

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Third Delegated Legislation Committee

ECUMENICAL RELATIONS MEASURE

CHURCH OF ENGLAND (MISCELLANEOUS
PROVISIONS) MEASURE

CHURCH PROPERTY MEASURE

CHURCH OF ENGLAND PENSIONS MEASURE

Tuesday 11 December 2018

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The Committee consisted of the following Members:

Chair: STEWART HOSIE

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| † Crabb, Stephen (<i>Preseli Pembrokeshire</i>) (Con) | † Quin, Jeremy (<i>Lord Commissioner of Her Majesty's Treasury</i>) |
| † Double, Steve (<i>St Austell and Newquay</i>) (Con) | † Robinson, Mary (<i>Cheadle</i>) (Con) |
| † Evennett, Sir David (<i>Bexleyheath and Crayford</i>) (Con) | † Smyth, Karin (<i>Bristol South</i>) (Lab) |
| † Fitzpatrick, Jim (<i>Poplar and Limehouse</i>) (Lab) | † Spelman, Dame Caroline (<i>Second Church Estates Commissioner</i>) |
| † Goldsmith, Zac (<i>Richmond Park</i>) (Con) | † Tami, Mark (<i>Alyn and Deeside</i>) (Lab) |
| Hoey, Kate (<i>Vauxhall</i>) (Lab) | † Tomlinson, Michael (<i>Mid Dorset and North Poole</i>) (Con) |
| † Jack, Mr Alistair (<i>Dumfries and Galloway</i>) (Con) | |
| Kendall, Liz (<i>Leicester West</i>) (Lab) | Jennifer Burch, <i>Committee Clerk</i> |
| McFadden, Mr Pat (<i>Wolverhampton South East</i>) (Lab) | |
| † Mann, John (<i>Bassetlaw</i>) (Lab) | † attended the Committee |
| Nandy, Lisa (<i>Wigan</i>) (Lab) | |

Third Delegated Legislation Committee

Tuesday 11 December 2018

[STEWART HOSIE *in the Chair*]

Ecumenical Relations Measure, Church of England (Miscellaneous Provisions) Measure, Church Property Measure and Church of England Pensions Measure

2.30 pm

The Second Church Estates Commissioner (Dame Caroline Spelman): I beg to move,

That the Committee has considered the Ecumenical Relations Measure (HC 1687).

The Chair: With this it will be convenient to consider the Church of England (Miscellaneous Provisions) Measure (HC 1688), Church Property Measure (HC 1689) and Church of England Pensions Measure (HC 1690).

Dame Caroline Spelman: It is a pleasure to serve under your chairmanship, Mr Hosie. To some colleagues, this may be an unusual format for the Committee. I would like to explain that the Measures that we are considering have been through the Ecclesiastical Committee, which is composed of Members from both Houses, is cross-party and is chaired by Lady Butler-Sloss. On 24 October, we went through all these Measures in considerable detail, and I have the report of that careful scrutiny, so I hope that today we may be able to deal with the Measures expeditiously.

I shall outline the Measures. The first is an ecumenical relations Measure. The main point of it is to enable the Church of England to participate in ecumenical activity with other Christian Churches. Colleagues may wonder why that does not already happen. In fact, it does happen. All this Measure does is to improve on the Church of England (Ecumenical Relations) Measure 1988. That enables the Church of England formally to participate in ecumenical activity with other Christian Churches, but there remain some Churches that are not covered by the 1988 legislation, so the new Measure will broaden the scope of that provision to include a wider range of Christian Churches, whose members will then be able to participate in Church of England services—for example, by reading lessons or leading prayers and, in the case of the Salvation Army, by preaching.

An important provision of the new Measure will enable the bishop of a diocese to designate Churches that have not so far been designated, so it extends the scope of the provision. The new Measure will allow formal ecumenical relationships to be established between the Church of England and Churches of this description at diocesan level.

The Measure requires the House of Bishops to issue a code of practice on co-operation by the Church of England with other Churches. Colleagues will know from their own constituencies that there are a number

of Churches of different denominations. The Measure will enhance the ecumenical activity of which the Church of England is capable.

Secondly, we have a miscellaneous provisions Measure. It makes provision in respect of a range of matters concerning the Church of England that in themselves do not merit freestanding legislation. In particular, it includes in clause 1 a power for the Church Commissioners to make grants to the Archbishops' Council. The commissioners have adopted a policy that they will follow on making grants under the power if the Measure is passed. This is very valuable to the Church of England, because the Church Commissioners have in essence decided on a policy of top-slicing some of their budget and directing it towards the need for growth. In our own constituencies, we may have a number of communities, new estates, where there are no churches; they were not provided for. The new strategic development fund is being directed towards growth of Churches on estates where currently there is no provision for the community.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I very much welcome and support the first part of my right hon. Friend's statement, talking about ecumenical Churches working together. I think that that is hugely important, but does what she has just said cover the situation in which, for example, in a more rural community, there is already a church, but for historical reasons it happens to be outside the centre of the modern village or community? Would the provision cover that sort of scenario, or is it meant to be for far more modern estates, as she has just described?

Dame Caroline Spelman: It is for estates of a certain antiquity as well as new housing developments—often, they are built on the outskirts of a settled community and no worship centre is provided. In one very bold example, we saw the provision of £1 million to convert the old gasworks in Birmingham into a new student church. The dioceses bid into the strategic development fund. If my hon. Friend is interested, I can give him more details to take back to his own diocese. It essentially recognises that the Church needs to grow in areas where the community has developed and changed.

The Measure also makes provision relating to the conduct of funerals to provide greater availability of clergy, which is sadly a necessity with increasing life expectancy; clergy terms of service, so that relevant legislation is kept up to date and consistent with modern employment law; and the decisions of appeal courts to avoid conflicting decisions in consistory courts in the provinces of Canterbury and York.

The third Measure is the Church Property Measure. It essentially consolidates, with corrections and minor improvements, several enactments relating to dealings with parsonage housings; dealings with and the management of glebe land; and the acquisition of new land for Church purposes. It also consolidates several miscellaneous and general provisions relating to Church property. The principal enactments cover the Parsonages Measure 1938, the New Parishes Measure 1943, the Church Property (Miscellaneous Provisions) Measure 1960 in part, and the Endowments and Glebe Measure 1976 in part. The Measure also consolidates statutory provisions contained in a further 22 enactments. It is, in essence, a tidying up Measure.

The fourth Measure is the Church of England Pensions Measure, which consolidates, with corrections and minor improvements, a number of enactments concerned with pensions for the clergy, church workers and church administrators, and their surviving spouses, civil partners and dependents. Cutting straight to the quick, because this is what colleagues in the Ecclesiastical Committee wanted to know, it does not alter in any way the terms of service of clergy personnel, or other categories of employees, of the Church of England, or the pension rights of those already retired or working towards their retirement. That is the most important thing to reassure hon. Members about. It consolidates Measures including the Clergy Pensions Measure 1961, the Church of England Pensions Regulations 1988, the Pensions Measure 1997 and the Church of England (Pensions) Measure 2003. The Measure consolidates a total of 32 enactments. The full list is in the repeals schedule to the Measure.

Those are the four Measures that are being considered together. I am willing to take questions.

2.37 pm

Karin Smyth (Bristol South) (Lab): It is a pleasure to serve under your chairmanship, Mr Hosie. I will not detain us for long either. I am grateful to the right hon. Lady for her explanation of the points that took the Committees more time to look over, and I appreciate the reassurances. I thank hon. Members who served on the Committees to bring the Measures to this Committee. An awful lot of work was involved tidying them up and bringing them up to current practice. The Measures are technical and complex, so it is important for there to be a degree of transparency around them, because they are important to the lives of people working and worshipping in the Church.

With regard to the Church Property Measure, I have mentioned before that these are really important assets to local communities and it is important that local communities are involved when property is disposed of and when new buildings are coming forth. I know that the work of the right hon. Lady and other hon. Members is cognisant of that, but it affects all our constituencies and the people in them. Equally, with regard to the Church of England Pensions Measure, when people put themselves forward for public service, it is important that they have some assurance about what will happen for them and their families when they no longer continue to work.

I thank everyone for the work they have done to date. Nothing stands out to us as particularly controversial at this stage. We welcome bringing outdated legislation up to date and anything that might improve the situation. No doubt hon. Members will want to talk about that further on the Floor of the House when the Measures come to it—whenever that may be.

2.39 pm

Dame Caroline Spelman: I thank the hon. Member for Bristol South for her comments. I reassure her and other hon. Members present that the Measures were debated in the General Synod of the Church of England before they even came before the Ecclesiastical Committee, so they had a good airing before they got to us. Those who are directly interested in their operation in respect of pensions and property have had ample opportunity to raise issues, but the Measures were passed unanimously by the Synod.

It may interest Committee members to know that the Church opens as many churches as it closes. As communities shift to different locations or move into towns and cities, the Church constantly seeks ways to provide new opportunities for people to worship where they live. All these Measures will help towards that end.

Question put and agreed to.

CHURCH OF ENGLAND (MISCELLANEOUS PROVISIONS) MEASURE

Resolved,

That the Committee has considered the Church of England (Miscellaneous Provisions) Measure (HC 1688).—(*Dame Caroline Spelman.*)

CHURCH PROPERTY MEASURE

Resolved,

That the Committee has considered the Church Property Measure (HC 1689).—(*Dame Caroline Spelman.*)

CHURCH OF ENGLAND PENSIONS MEASURE

Resolved,

That the Committee has considered the Church of England Pensions Measure (HC 1690).—(*Dame Caroline Spelman.*)

2.41 pm

Committee rose.

