

GUIDANCE NOTE FOR PARISHES CONSIDERING WIDER/COMMUNITY USE OF CHURCHES AND CHURCH HALLS

Introduction

The wider use of churches and church halls is a way of placing the Church at the heart of the community it serves. The church building is a reminder of the God involved in the midst of each community. The Church in Wales encourages the use of its buildings by the community at large in imaginative ways to further outreach and witness.

In localities, especially in small rural places, the church has come to be a focal point of identity. Not because everyone goes to church but in the sense that it is the only public building left, the only place that speaks of a corporate identity, that makes a place more than just a collection of dwellings. It plays a part in defining what a community is.

Churches were in many cases originally used for a wide variety of community uses, being the largest covered space in a Parish. Originally, many churches did not contain pews and would have consisted of an open flexible space. The perception has grown up that churches can only be used for worship, although, particularly the nave, can be used for wider community benefit of an appropriate nature.

The move to limiting church use to worship led to the establishment of church halls and institutes that provided a simple space for social activities that were not considered appropriate for the church itself. Church halls have traditionally hosted a variety of groups connected directly with church life although a wider circle of users has become established in some places.

As the financial burden on parishes has increased on a shrinking number of parishioners, many churches have started to appraise their building stock to consider the most appropriate assets for the future mission of the Church. This has resulted in a reconsideration of the church building itself and proposals have come forward for wider use and the disposal of halls to fund the re-ordering of the church and its ongoing repair. The stigma of using a church for other purposes than worship is fading and many see the use of buildings by a wider section of the community as entirely appropriate.

Appraisal

This guidance note seeks to help and encourage parishes when they are considering new uses for their buildings. The process must start with a thorough appraisal of existing assets for which a separate guidance note has been prepared. The key to this process is looking at the parish as a whole and in the context of neighbouring parishes in the

deanery. This process can produce fresh ideas for encouraging greater use of halls through informal licences whilst remaining under the management of the PCC or, in some cases, a lease or sale to another body but reserving use for parish activities. Others have decided to adapt the church itself to accommodate activities other than worship. In such cases, great care will be needed to preserve the presence of the church as a place of prayer and proclamation and early discussions with Archdeacons and DAC will be necessary.

The particular approach that is adopted will vary with the circumstances and there is no one right answer. The chosen approach will result in legal and practical issues that must be considered at the outset. Not least of these is the clear duty placed on the trustees of the Representative Body by charity law to manage assets in a prudent way and to ensure best value whilst ensuring those assets support and develop the mission and ministry of the Church in Wales. This is not always an easy balance so this guidance has been developed to assist the Representative Body and guide individual churches bringing forward new projects. There are general issues that need to be considered as well as specific issues depending on whether it is a church or a church hall that is being considered. These are outlined below.

General Considerations

- Consult the Representative Body
 - The Representative Body is invariably the owner of the building and has a responsibility to ensure it is properly managed in accordance with the Constitution and charity law.
 - It is vital to ascertain the legal issues with a particular building. It may be subject to restrictions over use under the title deeds or have a right to revert to the original owner if the use of the building changes.
 - The officers of the Representative Body have wide experience of dealing with similar projects across Wales and welcome the opportunity to offer advice on any proposals. Site visits are encouraged and can be arranged.
 - The Representative Body, as owner, should be consulted whenever there are any structural changes or adaptations proposed to a parish building.
- Consult widely
 - The most successful community projects are those that are supported widely. Consultation will help test if there is a sustained demand for the facility.
 - It is worth establishing a user group to help guide the PCC and ensure continuing support
 - Will the project impinge upon the activities of any neighbouring churches/ parishes or the future of another parish building? Would it be beneficial for neighbouring parishes to be involved in the project?
- Talk to your Diocese
 - The DAC should be consulted at any early stage over the physical aspects of any changes to places of worship.

- The Diocesan Social Responsibility Officers can be vital sources of advice and information. They can also help establish users for your facility through their network of activities
- Who forms the project team?
 - Do you need additional skills to help you?
 - How dependent is the project on one individual?
 - Are there organisations you can approach for free help and advice?
 - A feasibility study, though costly, can help resolve many of these issues – they can often be grant funded too.
- Assess the competition!
 - There could be a good modern hall in or proposed in the area. This could seriously influence the viability of your plans.
 - Is the local authority, community council or any other organisation considering similar provision of facilities that may compete for use or grant funding?
- Other Users
 - Many projects involve other users. Consideration needs to be given to the basis of their use of the building. Generally it is better if they simply use a building on a 'licence basis' i.e. booking the facility for a set time in a week etc
 - If it is envisaged that the project will involve a body occupying part or all of the building permanently or to a large degree, this must be done by way of a proper legal agreement granted by the Representative Body. A proper market rent must be charged although this can be adjusted to allow for any church use still made of the building
- Consents and Permissions
 - Planning Permission will be needed for any change of use of the building or most building works or extensions
 - Faculties are the Church version of listed building consent and our internal consent procedure, authorised by statute under ecclesiastical exemption. They don't replace the need for planning permission. Faculty permission is needed for most changes to places of worship and churchyards.
 - It is advisable to talk to your DAC Secretary and the local authority planning department at an early stage.
- Funding
 - Can the parish fund the project itself? Is there any property that could be sold to raise funds?
 - Is grant funding to be sought? Which funding organisations are to be approached? A key consideration will be the circumstances under which funding may have to be re-paid and the likelihood of this needs consideration. The funding body may require the Representative Body to be party to any conditions and, if so, the Representative Body's approval will have to be sought by the parish.

- The Future
 - Is there a clear plan for the future repair needs of the building as identified by the latest quinquennial inspection and does the project help to meet these?
 - Will the income from activities cover the future cost of administering the project and provide sufficient to ensure ongoing funding for maintenance. Is it viable and sustainable?

Churches

- Most churches are owned by the Representative Body and held on general trust for the benefit of the whole province. This means that the Representative Body must, under charity law, ensure a proposal doesn't prejudice the asset overall. Funds raised from sales or leases will generally, following consent by the Property Committee, be available to the parish for church repair or improvement in accordance with the Constitution.
- If worship will no longer be the main use in terms of time, ecclesiastical exemption may no longer apply and the church will be subject to secular listed building control.
- If worship continues then faculty procedure continues. However, if part of the church is leased to a third party for a secular purpose, then faculty procedure will not apply to that part.

Church Halls

- There may well be restrictions over the use of funds from halls. There are sometimes specific terms of trust governing the use and if this is to be varied or a lease or sale is being considered, enquiries should be made to the Representative Body.
- There may be considerable value in the site of a church hall for development. Parishes are keen to restore a well-loved hall but it may be more beneficial to sell the site and re-develop elsewhere or adapt the church itself.
- Church halls are not subject to the same rules concerning inspection and monitoring as churches. It is prudent and good policy to adopt similar rules to ensure a planned approach to maintenance and ensure that it continues to meet the parish's requirements and standards set by current legislation.
- If a hall is little used, there may be a possibility of letting the building to a third party but reserving the limited church use that exists. This could generate much needed rental income. Part of the hall could be let separately to a community or commercial organisation. Proper lease agreements are needed and the Representative Body will have to be consulted prior to any terms being negotiated.
- Often a community council or group may be keen to take on an ailing hall to preserve it for the community. In these cases, a rent must be charged because the asset has been given to someone else. The market rental of the building will take into account the condition of the building, the expenditure being committed by the tenant and any retained use of the building by the parish.

- It is possible to organise the management of the hall via a user group and this can be a very convenient vehicle for accessing funding. The User Group would be a committee of the PCC and would comprise of representatives of all the likely users of the facility. The group would discuss and present issues concerning the hall to the PCC who would be obliged to consider their requests. This way the wider community has a voice in the management of the hall but it is not an arrangement where control of the hall is passed to another body (and where a rent would have to be paid).