

Legislation introduced to abolish chancel repair liability

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A parliamentary bill has been introduced to abolish chancel repair liability – an ancient law that can force homeowners to pay for some ancient Anglican parish church repairs.

The [Chancel Repairs Bill](#), which received its first reading this week, seeks to remove the liability.

Thousands of homeowners have received notifications in the last ten years that their properties have been registered by the Church of England as being liable for contributions towards church repair costs.

Precise figures are not available but it is thought that around 10,000 titles have been registered in several hundred parishes. It is thought that for every property that has been registered another twenty are theoretically liable.

The Private Members' Bill has been tabled by Lord Avebury following discussions with the National Secular Society, which has been [campaigning](#) for abolition of the ancient law.

Chancel repair liability was, at least originally, an ecclesiastical liability under the jurisdiction of the ecclesiastical courts. Jurisdiction was transferred to the civil courts by the Chancel Repairs Act 1932.

Concerns have been raised that owners of affected properties are likely to find the values of their homes diminished and find them significantly more difficult to sell.

Registrations have already caused significant [distress](#) but some have been [withdrawn](#) by the Church following a backlash from homeowners angered by being registered, despite not being aware of the liability when they purchased their properties.

Abolition was recommended by the [Law Commission](#) in 1985 following extensive consultation with the Church of England whose Synod had, three years earlier, [approved](#) a [report](#) presented by the then Archbishop of Canterbury, Robert Runcie, recommending the phasing out of chancel repair liability. If the recommendations had been acted upon then, chancel repair liability would already have been phased out. Phasing out was also recommended by the [Law Society](#) in 2006.

Lord Avebury said: "Thousands of landowners' titles are still today blighted by chancel repair liability, a relic of mediaeval ecclesiastical law. Titles that have been registered by the Church with the Land Registry are those most likely to be adversely affected. This generally leads to a distressing reduction in value and even an impairment of saleability, despite the Church rarely enforcing the liability.

"The Law Commission and Law Society have recommended abolition, the latter by phasing out. The Church's Synod supported abolition, albeit in 1982, and has not reversed its decision. Accordingly, I have invited the Church to support this Bill."

A date for the second reading, where the Bill will be debated, is yet to be scheduled. Explanatory Notes for the Bill have been published on Parliament's website are available [here](#).

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