Cynulliad Cenedlaethol Cymru / National Assembly for Wales
Pwyllgor Diwylliant, y Gymraeg a Chyfathrebu / The Culture, Welsh Language and Communications Committee
Amgylchedd Hanesyddol / Historic Environment
CWLC(5) HE03
Ymateb gan Cytûn / Evidence from Cytûn

1.0 Cytûn brings together the main Christian denominations of Wales and a number of other Christian organisations in Wales. A full membership list can be found at: www.cytun.cymru/us.html The member denominations have an adult membership of about 165,000 and meaningful contact with many more adults, children and young people in every community in Wales. The denominations hold in trust many thousands of buildings, mainly places of worship, including 3,000 historic places of worship – about 10% of the total number of listed buildings in Wales. Churches also own some other listed properties (e.g. parsonages, cathedral closes, historic colleges, etc.) Many thousands more are included on local lists of historic assets of special local interest, or are considered important by their local communities.

1.1 Individual denominations have been encouraged to respond to the Committee's survey of owners of historic buildings. It is important to note that places of worship are 'owned' by trust bodies, who hold them in trust for specified uses, usually the worship of God and the promotion of the Christian religion, sometimes limited to a particular understanding of that religion. Under charity law and the Acts of Parliament which govern many individual Christian denominations (such as the Welsh Church Act 1914, the Calvinistic Methodist or Presbyterian Church of Wales Act 1933 as amended 1959, and several others), the trustees cannot use the resources held in trust for other than the relevant charitable purposes. The maintenance of the built heritage is not usually in itself one of those purposes, although it is often ancillary to the principal purposes. Some Christian traditions use a corporate trustee (a trust company) to hold the property; in others, local individuals are appointed as trustees for each building. In almost every case, day to day management of the property rests with local volunteers. This has significant implications for the management of these buildings, as the report *Supporting Places of Worship in Wales* (http://www.nationalchurchestrust.org/news/future-wales%E2%80%99-churches-and-chapels), published on 23 August 2017, illustrates.

1.2 The status of many church bodies as 'excepted charities' (covered by charity law but unable to register as charities) can make fundraising for building maintenance even more challenging, as many grant making trusts will fund

only registered charities, or require the insertion of specific provisions in a charity's constitution which for churches would run counter to the relevant Acts of Parliament. Cytûn has produced a briefing paper on this technical issue which can be made available on request, and is attempting to engage in dialogue with Welsh Government about the implications.

1.3 Cytûn, as an umbrella body for the denominations which own almost all of the 3,000 listed places of worship, takes the lead in co-ordinating the churches' engagement with Cadw regarding listed building legislation and policy. Individual denominations and congregations may also submit comments to this inquiry. We have not sought to comment on every aspect of the inquiry, only those of most relevance to historic places of worship and other ecclesiastical buildings.

2. Implementation of the Historic Environment Act

2.1 Cytûn and its member churches were fully part of the consultation process around the Act, and engaged extensively with Cadw and with the relevant Assembly committee during the passage of the legislation. We are grateful to Cadw, the Minister responsible and Assembly Members for their willingness to consider the particular issues surrounding historic ecclesiastical buildings during this process.

2.2 Engagement with Cadw has been enhanced by the establishing of the Historic Places of Worship in Wales Forum, which provides a regular meeting place for Christian denominations, Cadw, the Royal Commission on the Ancient & Historic Monuments of Wales, trusts, funding bodies and other stakeholders to meet, share news and discuss items of concern. This regular meeting place enables a fuller understanding of the constraints facing each part of the sector, as well as the opportunities afforded by Wales's remarkable heritage of ecclesiastical buildings. It has also played an important role in enabling those denominations who administer their buildings in Wales from offices in England to become more fully engaged with the sector in Wales and with the new legislative framework in Wales.

2.3 Through this Forum, Cytûn and individual denominations have responded to each consultation on guidance issued under the Act, and we are grateful that many of our comments have helped improve the final guidance. We believe that the suite of resources now available is a great help to those seeking to engage with historic ecclesiastical buildings in Wales, although it is clearly

geared more at professionals in the field than at the volunteers who undertake day to day care of our buildings.

2.4 The Forum has also established sub-groups on (for example) the implications of community asset transfer for churches, and the impending revision of the secondary legislation regarding so-called "Ecclesiastical exemption" (see section 3 below).

3. Protection for listed buildings and scheduled monuments

3.1 The procedures for Listed Building Consent for ecclesiastical buildings are the same as those for any other historic building. However, the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 provides for six of the member denominations of Cytûn to use alternative procedures. [These are: the Church in Wales; the Roman Catholic Church; the Methodist Church; the Baptist Union of Wales; the Baptist Union of Great Britain; and the United Reformed Church. The United Reformed Church is seeking to be removed from this 'exemption']. It is important to understand that (unlike in Northern Ireland) these churches are **NOT exempt from the law** or from the requirement to obtain listed building consent or conservation area consent. Rather they are permitted to use an alternative consent system which enables those who understand the requirements of a place of worship to have input to the decision.

3.2 The 'exempt' denominations believe that the 'Ecclesiastical Exemption' offers assurance to our built heritage and value for money for the following reasons:

3.2.1 The terms of the Order ensure that 'exempt' denominations have sound procedures that reflect the secular system of Listed Building Consent and which are at least equivalent in rigour to those operated by the secular authorities.

3.2.2 Approval of proposals is given by an independent decision making body after expert advice and consultation.

3.2.3 The public are notified of proposed works and are able to comment on proposals.

3.2.4 The 'exemption' provides excellent value to the tax payer in removing the obligation to consider listed building consent on a large number of listed

ecclesiastical buildings from local authorities (but with consultation with those authorities).

3.2.5 Most 'exempt' denominations apply similar procedures for proposals to unlisted buildings so the exemption gives a measure of protection to those too.

3.2.6 The 'exemption' requires that each building has a regular condition inspection to inform and drive decision making and proposals for alterations are given detailed consideration by experts knowledgeable about ecclesiastical buildings and their use. This also helps to ensure that such buildings remain in regular use – by far the best way to ensure their preservation.

3.3 We understand that Cadw intends to bring forward a revision of the 1994 Order, under the Historic Environment (Wales) Act, during 2018, and we are currently engaged with them on the detail of this.

4. Protection for buildings and monuments at risk

4.1 Cadw's Strategic Action Plan for Historic Places of Worship in Wales estimates that 10% of such buildings are at risk or vulnerable. We would suggest that this is a serious underestimate, and that many more are at risk of serious deterioration or total loss.

4.2 The greatest risk to ecclesiastical buildings in Wales is caused by their under-use and, in some cases, by their loss of viability. This relates partly to declining patterns of regular church attendance and financial support, and also to the unsuitability of many historic places of worship for modern worship or other uses. All our member churches are very aware of this issue, and it is a regular part of discussion at the Historic Places of Worship in Wales Forum (see 2.2-2.4 above). These issues are explored further in the National Churches Trust's report referenced at 1.1 above.

4.3 We believe that the best way to protect the majority of these buildings is to enable sympathetic adaptation so that they can continue to be used for their intended purpose, i.e. the worship of God. However, in some cases population movement and other social changes make such use, even with adaptation, unviable. Often the listing makes sale of the building for an alternative use very difficult, and can lead to the unintended consequence of

historic buildings standing empty and deteriorating. This is an outcome no-one desires, and we would welcome any steps that can be taken to forestall such eventualities.

4.4 We are especially concerned that in some towns in Wales, a large number of places of worship have been listed, well beyond the number that could ever be used – even with adaptation – as places of worship or auditoria. We would like to see in such circumstances some consideration being given to prioritising buildings so that the most important are kept even if others must be de-listed, or heavily adapted.

5. Facilitating collaboration within the sector

5.1 See 2.2-2.4 above regarding the Forum and the excellent collaboration which is achieved across our part of the sector.

5.2 The Forum has established a sub-group to discuss the implications of community asset transfer schemes for ecclesiastical buildings. While supportive in principle of maintaining such buildings through collaboration with community groups, the legal constraints on church bodies (see 1.1-1.2 above) can make such routes challenging, expensive and time-consuming. The sub-group aims to ensure that any proposals in this field brought forward by Welsh Government will meet the needs of historic ecclesiastical buildings and their owners, as of others.

6. Maximising the value of heritage tourism

6.1 The role of ecclesiastical buildings in promoting heritage tourism has been a major discussion point in the Forum, including helpful input from Visit Wales. A number of ecclesiastical buildings play a major part in heritage tourism – e.g. the cathedrals of Wales; Coleg Trefeca; etc. A number of our member churches are involved in projects such as the Cistercian Way (http://www.cistercianway.wales/), which was launched at the Cytûn pavilion in the National Eisteddfod 2016. However, we are aware that there is much untapped potential in this area, and would welcome ideas from the Committee on how our contribution to this aspect of tourism in Wales could be developed further.

7. Cadw's future status.

7.1 We have not as churches expressed a view regarding Cadw's future status. We would, however, point to the inherent costs (financial and human) in any

reorganisation, and we would be very cautious about “change for change’s sake”. We currently enjoy a better and more fruitful relationship with Cadw than at any time in recent history, which is to the advantage of Wales’s built heritage and its religious history. We would not wish to see this lost as a side-effect of a major reorganisation.

8. This response may be published in full, and we would be glad to assist further in the Committee’s inquiry as it proceeds.