

## Buildings and Lands Policy Diocese of Waterford and Lismore

Overall	<ul style="list-style-type: none"> <li>• The Waterford and Lismore Diocesan Buildings and Lands Policy was approved by the Diocesan Finance Committee (DFC) and the Diocesan Trustees.</li> <li>• This policy aims to safeguard the assets of the Diocese and the parishes for the spiritual care of the faithful.</li> <li>• The Diocesan Buildings and Lands Committee is an advisory committee that was established to provide help and support to parishes and the diocese.</li> <li>• The Committee meets on an ad-hoc basis and reports to the Bishop and the Diocesan Finance Committee on all cases which fall under the remit of the Diocesan Buildings and Lands Policy.</li> <li>• Membership of the Diocesan Buildings and Lands 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 will also include at least three members of the Diocesan Finance Committee.</li> </ul>
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Membership as of May 2022:	<ul style="list-style-type: none"> <li>• Bishop Alphonsus Cullinan (DFC)</li> <li>• Msgr Patrick Fitzgerald PP, VG</li> <li>• John Donovan</li> <li>• Paul L'Estrange (Fire Safety) (DFC)</li> <li>• Jim Kennedy (DFC)</li> <li>• Eimear Nolan (Engineer)</li> <li>• Jim O'Mahony (Former City and County Planner)</li> <li>• Lee Walsh (Diocesan Secretary) (DFC)</li> </ul>
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Role of the Committee:	<p>The Diocesan Buildings and Lands Committee is to examine and make recommendations to the Bishop about plans submitted by the Diocese or by parish administrators involving the lease, sale, purchase, renovation, repairs, construction to parish or diocesan buildings or land over €25,000. Cases between €25,000 and €50,000 will be considered by the Bishop. Cases more than €50,000 will be considered by the Buildings and Lands Committee.</p>
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Terms:	<p><b>“The Bishop”:</b> The Bishop of Waterford and Lismore 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.</p> <p><b>“The Policy”:</b> Waterford and Lismore Diocesan Buildings and Lands Policy</p> <p><b>“The Committee”:</b> Waterford and Lismore Diocesan Buildings and Lands Committee</p>
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## **Overview**

All parish assets belong to the parish and are held for the benefit of the parish and the faithful (Canon 1257.1). The pastor/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 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 Waterford and Lismore.

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.

### **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 an *Approval Request Form*. All requests are subject to the financial thresholds of this policy as set out in section below. Please see the *Approval Request Form* in the Appendix of this document.

### **2. Capital Project Approval:**

Any capital project estimated to cost more than €25,000 requires the written approval of the Bishop before commencement, even if borrowing is not necessary. If the project is to be phased over a period of time, the cost of the entire project should be estimated and if the entire project exceeds €25,000, the written approval of the Bishop is required. Cases of more than €50,000 will be considered by the Buildings Committee.

The Diocesan procedure for dealing with works over €25,000 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:**

The borrowing of money from any source, and for any amount requires the prior written approval of the Bishop. This procedure may take some time, and the approval should be sought well in advance. The Diocesan Development Fund offers, to parishes that qualify, interest free loans for part of the financing needed for capital projects.

#### 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.

#### 5. **Title:**

All parochial and diocesan land and buildings must be vested in the Waterford and Lismore Diocesan Trust.

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

Permission is not required for routine maintenance and repair work costing less than €25,000.00 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.

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##### **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 Bishop's House.
- 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, Bishop's House 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, 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 Cert 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 Bishop's House and the IEC's Grants Officer will provide assistance to any parish who wishes to apply for funding.

## **8. Planning Permission**

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

## **9. Seeking Tenders**

No project above €25,000 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

## **11. Use of Churches**

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

## **12. Retirement Fund Support**

10% of the proceeds from the sale of a parish property should go to the Diocesan Retirement Fund.

**Diocese of Waterford & Lismore  
Buildings and Land Project Approval Form**

This form must be completed to obtain permission from the Bishop of Waterford and Lismore for the following:

- The sale or purchase of any land or buildings.
- Any renovation, repairs, construction projects costing more than €25,000.  
(Works costing between €25,000 and €50,000 will be considered by the Bishop and works costing more than €50,000 will be considered by the Buildings and Lands Committee.)
- Applying for finance from any source.

**The Parish of \_\_\_\_\_ is seeking approval for the following:**

**Sale or Purchase of Property:**

Please provide details:


**Renovation/Repairs/Construction:**

Please provide details:


What are the total costs of all works planned? \_\_\_\_\_

Have you consulted the following professionals?

- |  |                          |     |                          |    |
|--|--------------------------|-----|--------------------------|----|
| • Structural Engineer                            | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| • Quantity Surveyor                              | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| • Fire Safety Consultant                         | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| • Three Quotations from Construction Contractors | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |

**Finance:**

How much do you need to borrow for this project? \_\_\_\_\_

Have you considered applying for a grant? \_\_\_\_\_

If so, please give details \_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Parish Priest or Administrator