

Draft Pastoral (Church Buildings Disposal) Scheme

This Scheme is made by the Church Commissioners (“the Commissioners”) this day of 20..... under the Mission and Pastoral Measure 2011.

Background

By a Scheme of the Commissioners made under the said Measure on the 28th day of July 2021 the parish church of Saint Columba (“the building”) in the parish of Broughton Moor in the diocese of Carlisle was declared closed for regular public worship.

NOW, it is provided as follows: -

Future of the church building and annexed land

1. The building and the land annexed or belonging thereto shown edged red on the annexed plan (together referred to as the property) shall be appropriated to use for community purposes and for purposes ancillary thereto, together with the rights granted by Schedule 1 and subject to the Existing Matters specified in Schedule 2.

Disposal

2. The Commissioners are hereby empowered to give the property for the said use together with the benefit of the rights granted by Schedule 1 and subject to the Existing Matters specified in Schedule 2.

Contents

3. The contents of the building shall be disposed of as the Bishop shall direct subject, so far as it is required, to listed building consent being granted.

Coming into operation of this Scheme

4. This Scheme shall not come into operation until such date or dates as the Commissioners shall determine following the making of this Scheme.

In witness of which this Scheme has been duly executed as a deed by the Church Commissioners.

Executed as a Deed by the Church Commissioners for England acting by two authorised signatories:

Signature of Authorised Signatory

Signature of Authorised Signatory

Schedule 1: Grant of Rights of Way

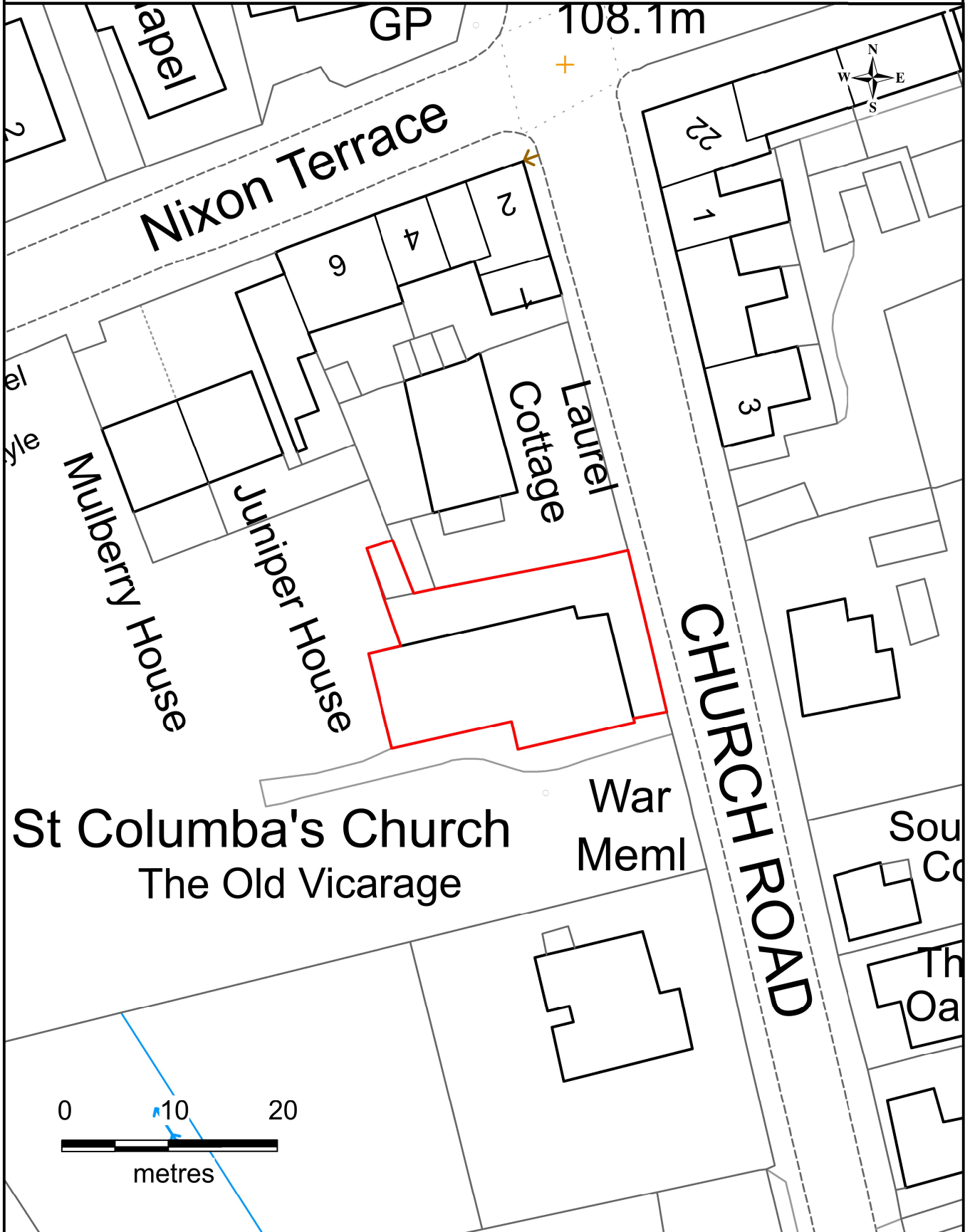
To enable the property to be used for the purpose specified in the Scheme, the following rights shall vest in the Commissioners for the benefit of the property: -

- (i) a right of way with or without vehicles over and along the existing pathway in the churchyard annexed or belonging to the property subject to the Commissioners' successors in title paying a fair and proper portion of the cost of keeping the same in good and substantial repair to the reasonable satisfaction of the parochial church council of the parish within the area of which the property is for the time being situated; and
- (ii) the right to the passage of water, soil, gas, electricity and telecommunication services (if any) through any drains, sewers, pipes, wires, cables and other conducting media ("the services") now laid or to be laid under, upon or above the said churchyard; and
- (iii) the right (upon reasonable prior notice in writing to the said parochial church council) to enter with or without vehicles, equipment and apparatus upon such parts of the said churchyard as may be necessary for the purpose of inspecting, repairing and maintaining the property and for the purpose of laying, connecting into, inspecting, repairing, maintaining or renewing the services subject to the person exercising such right causing as little damage as possible to the said churchyard or any graves, tombstones, monuments and memorials therein, and subject to the Commissioners' successors in title making good any damage so caused to the reasonable satisfaction of the said parochial church council or other the person for the time being responsible for the care and maintenance of the said churchyard and subject to the grant of any necessary faculties by the Consistory Court to authorise the said works.

Schedule 2: Existing Matters

The rights, reservations covenants and stipulations contained or referred to in a conveyance dated the 15th of July 1902 made between (1) John Mackintosh Walker and (2) the Ecclesiastical Commissioners for England in so far as the same are still subsisting and are capable of taking effect.

Broughton Moor St Columba (Diocese of Carlisle)



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T. Wood	1:500	16/10/2023				
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