

## Guidance on proving due regard to Net Zero Carbon

In 2020 the Church of England General Synod declared a climate crisis and committed to achieving Net Zero Carbon by 2030.

To learn more about this commitment, what Net Zero Carbon (NZC) means and how we're doing it, visit the [national Church Routemap to NZC](#).

The Diocese of Gloucester intends, where possible, to be [Net Zero Carbon by 2030](#). Caring for the whole of creation is core to the work of the Church. It is one of the spotlights in our diocesan [Life Together vision](#), as well as being named as one of the Anglican [Five marks of mission](#).

Faculty jurisdiction rules were amended in 2022 to reflect this commitment, requiring churches to show due regard to NZC in faculty applications. This guidance helps churches to understand when and how to consider NZC when applying for a faculty to make changes to church buildings or property.

### When is NZC guidance used?

You must follow NZC guidance when making changes to churches, church curtilage and properties owned and managed by the church, that affect:

- Heating
- Lighting
- Power systems

and church reordering schemes, which involve or affect the above.

Where these planned changes remove the direct use of fossil fuels (eg gas and oil), replacing them with sustainable low carbon alternative, then due regard can be considered met. Electricity, when purchased from a fully renewable supplier, is not considered to be a fossil fuel.

Any changes that continue the use of fossil fuel as a source of heating and hot water must demonstrate how due regard to NZC has been applied. An example is renewing a failed fossil fuel system with a like for like replacement.

The NZC commitment sits alongside all other faculty rules and guidance which still needs to be followed. It does not supersede or replace them.

The advice of the DAC on NZC changes should be sought as part of the initial planning stage. Please get in touch with the [Gloucester DAC](#) who will point you to relevant guidance, make you an appointment with the DAC Heating and Sustainability Advisor or refer you to a Net Zero Carbon officer.

### **What is “due regard”?**

“Due regard” is a long held legal principle which requires great weight to be given to the guidance to which it refers. The guidance must be followed unless there are **cogent reasons** not to. Cogent reasons are covered later in this document. In practical terms it means:

- You **must seriously consider** Net Zero Carbon guidance.
- You **must follow it** unless you are able to demonstrate cogent reasons apply.
- It is a legal requirement. To omit or fail to demonstrate the NZC has been considered will result in faculty applications being referred back to the church.

### **How to demonstrate you have shown “due regard”**

Where Net Zero Carbon guidance is applicable, any changes that remove the direct use of fossil fuel in favour of sustainable low carbon alternatives will be considered to have carried out due regard. In this instance, a simple statement and confirmation from the DAC Heating and Sustainability Adviser will be sufficient. This is in addition to any other requirements under existing faculty rules.

Where a proposal does not follow Net Zero Carbon guidance, cogent reasons for not doing so must be demonstrated. Cogent reasons are discussed in the section “**Cogent reasons**”. To do this, as a minimum you should include the following in your faculty application (see over the page for list):

### **Options appraisal and feasibility study**

You are required to provide an evaluation of all solutions that can be reasonably considered. This will likely need professional or qualified input to provide a detailed comparison of different energy solutions and their carbon impact.

### **Evidence of professional advice**

In the first instance it is recommended that the DAC and the Heating and Sustainability Advisor are consulted. Those leading larger church projects are advised to use the services of an independent consultant to ensure their faculty application is robust.

### **Technical evidence**

Technical evidence will include detailed data including heat loss calculations, power requirements and projected running costs.

### **Quotes and professional calculations:**

Ideally three quotes should be provided for both consultants and those undertaking work on the project. This is good practice which ensures good value and workmanship.

### **Supporting commitments**

You should also explain how the church is seeking to be sustainable in other ways. We recognise that sustainability goes beyond becoming NZC and any considerations given that include mitigating direct and embodied emissions, showing sustainable practice and teaching should be included in discussions. For example, is your church committed to the A Rocha Eco Church Scheme and Caring for God's Acre?

## **Cogent reasons**

Applications which do not seek to use sustainable low carbon alternatives must demonstrate cogent reasons why. These must highlight why low carbon alternatives are unsuitable and therefore why your faculty application favours a fossil fuelled alternative. Using the methods in the previous section, faculty permission may be granted if it is successfully shown that:

- **There is insufficient electrical supply, with no feasible upgrade.** This would normally only be able to be demonstrated through having a full upgrade quotation from the District Network Operator (DNO). Estimates or opinions from parties other than the DNO cannot normally demonstrate this.
- **Negative impact on historic building fabric of the church means low carbon alternatives cannot be physically installed.**
- **Costs are beyond the reach of the church.** This is more than the option being expensive. An application must also show that fundraising and grant applications have not been successful.

The Diocese of Gloucester recognises the care, passion and challenge that comes with maintaining historic buildings. Resources of time and money may be in short supply. Gloucester's DAC has access to a wide range of guidance, advisors and consultees. Please consult the Church Buildings Team as you begin to plan changes affecting heating, lighting and power. They will discuss options with you and help you find solutions that will help fulfil your NZC responsibilities.

[Contact the DAC Church Buildings Team.](#)