EXPLANATORY MEMORANDUM TO

THE GRANTS TO THE CHURCHES CONSERVATION TRUST ORDER 2025

2025 No. 360

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before the House of Commons by Command of His Majesty.

1.2 This memorandum contains information for the Select Committee on Statutory Instruments.

2. Declaration

2.1 Sir Chris Bryant, Minister of State for Creative Industries, Arts and Tourism at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

2.2 Helen Dhoot, Deputy Director for Heritage, at the Department for Culture, Media and Sport, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Hannah Jones at the Department for Culture, Media and Sport Telephone: 07925 034699 or email: heritage-and-city-of-culture@dcms.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This Order provides the statutory basis for the Government's financial support of the Churches Conservation Trust (CCT). The requirement for a Funding Order to enable DCMS to make grants to the CCT is set out in the Redundant Churches and Other Religious Buildings Act 1969. This funding supports CCT's mission to care for Church of England churches of historic and archaeological interest or architectural quality no longer required for regular worship and for which no suitable alternative use can be found.

Where does the legislation extend to, and apply?

4.2 The territorial extent of this instrument (that is, the jurisdiction(s) in which the instrument forms part of the law) is England and Wales only.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 Government's policy is to financially support the work of the CCT, in line with its general objectives concerning the conservation of the historic built environment. Churches represent a large proportion of the listed buildings in England and Wales. Due to demographic changes and other factors, an average of around 20 Anglican churches per year become redundant, following due process undertaken by the Church Commissioners. While a large proportion of the churches becoming redundant are either found a new use or are demolished, those considered most architecturally or historically significant are vested in the CCT by the Commissioners.

5.2 This SI is the statutory basis for Government funding of the CCT. The CCT was established by the Redundant Churches and Other Religious Buildings Act 1969 to care for Church of England churches of heritage importance no longer required for regular worship, and Government has been funding the CCT via a Funding Order since its inception. Government provides approximately 65% of CCT's statutory funding, and the Church Commissioners provide approximately 35%. This statutory funding makes up around 38% of CCT's total funding.

5.3 Continued support will enable the CCT to continue to undertake its core function of caring for Church of England churches of outstanding heritage importance no longer required for regular worship and for which no sustainable use can be found. Not providing this funding could impact the 356 historic church buildings in CCT's care, putting them at greater risk of deterioration because there will not be sufficient funds to maintain and repair these buildings. Policy consequences of this could include Government needing to directly fund upkeep of churches vested with the CCT on an adhoc basis.

5.4 While the primary objective of the CCT is conservation of the churches in its care, alternative uses for such churches are found where appropriate. It is an aim of the CCT that such alternative uses would not only reduce the dependence of the buildings on it as an organisation, thus releasing funding for other projects, but would also produce benefits in line with the aims and objectives of other Departments in terms of the provision of community facilities, capacity building and support for volunteering, community cohesion and regeneration.

5.5 Funding for the CCT is part of funding for ecclesiastical heritage buildings which includes the Listed Places of Worship grant scheme and funding made available by the National Heritage Lottery Fund.

5.6 This SI provides the authority for funding for a one year period for 2025-2026.

What was the previous policy, how is this different?

5.7 Government has been funding the CCT via a Funding Order since its inception in 1969, and the Secretary of State decided to extend funding beyond the end of the previous order. The new Funding Order covers the period from 1st April 2025 to 31st March 2026. There are no planned changes as to how the grant funding provided is used.

6. Legislative and Legal Context

How has the law changed?

6.1 Section 1(1) and (2) of the 1969 Act provides that the Secretary of State may, with the approval of the Treasury, make grants to the Churches Conservation Trust (formerly known as the Redundant Churches Fund) during such period and not exceeding such aggregate amount as specified by the Order.

6.2 The Secretary of State has decided to extend funding beyond the end of the previous Order. The new Funding Order will cover the period from 1st April 2025 to 31st March 2026. In accordance with section 1(4) of the 1969 Act, a draft of the Order was laid before and approved by a resolution of the House of Commons.

Why was this approach taken to change the law?

6.3 This is the only available approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 No consultation has been undertaken given the nature of the instrument.

8. Applicable Guidance

8.1 No guidance is required to accompany this instrument because its sole purpose is to provide the statutory authority for the Government to make grants to the CCT.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An Impact Assessment has not been prepared for this instrument because no impact on the private, voluntary or public sectors is foreseen.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because the sole purpose of this instrument is to provide the statutory authority for the Government to make grants to the CCT.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because the sole purpose of this instrument is to provide the statutory authority for the Government to make grants to the CCT.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation will be determined by the Framework Document agreed between the CCT and the Department for Culture, Media and Sport.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 The Minister of State for the Creative Industries, Arts and Tourism has made the following statement regarding Human Rights:

"In my view the provisions of The Grants to the Churches Conservation Trust Order 2025 are compatible with the Convention rights."

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").