



House of Lords  
House of Commons  
Ecclesiastical Committee

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# Diocesan Boards of Education Measure

# Cathedrals Measure

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## 242nd Report

*Ordered by the House of Lords to be  
printed on 8 March 2021*

*Ordered by the House of Commons  
to be printed on 8 March 2021*

**HL Paper 238**  
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by authority of the House of Lords and  
the House of Commons

## Ecclesiastical Committee

The Ecclesiastical Committee is a statutory Committee appointed under the Church of England Assembly (Powers) Act 1919.

It comprises thirty members, fifteen of whom are Members of the House of Commons, appointed by the Speaker, and fifteen of whom are members of the House of Lords, appointed by the Lord Speaker. The quorum is twelve.

Appointments to the Committee are generally made early in a Parliament. Unless the Speaker or the Lord Speaker decide otherwise, members appointed by them remain on the Committee for the life of the Parliament.

While its powers are those laid down by the Act, the procedures it has adopted are those of a Joint Select Committee.

### Current membership

#### HOUSE OF LORDS

[Baroness Butler-Sloss](#)  
[The Earl of Cork and Orrery](#)  
[Lord Cormack](#)  
[Baroness Eaton](#)  
[Lord Faulkner of Worcester](#)  
[Lord Field of Birkenhead](#)  
[Lord Glenarthur](#)  
[Baroness Harris of Richmond](#)  
[Baroness Howarth of Breckland](#)  
[Lord Jones](#)  
[Lord Judd](#)  
[Lord Lexden](#)  
[Lord Lisvane](#)  
[Baroness McIntosh of Hudnall](#)  
[Lord Plant of Highfield](#)

#### HOUSE OF COMMONS

[Fleur Anderson MP](#)  
[Sir Peter Bottomley MP](#)  
[Mr Ben Bradshaw MP](#)  
[Fiona Bruce MP](#)  
[Dr Lisa Cameron MP](#)  
[Miriam Cates MP](#)  
[Sir Roger Gale MP](#)  
[Mr David Lammy MP](#)  
[Rachael Maskell MP](#)  
[Gary Sambrook MP](#)  
[Andrew Selous MP](#)  
[Jim Shannon MP](#)  
[Sir Desmond Swayne MP](#)  
[Stephen Timms MP](#)  
[Martin Vickers MP](#)

### Remit

The Ecclesiastical Committee examines draft Measures presented to it by the Legislative Committee of the General Synod of the Church of England. It reports to Parliament on whether or not it considers the measures to be expedient.

It generally asks members of the General Synod to assist it in its deliberations. In some circumstances a conference of the Ecclesiastical Committee and the Legislative Committee may be convened.

The Church of England Measure on which the Committee has reported is presented to both Houses in its final form at the same time as the Committee makes its report.

Before the Measure becomes law, both Houses must approve motions that the Measure should be presented to the Sovereign for Royal Assent in the form that it was laid before Parliament.

Once both Houses have passed the necessary approval motions, the Measure is presented for Royal Assent and becomes law.

### Publications

The reports and proceedings of the Committee are published by Order of both Houses. All publications of the Committee are on the Internet at <http://www.parliament.uk/ecclesiastical-committee>

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# 242nd Report of the Ecclesiastical Committee

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1. The Ecclesiastical Committee has met and considered the two Measures set out below. In each case, the Measure was submitted to the Ecclesiastical Committee by the Legislative Committee of the General Synod, along with a Comments and Explanations document. The text of the Measures, and their accompanying Comments and Explanations, are published online on the Committee's web pages.<sup>1</sup>

## Diocesan Boards of Education Measure

2. In the accompanying Comments and Explanations document, the Legislative Committee explain that the Diocesan Boards of Education Measure updates and replaces the Diocesan Boards of Education Measure 1991 ("the 1991 Measure"), which provides the legal framework within which the Church of England's dioceses engage and work with Church schools. The Measure reflects and provides for the current (and anticipated future) educational environment in which Diocesan Boards of Education (DBEs) are operating, in particular by making suitable provision in relation to academies and multi-academy trusts. Two key changes are: (1) the introduction of the option for DBEs to be constituted as a statutory committee of their Diocesan Board of Finance and clarification as to how the two options for the constitutional reform of DBEs in the 1991 Measure (namely, whether being incorporated or unincorporated) should operate; and, (2) that each diocesan synod will make a scheme for its DBE without any involvement from the Department for Education, providing for more flexibility as to the composition of a DBE whilst requiring core governance provision to be made.

3. The Committee discussed the Measure with representatives of the General Synod. The transcript of the Committee's proceedings is published online on the Committee's web pages.<sup>2</sup>

## *View of the Committee*

**4. The Committee is of the opinion that the Diocesan Boards of Education Measure is expedient.**

## Cathedrals Measure

5. In the accompanying Comments and Explanations document, the Legislative Committee explain that the Cathedrals Measure provides a new statutory framework for the governance and regulation of cathedrals and will replace the framework in the Cathedrals Measure 1999. These changes are as a result of the conclusions of the Cathedral Working Group which, in its report of June 2018, set out its recommendations for the future regulation of cathedrals, the most significant of which related to the governance structure of cathedrals. These included changes to the composition of a cathedral's Chapter and bringing cathedrals within the definition of "charity" in the Charities Act

1 Ecclesiastical Committee: <https://committees.parliament.uk/committee/174/ecclesiastical-committee-joint-committee/>

2 Ecclesiastical Committee publications page: <https://committees.parliament.uk/committee/174/ecclesiastical-committee-joint-committee/publications/>

2011, to enable the Charity Commission to exercise its regulatory and facilitative powers in relation to cathedrals.

6. The Committee discussed the Measure with representatives of the General Synod. The transcript of the Committee's proceedings is published online on the Committee's web pages,<sup>3</sup> along with further information provided by the Church of England in response to written questions asked by members of the Committee in advance of the meeting.

### ***View of the Committee***

7. **The Committee is of the opinion that the Cathedrals Measure is expedient.**

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3 *Ibid.*

# Minutes of Proceedings

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**Tuesday 23 February 2021**

**Minutes of the (virtual) meeting of the Ecclesiastical Committee held on Tuesday 23 February 2021 at 10.00 am.**

**Present:**

Baroness Butler-Sloss (Chair)	Sir Peter Bottomley MP
The Earl of Cork and Orrery	Mr Ben Bradshaw MP
Lord Cormack	Fiona Bruce MP
Baroness Eaton	Dr Lisa Cameron MP
Lord Field of Birkenhead	Miriam Cates MP
Lord Faulkner of Worcester	Sir Roger Gale MP
Lord Glenarthur	Rachael Maskell MP
Baroness Harris of Richmond	Gary Sambrook MP
Lord Jones	Andrew Selous MP
Lord Judd	Sir Desmond Swayne MP
Lord Lexden	Stephen Timms MP
Lord Lisvane	Martin Vickers MP
Baroness McIntosh of Hudnall	

Mr James Cooper, Counsel to the Chairman of Committees, in attendance.

## Declaration of Interests

Members of the Committee declared the following interests:

Fiona Bruce MP

*Lay canon at Chester Cathedral*

Baroness Butler-Sloss

*In 2016, Chair of a Visitation to Exeter Cathedral*

*Former Chair of St Paul's Council*

The Earl of Cork and Orrery

*Governor of the Chichester Cathedral Restoration and Development Trust*

*Trustee of the Chichester Cathedral Millennium Endowment Trust*

Lord Cormack

*Deputy High Steward of Lincoln Cathedral*

Baroness Eaton

*Lay canon at Bradford Cathedral*

Lord Field of Birkenhead

*Chair the Frank Field multi-academy trust*

Lord Glenarthur

*Chair of the trustees of the Royal College of Organists*

Baroness Harris of Richmond

*High Steward of Ripon Cathedral*

Lord Judd

*Former Chair of the Diocesan Board of Social Responsibility in the diocese of Oxford*

Lord Lisvane<sup>4</sup>

*Chair of the Fabric Advisory Committee, Hereford Cathedral*

*A Governor, Hereford Cathedral Perpetual Trust*

*Member, and Chair-designate, Trustee Council of the Royal College of Organists*

Stephen Timms MP

*Member of the St Paul's Cathedral Council*

Martin Vickers MP

*Member of the Lincoln Cathedral Council*

#### **Diocesan Boards of Education Measure**

The Committee considered the Measure, with the assistance of the following representatives of the General Synod:

The Lord Bishop of Durham

Mr Clive Scowen, Chair, Revision Committee

The Reverend Nigel Genders, Chief Education Officer

Mrs Eva Abeles, Senior Advisory Lawyer

The Reverend Alexander McGregor, Chief Legal Adviser

Mr William Nye, Secretary General

Mr Chris Packer, Legislative Counsel

#### **Cathedrals Measure**

The Committee considered the Measure, with the assistance of the following representatives of the General Synod:

The Very Reverend Andrew Nunn, Dean of Southwark

The Lord Bishop of Bristol

Dr Eve Poole, Third Church Estates Commissioner

Mrs Eva Abeles, Senior Advisory Lawyer

The Reverend Alexander McGregor, Chief Legal Adviser

Mr William Nye, Secretary General

Mr Chris Packer, Legislative Counsel

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<sup>4</sup> During deliberation, Lord Lisvane also declared that his wife is Chair of the Hereford Diocesan Board of Finance.



## **Decision**

The Committee deliberated.

It was moved that the Diocesan Boards of Education Measure be deemed expedient.

The motion was agreed to.

It was moved that the Cathedrals Measure be deemed expedient.

The motion was agreed to.

The Committee adjourned.