

THEFT OF METAL FROM CHURCH ROOFS- GUIDANCE NOTES

1. This Guidance Note is intended to provide advice about the course of action to follow in the event that you discover that metal (usually lead, but sometimes copper) has been stolen from your church roof. Metal theft is a continuing and serious problem throughout the Diocese and the wider country. It often results not only in damage to the roof in question but also in serious damage to the interior fabric of the church as well as considerable distress, cost and inconvenience to the parish.

Prevention

2. Clearly, the prevention of theft where possible is desirable and there are various deterrent steps that can be taken. These include the installation of surveillance/alarm systems, the physical marking of the metal by forensic products (such as Selecta DNA and Smartwater) and the use of anti-theft fixings. Your insurers can give you advice on these deterrents. Information from the

Ecclesiastical Insurance Group at:

www.ecclesiastical.com/risk-management/church-metal-theft/

Trinitas Insurance at:

www.aviva.co.uk/riskolutions/knowledgestore/answer/1714/

and from **Historic England** at:

www.historicengland.org.uk/images-books/publications/metal-theft-from-historic-buildings/heag128-metal-theft-historic-buildings/

If a theft occurs...

3. When a theft occurs, you should initially notify:
 - The police. It may help to mention Operation Crucible, the dedicated investigation into organised metal theft;
 - The church insurers;
 - The church's inspecting architect or surveyor, with a view to identifying a suitable temporary weather-proof covering;
 - The Archdeacon, with a view to obtaining the necessary permission for the installation of the temporary covering. It may be that the permission of the Diocesan Chancellor is required and an interim or emergency faculty can be granted where appropriate. The Archdeacon can advise you on when this is needed; and
 - The DAC Secretary.

With all of this advice, you will need to consider whether steps should be taken to mitigate the

risk of further thefts.

Emergency short term works

4. Initially coverings such as tarpaulins may be needed to secure the integrity of the building but where you are advised that an interim or emergency faculty is needed to authorise urgent works to your church building, you should consult
 - the DAC Secretary (01603 882350); and
 - the Registry (01603 756459).

5. An interim faculty will usually be more appropriate than an emergency faculty, especially where the urgent works are intended to be a temporary or holding position whilst a more permanent solution is found. Your application for an interim faculty should be submitted to the Registry in writing (either by hand, by post or by email to the Registrar - Stuart-jones@birketts.co.uk), and state clearly the works proposed and the reason for the urgent application. The application should be supported by photographs of any damage and drawings of the works proposed. Wherever possible the following information should also be provided:
 - Advice from the DAC. If time is short, this should at least include a note from one of the Architect members of the DAC, confirming that the works are appropriate and proportionate. The DAC Secretary will be able to assist with this.
 - Written confirmation from the church's inspecting architect that they are aware of the proposed works and consider them to be appropriate and proportionate.
 - Where your church is listed, evidence of consultation with any bodies who are entitled to be consulted on the works. This may include the Church Buildings Council, Historic England, the local planning authority, the Society for the Protection of Ancient Buildings etc. The DAC Secretary or Registry will help you understand which bodies should be consulted. If matters are urgent you need not wait for a response from all of the bodies before applying for an interim faculty, but evidence of consultation should be provided, and any responses received should be forwarded to the Registry as soon as they are available.

If all the necessary information is provided the Registry will put the application to the Chancellor and a response are normally available very quickly.

Interim faculty

6. If you are granted an interim faculty you will need to provide written undertakings (promises to the Court) from the minister and churchwardens. Those undertakings will usually include the following:
 - to apply for a full faculty for permanent repairs to the roof works within a certain period (usually 6 months); and
 - to comply with any directions of the court, including any direction relating to reinstatement following the carrying out of the works authorised by the interim faculty

The Registrar will provide you with a form of wording for the undertakings.

7. Conditions as to (a) the giving of notice to consultative bodies and (b) the requirement to cease works if objections are received are also likely to be imposed. Unless the works are clearly uncontentious (such as the like-for-like replacement of lead with lead), an interim faculty is normally granted only for temporary works, which are intended to be in place for up to 12 months.

If you expect that the works will remain in place for longer than this, please make this clear in your application for an interim faculty.

Planning Permission

8. Note that purely temporary repairs will not require planning permission. Planning permission will also not be required in cases where you propose to change the roofing material (e.g. from lead to terne coated stainless steel) as long as there will be no material alteration in the exterior appearance of the church (see section 55(2) of the Town and Country Planning Act 1990). If the use of new material will lead to a material alteration in the exterior appearance of the church, then planning permission may well be required as well as a faculty from the Chancellor.
9. As well as identifying a short-term solution, a decision must be made about the type of permanent repairs that are appropriate.

Permanent repairs- like-for-like replacement

10. Unless you have already been granted an interim faculty, the replacement of the roof covering on a like-for-like basis can usually be authorised by your Archdeacon under the List B procedure. Consider the use of the sort of deterrents mentioned in paragraph 2 above.

Permanent repairs- change of roofing materials

11. If, after consultation with your inspecting architect, a change of roofing materials is proposed then a faculty will need to be sought. This will require the seeking of DAC advice and, where your building is listed, may require consultation with the bodies referred to in paragraph 5 above. You should have already begun (and possibly completed) that consultation process if you have complied with the guidance at paragraph 5. A change of materials will need to be justified.

Relevant factors include:

- The proposed replacement material (e.g. replacement with terne-coated stainless steel or zinc is much more likely to be permitted than the use of GRP or modern plastics);
- The listing grade of the church;
- The visibility of the relevant roof;
- The level of risk of further thefts;

It is sensible to seek the informal advice of the DAC on the replacement material before beginning the formal faculty process.

12. Generally interim faculty applications are dealt with without any fee being payable.

However, a correspondence fee may be charged under the provisions of the current Ecclesiastical Judges, Legal Officers and Others (Fees) Order if additional correspondence is incomplete or gives rise to requests for additional information.

Additional Information and Enquiries

13. If you have any queries about a possible interim faculty application or about emergency repairs generally, advice is available from the following sources:

DAC tel 01603 882350

Registry tel 01603 756459

Archdeacons

Norwich tel 01603 629001

Norfolk tel 01603 559199

Lynn tel 01362 688032