

Open and Sustainable Churches

Legal options for complementary use of church buildings

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Option 1
Almost wholly a place of worship with facilities to support this function, limited other use under licence .
Legal issues: Church under Faculty Jurisdiction (FJ) , Ecclesiastical Exemption (EE) applies.
Financial / funding issues: NNDR exemption should continue to apply (but check with rating authority). Eligible for RGPOW (requires match funding) and LPOWGS grant schemes, as well as development grants.
Option 2
Primarily a place of worship, some of the building used for other (complementary) purposes under lease , using Section 68 of the Mission and Pastoral Measure 2011 (MPM) .
Legal issues: Church under FJ . EE applies.
Financial / funding issues: NNDR exemption may be affected - check with rating authority. Eligible for RGPOW and LPOWGS grant schemes. Might look at HLF and other Development Grants with partners
Option 3
Mostly used for other purposes under lease but part still used as a regular place of worship, using MPM .
Legal issues: EE applies to open part only. Church under FJ (at least open part, but could apply to whole) and secular jurisdiction (closed part).
Financial / funding issues: Closed part should be a separate rateable unit so that NNDR exemption applies to open part. Grants relating specifically to places of worship may not be available. Might look at HLF and other Development Grants with partners
Option 4
Primarily used for other purposes and closed for regular worship under MPM , but part used under licence for occasional services. Church building under secular jurisdiction .
Legal issues: EE does not apply, though FJ can be maintained.
Financial / funding issues: NNDR exemption does not apply. Grants relating specifically to places of worship will not be available.



Option 5 'Reboot'

This is a church closed using **MPM** and 'rebooted' as a **footprint parish** or **extra-parochial place of worship**. Then Pathway 1-3.

Notes:

EE = ecclesiastical exemption.

NNDR = national non-domestic rates ('business rates').

HLF = Heritage Lottery Fund.

RGPOW = Repair Grants Places of Worship – English Heritage/HLF "Joint Scheme".

LPOWGS = Listed Places of worship Grant Scheme (VAT rebate)

Section 68 of the [Mission and Pastoral Measure 2011](#) has superseded the Pastoral (Amendment) Measure 2006 (commonly referred to as PAM). PAM enabled the lease of part of a church building, facilitating its wider use, provided that its primary use was still as a place of worship. A guide to Section 68 of the Mission and Pastoral Measure 2011 is available online: www.churchofengland.org/media/1500116/pamguide.doc

Option 3 is the most complicated and perhaps the least attractive of these options, as different parts of the building and site are subject to different systems of control (with the possibility of some overlap), and possibly different taxation regimes; we would hope that churches looking to embrace other uses and maximise potential income from these would use Option 2, making more use of Section 68 of the MPM.

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