

Listed Buildings Advisory Committee (LBAC) Policy Review

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Status of Paper	Final
Action Required	For Decision
Draft Resolutions	110/1. The Council directs the Connexional Team, in consultation with the Listed Buildings Advisory Committee, to undertake a review of the Committee's terms of reference and appeals process in section 98 of CPD and bring to the Council any proposed policy changes in April 2016.
Alternative Options to Consider, if Any	n/a

Summary of Content

Subject and Aims	To request a review and new policy proposals to the Listed Buildings Advisory Committee's terms of reference and appeal process.
Background Context and Relevant Documents (with function)	<ul style="list-style-type: none"> • Ecclesiastical Exemption (Listed Buildings & Conservation Areas) (England) Order 2010 • Ecclesiastical Exemption (Listed Buildings & Conservation Areas) (Wales) Order 1994 • The Operation of the Ecclesiastical Exemption and related planning matters for places of worship in England, Annex A: Code of Practice • SO 332 - LBAC Membership • Section 98 - Listed Buildings Works (LBAC Responsibilities and Functions)
Consultations	<ul style="list-style-type: none"> • Listed Buildings Advisory Committee Chair • Conservation Officer

Listed Buildings Advisory Committee (LBAC) Policy Review

Background

1. There are approximately 600 listed Methodist buildings and a further 1,200 in conservation areas.
2. Under The Ecclesiastical Exemption (Listed Buildings & Conservation Areas) (England) Order 2010, and The Ecclesiastical Exemption (Listed Buildings & Conservation Areas) (Wales) Order 1994, the Methodist Church has been granted certain controls over relevant works to listed buildings in England and Wales which are being used for ecclesiastical purposes. These buildings have for the time being been exempted from the provisions of sections 3, 4, 7 to 9, 47, 54, 59 and 74 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
3. The Ecclesiastical Exemption requires the Methodist Church to appoint an independent body of experts to assess schemes affecting listed buildings or those situated within conservation areas. The independent body is the Listed Buildings Advisory Committee (LBAC), a committee, whose membership is voluntary, appointed annually by the Council in accordance with SO 332. The purpose of the committee is to fulfil the functions and responsibilities set out in Section 98 of CPD. The key role of the LBAC is to advise the appropriate connexional authority on whether or not to provide consent to a project see SO 982(i).
4. Churches in Scotland are exempt from listed building controls under section 54 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. However, under a voluntary scheme run by Historic Scotland, reviewed every three years, full exemption is limited to the interior of churches only. Local authorities receive applications for external works to listed church buildings in Scotland but if an agreement cannot be reached on the application it is referred to the appropriate church authority for final decision. In the case of the Methodist Church in Scotland this will mean the LBAC as the advisory body and the final decision being taken by the appropriate Connexional authority. Listed buildings in other jurisdictions are dealt with locally without reference to the LBAC.
5. The appropriate connexional authority is the Methodist Council under SO 909 but the Methodist Council has delegated this responsibility to the Property and Facilities Officer. The officer considers requests based on the advice of the Conservation Officer, after advice from the LBAC.

Issues

6. Prior to a restructuring exercise in 1996, the LBAC reported to the Property Committee, and was convened by the Property Secretary. However, following the winding-up of that committee and the role of Property Secretary, there has been a lack of organisational and administrative support for the LBAC. No annual report to the Council has been produced since 2012. Therefore, concern has been raised by both the Committee and the Conservation Officer about how the Methodist Council can effectively monitor the work of the LBAC, including the Church's adherence to the Ecclesiastical Exemption. It has also raised concerns about the lack of a procedure for appointments, length of service, frequency of meetings etc.

7. **Necessity of Reviewing the LBAC**

- The Church may be better served if there was a clear line of accountability from the Committee to the Council.
- To revisit the process of appeals against the decisions made by the Methodist Council to ensure a transparent and robust internal system of control to satisfy the Ecclesiastical Exemption.
- Any confusion around the Connexion needs to be addressed, with particular reference to the roles of the LBAC and Conservation Officer and a better understanding of the Ecclesiastical Exemption.
- The perception that the LBAC acts in isolation from the main connexional structure also needs to be addressed. This often arises from their sometimes unpopular recommendations about property projects, which breed a certain level of mistrust and dissatisfaction.
- The perception that the LBAC delays property projects needs to be addressed. An appraisal of current practice could improve flexibility and assist in providing more rapid responses to trustees who are often working with competing pressures themselves.
- To evaluate the listed building consent and the overall consents procedure to ensure they work in harmony together.

8. Although a certain number of the issues raised above can be overcome through more effective communication with trustees, for the LBAC to be effective in its role, and for the Council to satisfy its responsibilities, it is important that these areas of uncertainty are quickly resolved.

9. **Recommendation**

The Council is asked to agree that a review be undertaken of the Listed Buildings Advisory Committee's terms of reference and appeal process set out in Section 98 of CPD and asks the Council to direct the Team to undertake work on a policy proposal for the Council to consider in April 2016, leading to potential changes in Standing Orders.

*****RESOLUTION**

110/1. The Council directs the Connexional Team, in consultation with the Listed Buildings Advisory Committee, to undertake a review of the Committee's terms of reference and appeals process in Section 98 of CPD and bring to the Council any proposed policy changes in April 2016.