

The Chancel Repairs Bill 2014 (more interesting than you might imagine)

Posted: Thu, 04 Sep 2014 by [Michael Hall](#)

Michael Hall reflects on the importance of Lord Avebury's bill to abolish chancel repair liability and places it in the context of privilege and inequality.

I am delighted that [Lord Eric Avebury](#) has moved the first reading in the House of Lords of the [Chancel Repairs Bill](#). Eric (the former MP, Eric Lubbock – the famous Orpington Man) must be our longest serving Parliamentarian. Having been elected as MP for Orpington in 1962, with a massive swing from the Conservatives, he succeeded to the Peerage as Baron Avebury in 1971, and has held his seat as one of the 93 elected hereditary peers.

Over the years he has continued as a keen and active supporter of the Liberal Democrats in Orpington, and one of our most hard working peers.

He has also published an [Explanatory Note](#) with the Bill.

This Bill should end the practice of Church of England churches registering notices against people's titles at the Land Registry, which prevent them selling or mortgaging their house without making a payment to the Church.

It should be given a second reading without delay, and I suggest we all should support it as it is one of the founding principles of our Party enshrined in the [Preamble to our Constitution](#) that *we oppose all forms of entrenched privilege and inequality.*

Many notices have been registered against people's titles, notably in Lytham St Anne's and Gorleston and communities affected have been in [uproar](#).

Chancel repair liability is an odd survival of the medieval system of tithes (one tenth of the arable crops of certain 'tithe fields' had to be handed over to the Rector of the Parish). The Rector was responsible for repairing the Chancel, as it belonged to him, and the rest of the Church belonged to the parishioners.

This should have been fully abolished in 1936. Under the Tithe Act 1936, the vast majority of chancel repair liability was transferred either to Parochial Church Councils or to the Church Commissioners, and the Government paid huge sums in compensation stock to the church authorities for the extinguishment of tithe rent charges, and that was more than adequate compensation for the total abolition of chancel repair liability.

The Law Commission recommended abolition in its [1985 Report](#), which successive governments have refused to implement, for no good reason. This was despite the fact that the reform had been initiated by the Church of England through its General Synod debate in 1982 on its [Standing Committee Report](#).

This was fully accepted by the Church of England General Synod after a [debate](#).

If you can't wait to read even more about this fascinating subject, I can only refer to [my submission](#).

If enough people write to their MPs about this I hope it will get a second reading soon.

Michael Hall is a Solicitor, and Liberal Democrat Conference Representative from Orpington. This article first appeared on [Liberal Democrat Voice](#) and is reproduced here with the author's permission. The views expressed in this article are those of the author and do not necessarily represent those of the NSS.

Michael Hall

The views expressed in our blogs are those of the author and may not necessarily represent the views of the NSS.

- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)
- [Subscribe to RSS Feed](#)

Tags: [Chancel Repair Liability](#)

Related Campaigns

- [**Scrap Chancel Repair Liability**](#)

Chancel Repair Liability blights properties across the county. Abolish this anachronism.

[Read More](#)

- [Opinion](#)