type

7. The following table (**Table 2**) illustrates the type of project received relating to listed buildings and buildings in conservation areas. **Table 3** below shows the types of project given approval under the Section 98 process in 2011/2012 (22) compared with those in 2016/2017 (19). From this information it is possible to identify themes when compared with previous years, and helps us develop guidance notes and updates to assist managing trustees when undertaking alteration works. For instance, it is clear that pew removal and the re-ordering of the worship space remain a significant project type for the Methodist Church. It is also evident that change, often major change, is permissible even in our older buildings which can clearly be adapted for continued ecclesiastical use. What is also encouraging is that we continue to repair our buildings and to install modern facilities, such as toilets and heating. Examples of projects given approval and completed during 2016/2017 are included in Appendix C.

Table 2 – Type of Project Received

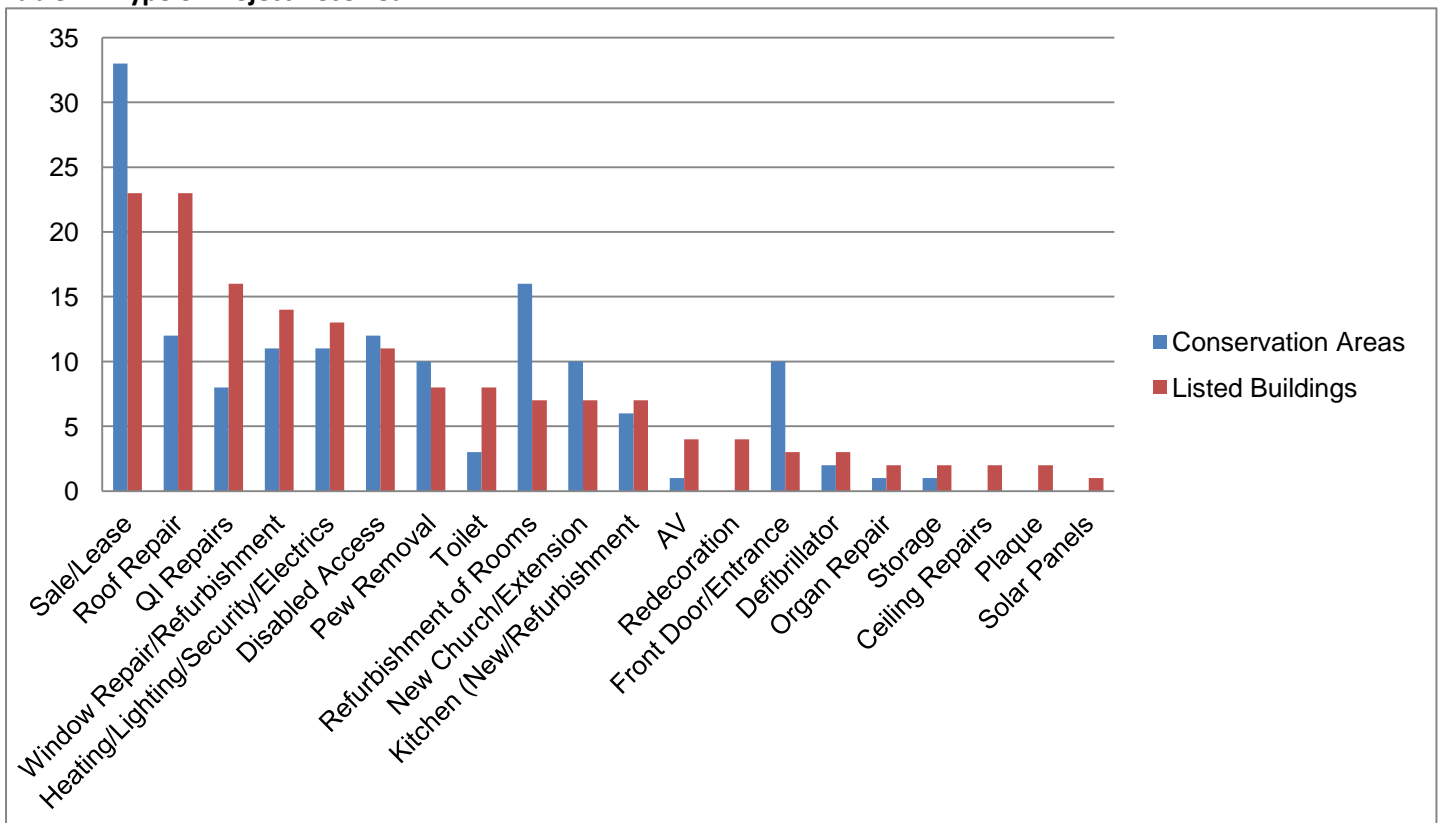
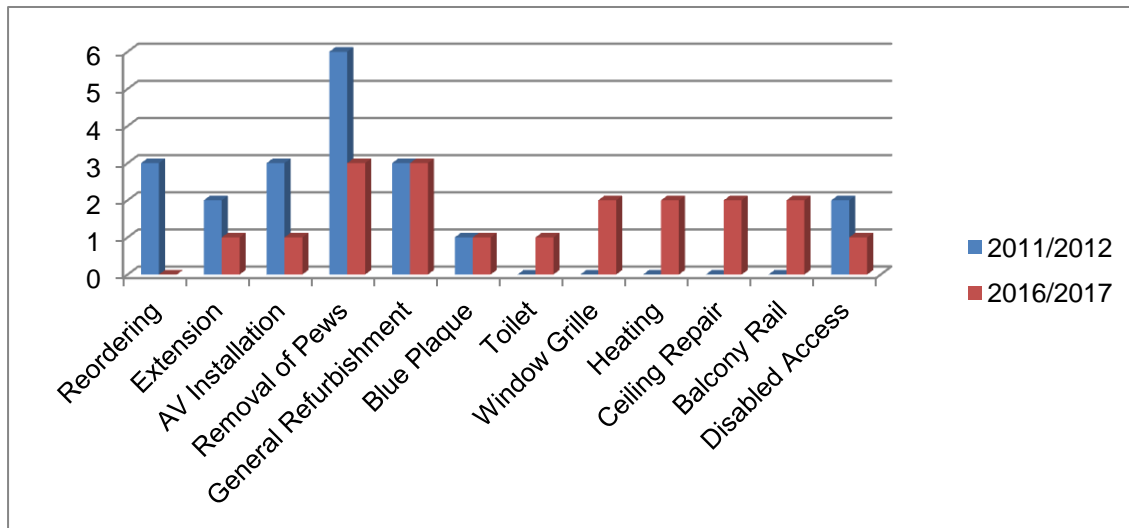


Table 3 – Project Type 2011/2012



Listed Buildings Advisory Committee

8. The Listed Buildings Advisory Committee is the independent body set up as a statutory requirement of the Ecclesiastical Exemption. Membership includes experts in conservation, architecture, architectural history, archaeology and art, but it also includes two Chairs of District and a Supernumerary Minister who offer comment on the proposed mission of the local church. One of their main functions is to provide general advice to the Conservation Officer or other appropriate Connexional authority on policy matters regarding listed buildings and unlisted buildings in conservation areas.
9. The established procedure of the LBAC is that projects that only involve minor alterations of limited importance to the character of historic chapels do not need to be individually considered by the LBAC, providing they fall within policy guidelines specifically approved by the LBAC or established by previous LBAC decisions. As a result, only thirteen of the projects completing the procedures during the year were considered by the LBAC. Far more projects in total were referred to the LBAC (22), but not all of them completed the Section 98 procedures during the year. Moreover, some of those projects referred to the LBAC were informal, or concerned unapproved listed building works or may have been referred to them on multiple occasions (indicated in Appendix B).
10. The LBAC was notified, however, of all of the projects received and was free to request details of any of them. This occurred in several cases.
11. Members total eleven, Revd Anthony Parkinson continues as Chair of the Committee and Dr Peter Forsaith as Deputy Chair. Mrs Elaine Blackett-Ord retired from the Committee and Revd Richard Teal joined. Terms of Reference and an updated Appeals Procedure are currently with the SRC for approval and a decision is pending. The Terms of Reference have been drafted to provide clear procedures and are intended to act as a policy document to sit behind SO 332 and Section 98. They set out the requirement for the LBAC to approve this Annual Report before it is submitted to Council in October of each year.
12. The Committee's performance is not evaluated in terms of the numbers of times that individual members attend meetings. Some will be present only when items requiring their specialist knowledge (e.g. stained glass, archaeology) are under discussion; unavoidably absent members will frequently submit comments in advance.
13. Members accompanied the Conservation Officer to Malton, Swaffham and Snaith (see Para. 4 above) and have occasionally given guidance outside formal meetings on architectural and structural engineering matters as well as guidance on the appropriateness of stained glass repairs. The Committee has been trying to work with related Committees across the Connexion, including the Property Development Committee and Heritage Committee, with a view to identifying areas of cross-over and making relevant input into their work areas. In an attempt to be more transparent the Committee has begun a series of open meetings, with one held in May 2016 in

Northampton. The next of these will be a meeting in Cornwall in April 2018, with one member dealing with the lion's share of the preparation.

14. The Committee has also been moving towards a paper-free means of working, with plans only being printed and posted, making significant financial savings on postage and packing. They regularly visit churches and offer feedback on any completed schemes, such as the New Room, Bristol visited by Dr Peter Forsaith; the Chair has attended meetings, such as the Historic England Places of Worship Forum, as a delegate for the Conservation Officer. The Committee regularly considers policy items such as pew removal, replacement chairs and telecommunications in historic places of worship which have been discussed in 2016/2017, and the Chair continues with his research on the significance of remaining interiors to help with better and informed decision making.
15. They also note the quarterly list of historic chapels sold and have asked that we include a request for photographs of closing churches as standard, and that all war memorials for closed churches are recorded in the proper manner. In line with our Code of Practice, once a church is sold a letter is sent to the Local Planning Authority by the Conservation Officer informing them that the Ecclesiastical Exemption no longer applies.

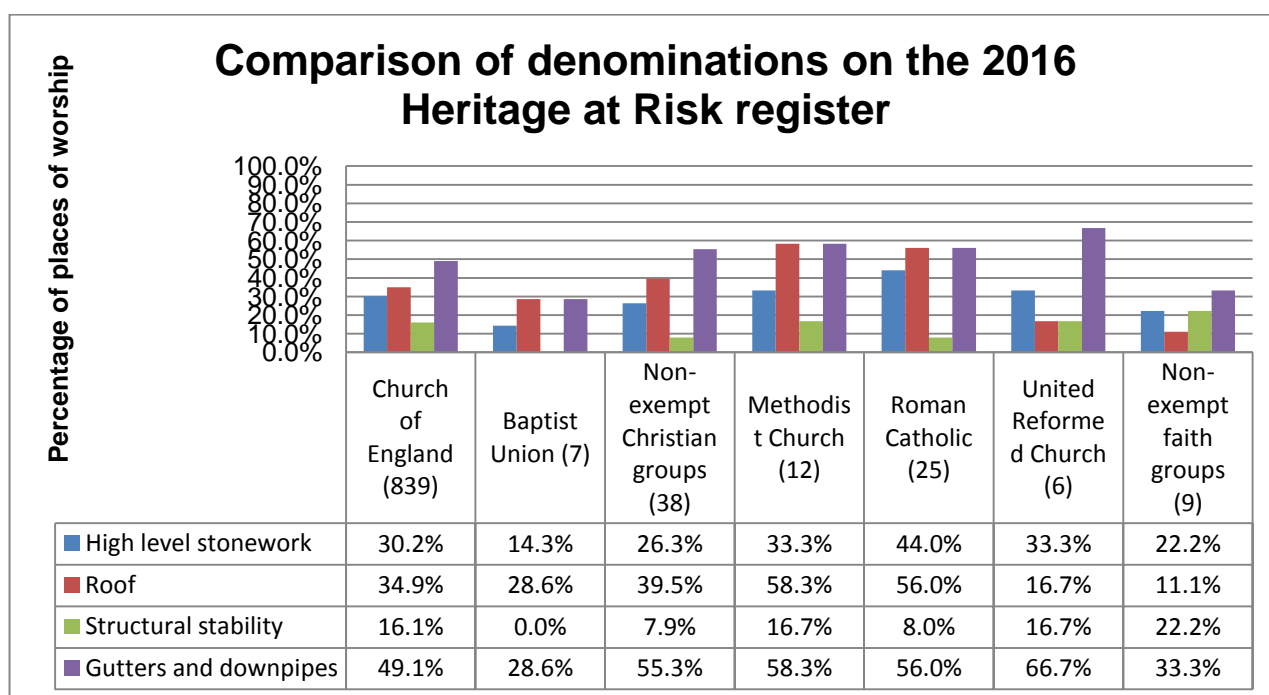
Consultations

16. Under Standing Order 982, in addition to the advice of the LBAC, the Methodist Church has to consult with the Local Planning Authority, the National Amenity Societies and either Historic England or, in Wales, Cadw. In addition, a public notice has to be displayed for 28 days outside the affected building and a similar notice published in a local newspaper so that interested parties can comment on the proposed project.
17. Where we receive advance notice of a project which it is thought may be controversial, an informal consultation may be carried out to obtain preliminary views. This is often helpful in refining a project before it is formally submitted to the Connexional Conservation Officer of the Methodist Church.
18. During 2016/2017 only one approved project involved churches in Wales and the remaining eighteen were in England. The table below (Table 4) shows the level of representation received from the statutory bodies and amenity societies.

Table 4 – Level of Representation from statutory bodies and amenity societies 2016/2017 (Section 98 Projects)

Name of Consultee	No. of Responses	Defer	Objections	No Comments	Support	% of responses
Historic England	17		4	9	4	94 %
Cadw	1				1	100%
Ancient Monument Society	18		2	2	14	100%
Georgian Group	6	4		2		33%
Victorian Society	10	3		6	1	56%
Local Planning Authority	6		2		4	33%
Other (Members of the Public etc.)	2		1		1	11%

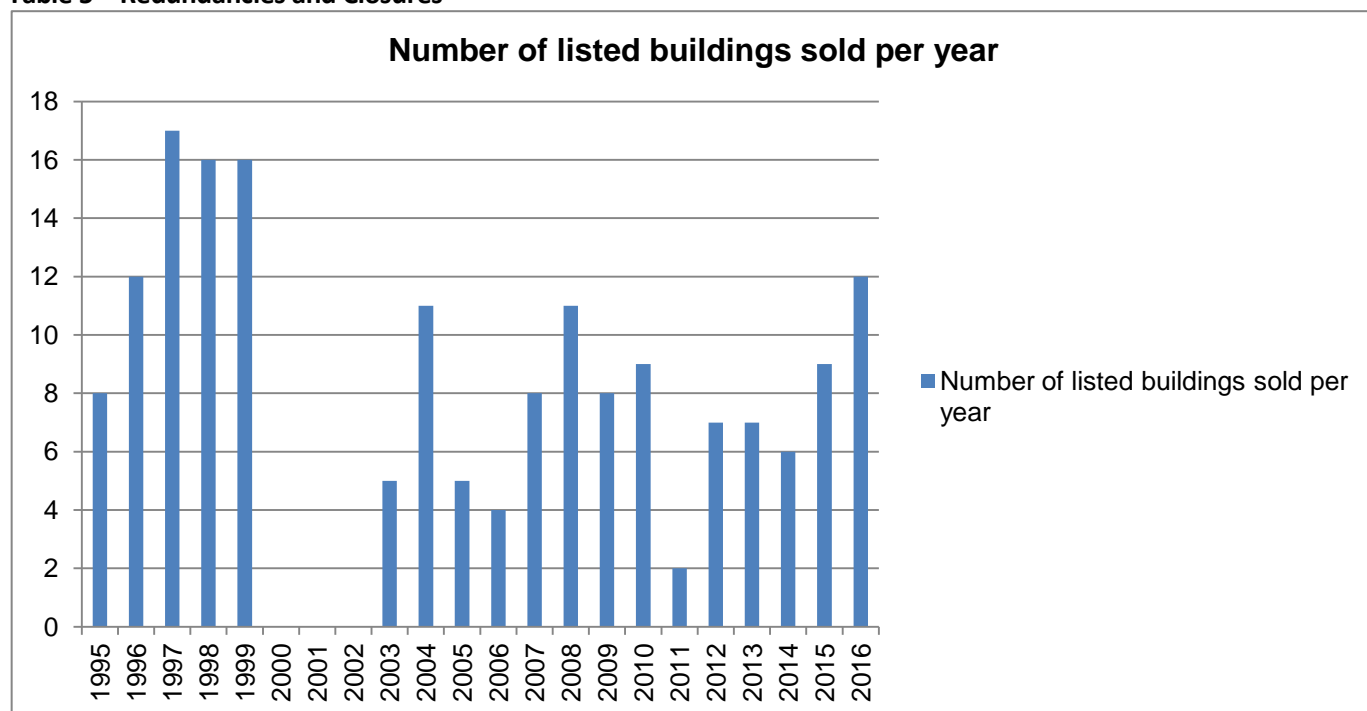
19. The figures show that Historic England/Cadw and the Ancient Monuments Society are particularly good at responding to consultation requests, and are generally supportive of the proposals presented. We have relatively few Georgian buildings which may explain the low response rate from the Georgian Group. In some circumstances the consultees provide more than one response to a proposal, which has been the case with Malton and other schemes of an extensive nature, and often when objections are made the consultees are very good at explaining why there is a concern and have made suggestions about how these can be overcome. In most cases any concerns raised by consultees were dealt with by negotiation with the managing trustees, resulting in revisions to the submissions, or by imposing conditions on the approvals.
20. Working relationships are generally very good, helped by the Connexional Conservation Officer's membership of the Historic England Places of Worship Forum and the Places of Worship Forum for Wales. We continue to work with both bodies to identify and take care of buildings 'At Risk', of which we currently have 12 on the 2016/2017 Historic England Register. The table below shows the number of At Risk Methodist Chapels in England compared to the buildings of other religious groups. It also shows that the majority of our At Risk churches are primarily at risk from defective roofs and rainwater disposal systems.



Redundancies and Closures

21. Cadw have requested to be informed annually of closures and redundancies; hence the information in the table below (Table 5). Even without the data for 2000-2002 we can see the average is eight listed church buildings sold per year; whilst the number of sales was significantly lower in 2011 the number is relatively stable. As the Methodist Church does not collate information regarding buildings (instead it records the number of societies), without figures from each District it is not possible to calculate what percentage of all churches sold are listed buildings.

Table 5 – Redundancies and Closures



Time-scale

22. One of the concerns regularly expressed about the Section 98 procedures is the delay that it may create, and it is true that the procedures do build-in an automatic delay for small projects because of the four week consultation period. However, we always inform the churches of the statutory consultation period and therefore they can factor this into their project timescale. Sometimes delays are caused by the applicant trustees because they do not follow the correct procedures or fail to respond promptly to requests for more information or delay posting the site notice. In addition, the standard of the application is sometimes poor. However, due to the volume of work of the Connexional Conservation Officer there can be some delay in the processing of applications but the Conservation Officer is continually looking at its processes/procedures to reduce delay. If everything runs smoothly, all the information provided when the project is registered and no objections or comments are received, delays can be minimised.
23. Unfortunately it has not been possible to quantify the data for 2016/2017 as there is no accurate mechanism on the consent website to record the date of notification to the Connexional Conservation Officer, and many projects are registered before full details have been worked up. This is something which the Connexional Conservation Officer would like to implement as part of a record to chart a project's progress more accurately from receipt to the granting of consent. This should assist with efficiencies and prevent unnecessary delays. However, the Conservation Officer continues to encourage trustees to make contact at the earliest opportunity to begin pre-application discussions and this has led to major projects being dealt with in a relatively short timescale such as the re-ordering scheme at Wesley Centre, Chester.

Refusals and Appeals

24. No projects were refused during the year and the Appeals process is currently under review by the SRC.

Photographic Database

25. The Methodist Church has an extensive collection of photographs and slides of chapels. In the long term it is intended that the photographs of listed buildings will be available for viewing via the Internet. The photographs are linked to data about the buildings themselves, including the list description. The process of digitising the historic collection is now complete. In the meantime, work continues on newly received material and identifying gaps in the collection which need to be filled.

Listed Building Fund

26. One grant was offered in 2012 to meet the additional costs resulting from the need for authentic materials on a

building of special architectural and historic interest. Unfortunately, this fund is no longer available, but the Conservation Officer will be arguing for its re-opening in order to give grants to buildings dealing with the often increased costs of building materials/techniques required by the listed building legislation and conservation best practice, and to assist those churches on the Heritage at Risk Register.

Other activities carried out by the Conservation Officer

27. A number of other matters have been dealt with by the Conservation Officer in 2016/2017 including drafting a Strategic report on our listed buildings, and representing the Methodist Church in matters such as the HLF's decision to stop the Grants for Places of Worship Grant scheme, as well as working with bodies such as the National Churches Trust to identify new grant schemes. We continue to develop the Conservation section of the Methodist Church's website, and to update and produce a series of guidance notes to assist Managing Trustees when considering alterations to a listed chapel, including one on the removal of pews.
28. In addition we have input into the revised legislation for the Historic Environment Wales (Act) 2016, including offering representation on the secondary legislation to support the Act, draft guidance and technical advice notes. We also sit on the Cadw sub group currently looking at the Ecclesiastical Exemption guidance in Wales and we are helping Cadw work through the action points on the Strategic Action Plan for Historic Places of Worship in Wales.
29. We shall, as is required under the arrangements with Government regarding the Exemption, be writing to those churches granted conditional permission requesting confirmation that all conditions have been discharged. We continue to work with Trustees faced with more problematic buildings, such as St Paul's in Shaw, or urgent works, such as the dry rot outbreak at Gomersal and the collapse of the hall roof at Shefford (replacement work now completed).
30. We also continue to deal with cases of unapproved listed building works, trying to find a suitable solution where possible without the need to use Standing Order 985, and we communicate regularly with District Property Secretaries in our attempts to deal with project and policy work. We are working closer with colleagues in the Connexion, including the Heritage Officer. We help churches faced with the prospective of new listings, and have on occasions recommended buildings for listing when requested to do so by Superintendent Ministers, such as at Wath Methodist Church.

Conclusion

31. In general terms the system appears to be working well. Continuing publicity seems to have been effective and there is a general recognition of the way the system works. It must be recorded, however, that despite regular reminders, there is still ignorance in some quarters about the correct procedures to be followed. It is vital that District and Circuit Officers continue to give procedural guidance as appropriate to improve the level of awareness, but it may be that we need to think about training for Managing Trustees.
32. The use of the electronic consents system is working well but it is not clear whether any monitoring is taking place to ensure that all those projects requiring consent are included on the system. Also, the need to obtain District consent and to secure funding often means we have to give conditional approval to listed building works, sometimes with too many conditions. We need to consider how we can deal with conditions and it is hoped that our work with the IT team will find a workable solution.
33. It continues to be the case that most projects considered under the Ecclesiastical Exemption procedures are uncontroversial and can be approved without any appreciable delay. Where the concerns of the conservation bodies and the LBAC have been raised it has generally been possible to find a way forward which respects the character of the building and still meets the aspirations of the congregation. This has been achieved as much by the ingenuity of architects as the commendable willingness of the Managing Trustees and congregation to consider other solutions.
34. Inevitably there are aspects of some projects where it is not possible to reconcile the requirements of the local congregation and the wishes of the statutory consultees. To help minimise such areas of potential conflict we recommend early consultation with the Connexional Conservation Officer whenever a project is being considered.

JB 2nd March 2018

Appendices

Appendix A – Section 98's issued in 2016/2017

Church	Designation	Proposal	Consent date
Holsworthy	Grade II/CA	New Community Church	15 th September
Cubert	Grade II	New Sound System and Screen	20 th October
Pilton	Grade II/CA	Meeting Room Extension	21 st October
Liskeard	Grade II/CA	Wheelchair Accessible Toilet	15 th November
Cornerstone	Grade II/CA	Window Grilles	15 th November
South Petherwin	Grade II	Roof and Boiler Replacement	15 th November
Trinity, Gosforth	Grade II/CA	Safety barrier to gallery	1 st December
Pickering	Grade II/CA	Refurbishment of Non Worship Area	6 th December
Gunwen	Grade II/HAR	New Roof to Toilet Block	14 th December
Brierfield	Grade II/HAR	Ceiling, Lighting,	15 th December
Wesley Centre, Chester	Grade II/CA	'Regenerate!': Worship Area Reordering	15 th February
Dentdale	Grade II/CA	New lath and plaster Ceiling	17 th February
Firth Park	Grade II	Modernisation of Worship space	22 nd March
Psalter Lane	Grade II/CA	Protection of Window	23 rd March
Wesley Centre, Chester	Grade II/CA	Balcony Safety Rails	22 nd March
Batley	Grade II/CA	Blue Plaque	6 th July
Porthleven	Grade II*/CA	Removal of Central Block of Pews	15 th August
Dolgellau	Grade II/CA	Heating Equipment	17 th August
St John's, Whitchurch	Grade II/CA	Creation of Disabled Access	29 th August

Appendix B – All Projects Referred to the LBAC 2016/2017

Church	Designation	No of Referrals (2016/2017)	Formal/Informal Referral
Ashbourne	Grade II/CA	1	Informal
Wesley Memorial, Oxford	Grade II/CA	1	Formal
Trinity, Barton Upon Humber	Grade II/CA	1	Formal
Broad Street, Spalding	Grade II/CA	1	Formal
Burton Joyce	Grade II/CA	1	Formal
Tiverton	Grade II/CA	1	Formal
Swaffham	Grade II/CA	3	Formal
Malton	Grade II*/CA	3	Formal
Porthleven	Grade II*/CA	1	Formal
Four Oaks, Sutton Coldfield	Grade II/CA	1	Formal
Gunwen	Grade II*/CA	1	Formal
Brunswick	Grade II/CA	1	Formal
Edmonton	CA	1	Formal
Snaith	Grade II/CA	1	Formal
St John's, Whitchurch	Grade II/CA	1	Formal
Wesley Centre, Chester	Grade II/CA	1	Formal
Psalter Lane, Sheffield	Grade II/CA	1	Formal
Wesley's Chapel, London	Grade II*/CA	2	Formal
Dentdale	Grade II/CA	1	Formal
Chapel Field, Norwich	Grade II	1	Formal
Bude (Re-ordering)	Grade II/CA	1	Formal
Bude (Secondary Glazing)	Grade II/CA	1	Formal

Appendix C

Examples of Projects given listed building approval and completed in 2016/2017

Wesley Centre, Chester – Before and After Photographs



South Petherwin – New Boiler and Flue



Brierfield Methodist Church – Removal of Suspended Ceiling and Reinstatement of Ceiling

Before



After



Appendix D

35. In December 1992 the Department of National Heritage issued a Code of Practice for the control of works to places of worship which are listed buildings or are within conservation areas and indicated that those Churches which adopted the Code would continue to enjoy ecclesiastical exemption from listed building and conservation area control by local planning authorities. Subsequently, The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 came into force on 1 October 1994. This has now been superseded in England by The Ecclesiastical Exemption (Listed Buildings and Conservation Areas (England) (Order) 2010. In Wales the original Order is currently under review. Section 98 of Methodist Standing Orders sets out the detailed procedures to be followed before the Methodist Church considers whether to approve a project for "listed building works".