

Property Advisory Committee Policy
Diocese of Cloyne

Overall

- The Cloyne Diocesan Property Advisory Policy was approved by the Diocesan Finance Committee and the Diocesan Trustees.
- This policy aims to safeguard the assets of the Diocese and the Parishes for the spiritual care of the faithful.
- The Property Advisory Committee is an advisory committee that was established to provide help and support to parishes and the diocese.
- The Committee meets on an ad-hoc basis and reports to the Bishop and the Diocesan Finance Committee on all cases which fall under its remit.
- Membership of the Committee will include the Bishop, and at least one other diocesan priest. The Committee should also include laity with relevant experience and qualifications, e.g., engineers, architects, etc.

Membership as of October 2023:

Bishop William Crean
Fr Frank O'Neill PP.
Fr Jim Moore.
Mr David Higgins, Conversation builder
Mr Albert McDonnell, Engineer

Role of the Committee:

The Property Advisory Committee is to examine and make recommendations to the Bishop about plans submitted by the Diocese or by parishes involving the lease, sale, purchase, renovation, repairs, construction to parish or diocesan buildings or land over a certain % of the Door collection to be fixed by the Bishop.

Terms:

“The Bishop”: The Bishop of Cloyne at the time being. In the case where the see is vacant, for the purpose of this policy, the same shall apply to the Diocesan/Apostolic Administrator.

“The Policy”: Cloyne Diocesan Property Advisory Committee Policy

“The Committee”: Cloyne Diocesan Property Advisory Committee

Overview

All parish assets belong to the parish and are held for the benefit of the parish and the faithful (Canon 1257.1). The parish priest/administrator, under canon law, is primarily responsible for parish operations, the oversight and stewardship of the parish assets, and the pastoral and spiritual care of the faithful (Canons 519 and 532).

It is also the responsibility of the Bishop and the Parish/Diocesan Finance Committee to ensure prudential oversight of parish assets. This is a requirement of Canon Law and Civil Law. This document outlines how that oversight will be applied in the Diocese of Cloyne.

All those who are involved in the stewardship of church property must ensure that the assets of the church are being used directly for the advancement of the Catholic Faith as per our Governing Documents.

1. Buildings and Land Approval:

It is not permitted for any parish to buy, sell, lease, or rent any building or land without the express written permission of the Bishop. Permission must be sought by submitting detailed proposals in writing to the Diocesan Office well in advance of any decisions at parish level.

2. Capital Project Approval:

Any capital project estimated to cost more than a certain % of the annual Door collection, to be fixed by the Bishop, will require the written approval of the Bishop before commencement, even if borrowing is not necessary. If the project is to be phased in over a period of time, the cost of the entire project should be estimated and if the entire project exceeds this % the written approval of the Bishop is required.

The Diocesan procedure for dealing with works over this % is to ensure sharing of experience and secure value for money. It also guarantees compliance with all legal requirements and that the Trustees are fully aware of major spending in the Diocese.

3. Borrowing Approval:

Written approval from the Bishop will be required for the borrowing of money from any source over a % of the annual Door collection as fixed by the Bishop. This procedure may take some time, and the approval should be sought well in advance.

4. Financial Thresholds:

The sale of any diocesan or parish property requires the prior approval of the Bishop. As required by the Code of Canon Law (C.1292) the Episcopal Conference has, with the approval of the Holy See, determined that the following rules will apply to all sales of church property:

- if the property is valued at less than €547,981, the Bishop may of his own accord give permission.
- if the property is valued at between €547,981 and €2,054,927, the Bishop must have the agreement of the Diocesan Finance Committee and of the College of Consultors before he can grant permission.
- if the property is valued at more than €2,054,927, the Bishop must have the agreement of the Diocesan Finance Committee and of the College of Consultors and have permission from the Holy See before he can grant permission for the sale.

5. Title:

All parochial and diocesan land and buildings must over time, be vested in The Mac Leinin Trust Company Limited by Guarantee.

6. Care of and Work to Church, Hall, and Presbytery:

Permission is not required for routine maintenance and repair work costing less than a fixed % of the Door so long as it does not involve structural alterations or material change to the buildings. For example, material changes include a change of colour scheme of a Church which is protected. The diocesan procedure for dealing with works over the % of the Door as fixed by the Bishop is to ensure sharing of experience and secure value for money. It also guarantees compliance with all legal requirements and that the Trustees are fully aware of major spending in the Diocese.

a) Church or Chapel:

Most churches and some of our houses are listed buildings, so great care must be taken when doing any work that may change the character of the property. In any case, the written permission of the Bishop is required for:

- The employment of an architect or surveyor for works to the church. Before any instructions are given, the name (with details of qualifications and experience) should be submitted to the Bishop.
- Major works including extensions, liturgical re-ordering, structural alterations, change of

design of windows and renewal of permanent fixtures and fittings (e.g., altars, ambo, etc.)

- The acquisition of items of permanent, fixed furniture.
- The sale or disposal of items from a church.

Immediately after a parish begins deliberations about this type of project, the Bishop should be consulted. In conjunction with an architect / building's surveyor, who will advise on planning and building regulation applications, the Committee can advise about the feasible financing of the work, various other permissions that may be needed and correct procedure.

b) Halls and Presbytery:

Subject to the financial limits above, permission of the Bishop is required for the appointment of an architect or surveyor for the building of a new residence or hall and for any extensions, structural alterations or major repairs and renewals.

- As a rule, parishes should use the services of an architect and/or building surveyor for any major projects and particularly for any works that involve structural alterations
- Any major project should have staged payments and final payment should only be made only when the architect / project manager issues a Certificate of Completion.

7. Funding

There are several philanthropic organisations/foundations who can provide funding for capital projects including the Albert Gubay Foundation and All Churches Trust. The IEC's Grants Officer will provide assistance to any parish who wishes to apply for funding.

8. Planning Permission

Planning Permission where required for any project must not be applied for until the project has received written approval from the Bishop.

9. Seeking Tenders

No project above a % of the Door collection fixed by the Bishop may go to tender until written approval has been granted by the Bishop. A minimum of three tenders must be sought. Any exceptions to this rule must have prior written approval from the Bishop who will seek advice from the Committee.

10. Licensing of Property

Where a parochial property, e.g., houses, halls, parish centres and schools are used on a regular basis by any one person or group, a licence agreement must be entered into between the Diocesan Trustees and the user.

Written permission must be sought from the Bishop before any agreement is made. A template license must be obtained from Bishop's House. The occasional use of classrooms is the responsibility of the Trustees and the Board of Management of schools.

11. Use of Churches

Churches may not be used for purposes other than worship without the written approval of the Bishop.