

PROPERTIES VESTED IN REPRESENTATIVE CHURCH BODY

Legal Title to the vast majority of buildings (Churches, clergy residences, halls etc.) used by parishes throughout the Church of Ireland is vested in the Representative Church Body. Select Vestries are responsible for the day-to-day care and maintenance of such buildings, including ensuring that adequate and appropriate insurance indemnity is in place.

If a parish is contemplating the alteration, extension, demolition or disposal of any such property, prior approval of the Representative Church Body must be obtained. Before granting approval, the RCB requires a recommendation from the Diocesan Council. It can take up to four months for this process to be completed due to the scheduling of meetings of the Council and the RCB. A quicker result may be achieved but this is only possible when all of the appropriate information is submitted to the Diocesan Office in good time. However, the process can be significantly delayed if plans have to be referred back to the parish because of inadequate information.

For the information of Select Vestries the procedure for dealing with matters relating to property is summarised as follows:

Building Projects

- As soon as preliminary drawings become available, three copies should be forwarded to the Diocesan Office for consideration by the Diocesan Plans Committee. An indication as to how the project will be financed should also be submitted.
- The Plans Committee will comment on the proposals and may suggest possible amendments for consideration by the Select Vestry and its architect.
- **Three** copies of the final detailed drawings should subsequently be submitted to the Plans Committee which will advise the Diocesan Council about its recommendations to the Representative Church Body.
- The drawings and details of the project will be forwarded to the RCB for consideration and approval.
- If appropriate and when available, copies of Planning Permission and Building Control consent documentation should be forwarded through the Diocesan Office to the RCB.
- Contract documents should be prepared by the parish in the name of the Representative Church Body and submitted by the parish for signature on its behalf.

Sale of Properties

- Two independent professional valuations should be obtained for the property/land to be sold.
- The Select Vestry should nominate an Estate Agent to represent it in the sale. (The Agent nominated may provide one of the valuations.)
- Details of proposals should be forwarded to the Diocesan Council for consideration and onward transmission to the Representative Church Body.
- Proposals for the sale of land should be accompanied by an ACE map indicating the

dimensions of the area to be sold and its juxta-position with other parish properties.

- Proposals for the sale of property/land should be accompanied by details of how the parish would wish to allocate the sale proceeds.
- The Agent representing the parish should be informed that the sale should not be advertised until he/she has received instructions from the Legal Department of the RCB, which will deal with the conveyancing of title when the sale is eventually agreed.
- Acting as Trustees and in the best interests of the parish, the RCB will expect the sale to proceed in accordance with the independent valuations obtained and normally would expect the highest offer to be accepted (subject to the advice of the selling Agent).

It should be noted that the proceeds arising from the sale of glebes and/or glebeland will be governed by the terms of the Glebe Rules as contained in Chapter 13 of the Constitution. Sale proceeds arising from the sale of other property not governed by the Glebe Rules are generally accessible to the parish with the approval of the RCB, subject to any restrictions in the title in the deeds of the property.

Any parish seeking further clarification or information concerning the procedures to be followed should contact the Diocesan Secretary.