



**NORWICH DIOCESAN ADVISORY COMMITTEE
FOR THE CARE OF CHURCHES (DAC)**

CONSTITUTION AND PROCEDURE

**Under section 36 and Schedule 2 of the
Ecclesiastical Jurisdiction and Care of Churches Measure 2018**

Record of Amendments

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1. Introduction

- 1.1 Each Church of England diocese is required to have an advisory committee for the care of churches, known as the Diocesan Advisory Committee (**DAC**). This is set out in section 36(1) of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (the **2018 Measure**).
- 1.2 Part 3 and Schedule 2 of the 2018 Measure set out the constitutional requirements for a DAC. This must be provided by the relevant diocesan synod.
- 1.3 The constitution for Norwich DAC was adopted by Diocesan Synod in October 2016. It is set out in full in section 2 of this document. Its provisions reflect those of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (the **1991 Measure**), which the 2018 Measure succeeded.
- 1.4 For ease of reference we replicate the provisions of the 2018 Measure at section 3 of this document. When Norwich Diocesan Synod next revises the DAC constitution, it will need to ensure that the wording and requirements are consistent with the 2018 Measure and any subsequent amendments, rather than the 1991 Measure.

2. Constitution and Functions (October 2016)

NORWICH DIOCESAN ADVISORY COMMITTEE **CONSTITUTION**

Name

1. The Committee shall be known as the Norwich Diocesan Advisory Committee.

Membership

2. The committee shall consist of a chairman, the archdeacons of the diocese and not less than twelve other members.
3. The chairman shall be appointed by the Bishop of the diocese after consultation with the Bishop's Council, the chancellor and the Church Buildings Council.
4. The other members shall be:
 - a. Two persons appointed by the bishop's council of the diocese from among the elected members of the diocesan synod of the diocese.
 - b. Not less than ten other persons appointed by the Bishop's Council of the diocese, of whom one shall be appointed after consultation with the Historic Buildings and Monuments Commission for England, one shall be appointed after consultation with the relevant associations of the local authorities and one shall be appointed after consultation with the national amenity societies;
 - c. Such other persons as may be co-opted under paragraph 12 below.
5. In making appointments under paragraph 4(b) above, the Bishop's Council shall ensure that the persons appointed have, between them:-
 - a. An understanding of and sympathy with the ministry and mission of the Church of England;
 - b. Knowledge of the history, development and use of church buildings;
 - c. Knowledge of Church of England liturgy and worship;
 - d. Knowledge of architecture, archaeology, art and history; and
 - e. Experience of the care of historic buildings and their contents.
6. The first appointment of the chairman and other members of the committee under paragraph 4(a) and (b) above shall take place as soon as practicable, and subsequent new appointments of the chairman and those members shall be made within the period of one year following the formation of the second new diocesan synod after the latest appointments.
7. The term of office of the chairman and any other member of the committee appointed under paragraph 4(a) or (b) above shall be the period from his appointment to the making of new appointments in accordance with paragraph 6 above.
8. A member of the committee who ceases to hold a qualification by virtue of which (s)he became a member shall thereupon cease to be a member.
9. A member of the committee who ceases to hold office otherwise than by virtue of paragraph 8 above shall be eligible for re-appointment.

10. Where a casual vacancy occurs among the chairman and other members of the committee appointed under paragraph 4(a) or (b) above, the Bishop shall appoint a person to fill the vacancy, and if the person whose place is to be filled was a member of the committee by virtue of his/her membership of the diocesan synod of the diocese the person so appointed shall also be a member of that diocesan synod.
11. Any person appointed to fill a casual vacancy shall hold office only for the unexpired portion of the term of office of the person in whose place (s)he is appointed.
12. With the consent of the Bishop of the diocese, the committee may from time to time co-opt such persons (of a number not exceeding one third of the total number of the other members) as it thinks fit to be additional members of the committee, but any person so co-opted shall cease to be a member of the committee on the making of new appointments of members in accordance with paragraph 6 above.

Miscellaneous

13. The Bishop of the diocese may appoint suitably qualified persons to act as consultants to the committee if the committee request him/her to do so.
14. The secretary to the committee shall be appointed by the Bishop of the diocese after consultation with the chairman of the committee and the chief administrative officer of the diocese.
15. In this constitution "national amenity society" has the same meaning as in the Care of Churches and Ecclesiastical Jurisdiction Measure 1991.
In paragraph 4(b) above "relevant associations of local authorities" means such associations as may from time to time be designated pursuant to the provisions of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991.
16. As soon as practicable after the end of each year the committee shall prepare a report of its work and proceedings during that year and cause it to be laid before the diocesan synod of the diocese; and the secretary to the committee shall send a copy of the report to the Church Buildings Council.
17. The committee may determine its own procedure consistent with the provisions of this Constitution.
18. The committee may establish sub-committees and delegate to them any of its functions; and in particular the committee may establish a standing sub-committee the purpose of which shall be to consider straightforward and non-controversial matters and to make appropriate recommendations in respect thereof to the committee.
19. One third of the members of the committee shall constitute a quorum.
20. The committee shall meet not less than nine times in each year. In the case of a member attending fewer than 6 meetings in any calendar year or who has lost the capacity to act as a member of the committee, the Bishop's Council at its sole discretion may determine an individual's membership and replace him/her as though a casual vacancy had arisen.
21. A member may not send a deputy in their place to attend a meeting.

22. Subject to paragraph 9, members other than ex officio members should not normally serve more than two consecutive terms in office.
23. The Diocesan Bishop, advised by Bishop's Council, may extend membership by an individual beyond the normal period referred to in clause 22 above for such additional period as the Diocesan Bishop considers appropriate

NOTE: there is appended hereto a note detailing the functions of the Norwich Diocesan Advisory Committee. This note does not form part of the Constitution. Section 2 (5) of the 1991 Measure provides that the Committee shall have the functions specified in Schedule 2 save for resolution. The attached follows the provisions of Schedule 2 save for those additions made by the Norwich Diocesan Synod.

FUNCTIONS OF NORWICH DIOCESAN ADVISORY COMMITTEE

1. Having due regard to the role of the church as a local centre of worship and mission and of the priorities and policies of the diocese and seeking to assist those responsible for places of worship to fulfil those policies and priorities, the functions of the Diocesan Advisory Committee shall be:-
 - a. To act as an advisory body on matters affecting places of worship in the diocese and, in particular, to give advice when requested by any of the persons specified in paragraph 2 below on matters relating to:-
 - i. The grant of faculties;
 - ii. The architecture, archaeology, art and history of places of worship;
 - iii. The use, care, planning, design and redundancy of places of worship;
 - iv. The use and care of the contents of such places;
 - v. The use and care of churchyards and burial grounds;
 - b. To review and assess the degree of risk to materials, or of loss to archaeological or historic remains or records, arising from any proposals relating to the conservation, repair or alteration of places of worship, churchyards and burial grounds and the contents of such places;
 - c. To develop and maintain a repository of records relating to the conservation, repair and alteration of places of worship, churchyards and burial grounds and other material (including inspection reports, inventories, technical information and photographs) relating to the work of the committee;
 - d. To issue guidance for the preparation and storage of such records;
 - e. To make recommendations as to the circumstances when the preparation of such a record should be made a condition of faculty;
 - f. To take action to encourage the care and appreciation of places of worship, churchyards and burial grounds and the contents of such places, and for that purpose to publicise methods of conservation, repair, construction, adaptation and re-development;
 - g. To perform such other functions as may be assigned to the committee by any enactment, by any Canon of the Church of England or by resolution of the diocesan synod or as the committee may be requested to perform by the bishop or chancellor of the diocese;
2. The persons referred to in paragraph 1(a) above are:
 - a. The bishop of the diocese;
 - b. The chancellor of the diocese;
 - c. The archdeacons of the diocese;
 - d. The parochial church councils in the diocese;
 - e. Intending applicants for faculties in the diocese;
 - f. The mission and pastoral committee of the diocese;
 - g. Persons engaged in the planning, design or building of new places of worship in the diocese, not being places within the jurisdiction of the consistory court;
 - h. Such other persons as the committee may consider appropriate.

3. Extract from the Ecclesiastical Jurisdiction and Care of Churches Measure 2018

PART 3
Diocesan Advisory Committees

36 Advisory committees: continuation

- (1) In every diocese there is to continue to be an advisory committee for the care of churches, known as the Diocesan Advisory Committee.
- (2) Each advisory committee must continue to have a written constitution provided by the diocesan synod which contains—
 - (a) the provisions set out in Schedule 2 or provisions to like effect, and
 - (b) such other provisions as were included under section 2(3) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (diocesan synod’s power to make provision on procedure and sub-committees).
- (3) The diocesan synod may by resolution amend the advisory committee’s written constitution to include further provision consistent with the provisions referred to in subsection (2).

37 Advisory committees: functions

- (1) The advisory committee must act as an advisory body on matters affecting places of worship in the diocese and, in particular, must give advice when requested by a relevant person on matters relating to—
 - (a) the grant of faculties,
 - (b) the architecture, archaeology, art or history of a place of worship,
 - (c) the use, care, planning, design or closure of a place of worship,
 - (d) the use or care of the contents of a place of worship, or
 - (e) the use or care of a churchyard or burial ground.
- (2) Each of the following is a “relevant person” for the purposes of subsection (1)—
 - (a) the bishop of the diocese,
 - (b) the chancellor of the diocese,
 - (c) the archdeacon of each archdeaconry in the diocese,
 - (d) the PCC for each parish in the diocese,
 - (e) a person intending to apply for a faculty in the diocese,
 - (f) the mission and pastoral committee of the diocese,
 - (g) a person engaged in the planning, design or building of a new place of worship in the diocese, not being a place within the jurisdiction of the consistory court, and
 - (h) such other persons as the committee considers appropriate.
- (3) The committee must review and assess the degree of risk to materials, or of loss to archaeological or historic remains or records, arising from proposals relating to the conservation, repair or alteration of a place of worship, churchyard or burial ground or the contents of such a place.
- (4) The committee must develop and maintain a repository of—
 - (a) records relating to the conservation, repair and alteration of places of worship, churchyards and burial grounds, and
 - (b) other material (including inspection reports, inventories, technical information and photographs) relating to the work of the committee.
- (5) The committee must issue guidance for the preparation and storage of the records referred to in subsection (4).

- (6) The committee must make recommendations as to the circumstances in which the preparation of a record of the kind referred to in subsection (4) should be made a condition of a faculty.
- (7) The committee must—
 - (a) take action to encourage the care and appreciation of places of worship, churchyards and burial grounds and the contents of such places, and
 - (b) for that purpose, publicise methods of conservation, repair, construction, adaptation and redevelopment.
- (8) The advisory committee must carry out such other functions—
 - (a) as may be imposed on it by an enactment or by a Canon;
 - (b) as may be imposed on it by a resolution of the diocesan synod;
 - (c) as it may be requested to carry out by the bishop or chancellor.
- (9) In carrying out its functions, the committee or any sub-committee it has must have due regard to the rites and ceremonies of the Church of England.
- (10) Any expenses incurred for enabling the committee to carry out its functions properly and effectively, and which were approved by the diocesan board of finance before being incurred, are to be paid by the board.
- (11) As soon as practicable after the end of each year, the committee must prepare a report of its work and proceedings during that year and must cause the report to be laid before the diocesan synod; and the secretary of the committee must send a copy of the report to the Church Buildings Council.

SCHEDULE 2 DIOCESAN ADVISORY COMMITTEE: CONSTITUTION

Name

- 1 The committee is known as the [*name of diocese*] Diocesan Advisory Committee.

Membership: appointment

- 2 (1) The committee consists of—
- (a) a chair,
 - (b) the archdeacon of each archdeaconry in the diocese, and
 - (c) at least 12 other members.
- (2) The chair is appointed by the bishop of the diocese after consultation with—
- (a) the bishop's council,
 - (b) the chancellor of the diocese, and
 - (c) the Church Buildings Council.
- (3) The other members are—
- (a) two persons appointed by the bishop's council of the diocese from among the elected members of the diocesan synod,
 - (b) at least ten other persons appointed by the bishop's council of the diocese of whom—
 - (i) one is appointed after consultation with the Historic Buildings and Monuments Commission for England,

- (ii) one is appointed after consultation with such associations as the Dean of the Arches and Auditor may from time to time designate as the relevant associations of local authorities in relation to the diocese, and
 - (iii) one is appointed after consultation with the national amenity societies, and
- (c) such other persons as may be co-opted under paragraph 5.
- (4) In making an appointment under sub-paragraph (3)(b), the bishop's council must ensure that the persons so appointed have between them—
 - (a) knowledge of the history, development and use of church buildings,
 - (b) knowledge of Church of England liturgy and worship,
 - (c) knowledge of architecture, archaeology, art and history, and
 - (d) experience of the care of historic buildings and their contents.
- (5) The first appointments of the chair and of other members under sub-paragraph (3)(a) and (b) take place as soon as practicable.
- (6) Subsequent new appointments of the chair or of a member under sub-paragraph (3)(a) or (b) must be made within the period of one year following the formation of the second new diocesan synod after the latest appointments.

Membership: term of office

- 3 (1) The term of office of the chair or a member appointed under paragraph 2(3)(a) or (b) begins with the appointment and ends with the making of a new appointment under paragraph 2(6).
- (2) A member of the committee who ceases to hold a qualification by virtue of which he or she became a member ceases to be a member on ceasing to hold the qualification.
- (3) A member of the committee who ceases to hold office otherwise than by virtue of sub-paragraph (2) is eligible for reappointment.

Membership: casual vacancies

- 4 (1) Where a casual vacancy occurs among the chair and other members appointed under paragraph 2(3)(a) and (b), the bishop must appoint a person to fill the vacancy.
- (2) If the person whose place is to be filled was a member of the committee by virtue of being a member of the diocesan synod, the person appointed under sub-paragraph (1) must also be a member of that diocesan synod.
- (3) If the person whose place is to be filled was appointed under sub-paragraph (i), (ii) or (iii) of paragraph 2(3)(b), the bishop must, before appointing a person to fill the vacancy, undertake the consultation required under the sub-paragraph concerned.
- (4) A person appointed to fill a casual vacancy holds office only for the unexpired portion of the term of office of the person whose place is being filled.

Membership: co-opting

- 5 (1) The committee may, with the consent of the bishop, from time to time co-opt such persons as it thinks fit to be additional members of the committee.
- (2) The number of persons appointed under this paragraph must not exceed one-third of the total number of the other members.
- (3) A person co-opted ceases to be a member of the committee on the making of new appointments of members under paragraph 2(6).

Consultants

- 6 The bishop may appoint suitably qualified persons to act as consultants to the committee if the committee requests the bishop to do so.

Secretary

- 7 The secretary to the committee is appointed by the bishop after consultation with—
- (a) the chair, and
 - (b) the diocesan secretary.