



CCU Resources 2007

Housing

1. When a house owned by the Church of England is to be occupied by a minister of partner church

A: Where there is NO sharing agreement under the Sharing of Church Buildings Act 1969

When a minister of another church occupies a house provided for a minister in the Church of England, rent sometimes has to be charged. However the partner churches in an LEP usually make comprehensive arrangements for the equitable payment of money to provide for stipend, housing and related costs.

The Options:

(i) *A Parsonage House* (benefice property)
A parsonage house belongs to the freehold of the incumbent and is reserved for his/her occupation, or, if presentation to the benefice has been suspended, it may be occupied rent free by the priest in charge.

Where the benefice is vacant and the house is not required for a priest in charge, the parsonage may be let at a commercial rent, or occupied by the resident minister of another church in an LEP.

Lettings are subject to the consent of the Church Commissioners.

(ii) *A Diocesan Glebe House*
Glebe property is vested in the DBF, which has a duty to manage it for the benefit of the Diocesan Stipends Fund, i.e. to generate income towards the payment of Church of England clergy stipends. Glebe property, therefore, may not generally be occupied rent-free.

However, a specific exemption has been made. Section 24 of the Endowment & Glebe Measure 1976, as amended by Section 15 of Schedule 3 of the Church of England (Miscellaneous Provisions Measure 1992) enables rent free occupation by "a vicar in a team ministry, an assistant curate or lay worker". A further Miscellaneous Provisions Measure currently before General Synod is widening rent free exemptions to include "anyone

declared by the Bishop to be engaged in the cure of souls." This is the normal basis on which a minister of another church can serve in an LEP of which the C of E is a partner. Hopefully this Measure will be law by the end of 2003.

Alternatively the property may be let to a minister of another church. Lettings are subject to the consent of the DBF and, in some circumstances, that of the Church Commissioners.

(iii) *A House on which there is a Value Linked Loan*

Where a house in diocesan corporate ownership, or held in trust for a parish by the Diocesan Board of Finance (DBF), is the subject of a Church Commissioners' Value Linked Loan (formerly known as an Equity Sharing Loan), the Church Commissioners must agree to occupancy other than for the specified purpose for which the property was acquired.

Where there is a formal Local Ecumenical Partnership, The Church Commissioners have indicated that they would normally give consent for the house to be occupied by a minister of another church for a finite term subject to certain assurances from the diocese:

- a) that the diocese was confident that a "qualifying Anglican" would need the property in the future,
- b) that the diocese and PCC will continue to accept responsibility for the management, repair and maintenance of the property.

In these circumstances, the Commissioners would not insist that a commercial rent (over and above the current interest payable by the diocese) be paid.

Where there is no formal Local Ecumenical Partnership, the Church Commissioners would consider making the house available subject to the same provisions, but would expect a commercial rent to be payable.

(iv) *A House held in trust for the PCC by the DBF*

(PCC Powers Measure 1956 Section 6(2)) These houses are commonly occupied by Assistant Curates. One of these houses may be occupied by a minister of another church, whether or not he/she is authorised on the basis of Canon B44.

(v) *A House owned by another Anglican Trust*

A house owned by an Anglican Trust may be occupied by a minister of another church, unless the terms of the trust prohibit it. If in doubt, the Charity Commissioners will advise.



CCU Resources 2007

(vi) *Other Diocesan Corporate Properties*

These houses are administered by diocesan authorities usually for occupancy, rent free, by Assistant Curates or other diocesan post holders. One of these houses may be occupied by a minister of another church.

B: Where there is a sharing agreement

(Sharing of Church Buildings Act 1969 para.7)

(i) *A House owned by a Church of England Body and which is the subject of a sharing agreement*

A diocesan glebe house, a house held in trust for the PCC by the DBF, a house owned by another diocesan corporate body, and some houses owned by other Anglican trusts may be the subject of a Sharing Agreement.

A house in one of these categories may be occupied by a member of any church which is a partner in the sharing agreement.

(ii) *A House under Joint Ownership*

The ownership of one of these houses will be vested in trustees representing each partner church, or in a custodian trustee. A house under joint ownership may be occupied by a member of any of the churches which jointly own the residence.

(iii) *A Parsonage House (benefice property)*

Authority for an existing parsonage house to be the subject of a sharing agreement (joint ownership only) shall only be given under a pastoral scheme under the Pastoral Measure 1983. The agreement of the Church Commissioners is required for a pastoral scheme. (See Pastoral Measure 1983 section 17.5(a)) A scheme would provide for the incumbent occupying the house alternately with a minister of another church.

2. When a Church of England minister occupies a residence owned by another church

General terms of occupancy

Due account must be taken by each church of the provision for furnishings, fittings, maintenance, insurance, water rates, Council Tax and other outgoings.

Whether or not a rent is charged by the church for occupancy by a minister of another church may also depend on the agreed proportions for sharing the total cost of ministry between the partners in the LEP.

(a) Where there is a sharing agreement

A minister of the Church of England may occupy a residence which is the subject of a sharing agreement provided that the Church of England is a partner in the agreement.

(b) Where the residence is owned by the Methodist Church

If a minister of the Church of England is "Recognised and Regarded" under Clauses 44 and 45 of the Deed of Union, she/he may occupy the residence in accordance with the standing orders that apply to Methodist ministers.

Alternatively, a Manse could be let to a minister of the Church of England under a tenancy agreement.

(c) Where the residence is owned by the United Reformed Church

A URC manse may be occupied by a Church of England minister if:

(i) she/he is in charge of a congregation which involves the URC. Or

(ii) she/he is in a sector ministry which qualifies as a 'religious or other charitable purpose not inconsistent with the principles and usages of that church' (Schedule 2 to the URC Act 1972, Manual page G6.1)

(d) Where the residence is owned by a Church in the Baptist Union

The ownership of nearly all Baptist manses is in accordance with a standard trust of the Baptist Union of which a Corporation of the Baptist Trust is the Custodian Trustee. The Church Meeting is the Managing Trustee and it may agree to the letting of the manse to a minister of another church.

Updated April 2003