

THE CONSTITUTION

This Constitution of the Cathedral Church of St Mary the Virgin Blackburn, is established in accordance with the Cathedrals Measure 2021 and came into effect on [insert date]

Introductory

Cathedral's ecclesiastical purpose

1. A person or body on whom a function is conferred by or under the Cathedrals Measure 2021 (referred to in this Constitution as "the Measure") must, in exercising that function, have due regard to—
 - (a) the fact that the Cathedral is the seat of the Bishop and a centre of worship and mission, and
 - (b) the importance of the Cathedral's role in providing a focus for the life and work of the Church of England in the Diocese.

The Chapter

Establishment and governance

2.
 - (1) There continues to be a body called the Chapter.
 - (2) The body corporate established by virtue of section 9(1)(a) of the Cathedrals Measure 1999 continues to exist and consists only of the Chapter.
 - (3) The members of the Chapter (see Article 4 below) have the general control and management of the administration of the Cathedral and, accordingly, are the charity trustees of the Chapter for the purposes of the Charities Act 2011 following the commencement of the charity provisions under section 53(6) of the Measure in relation to the Cathedral.

Objects

3.
 - (1) The objects of the Chapter are—
 - (a) to advance the Christian religion in accordance with the faith and practice of the Church of England, in particular by furthering the mission of the Church of England;
 - (b) to care for and conserve the fabric and structure of the Cathedral Church building;
 - (c) to advance any other charitable purposes which are ancillary to the furtherance of the purpose referred to in sub-paragraph (a) or (b).
 - (2) In paragraph (1)—
 - “the mission of the Church of England” means the whole mission of the Church of England, pastoral, evangelistic, social and ecumenical;
 - “Cathedral Church building” means the buildings within the ecclesiastical exemption for the Cathedral;
 - “charitable purposes” means purposes within section 2(1) of the Charities Act 2011
 - (3) In furthering the objects set out in paragraph (1), the Chapter must act for the public benefit within the meaning of section 4(3) of the Charities Act 2011.

Membership: general

4. (1) The members of the Chapter are—
 - (a) the Dean
 - (b) the residentiary canons, and
 - (c) whichever other persons are appointed in accordance with this Constitution.
- (2) The executive members of the Chapter are—
 - (a) the Dean, and
 - (b) each residentiary canon who carries out cathedral duties (see further paragraph 1(3) of Schedule 1 to the Measure).
- (3) The other members of the Chapter are the non-executive members.
- (4) The Chapter must have more non-executive members than executive members.
- (5) At least two-thirds of the non-executive members must be lay persons.
- (6) The Chapter must have at least eight members but no more than twelve or such larger number as is necessary to comply with paragraph (4).
- (7) The proceedings of the Chapter shall not be invalidated by:
 - (a) any temporary vacancy in its membership, provided that Chapter remains able to take a quorate decision., or
 - (b) any defect in the qualification or appointment of any member, save that Chapter shall act promptly to remedy the defect once identified.

Membership: non-executives

5. (1) The Bishop, after consulting the Chapter, must appoint one of the non-executive members who is not a residentiary canon.
- (2) The non-executive member appointed under paragraph (1) is, by virtue of that appointment, the senior non-executive member of the Chapter.
- (3) The members of the Chapter must appoint the other non-executive members who are not residentiary canons; but each appointment under this paragraph requires the prior approval of the bishop.
- (4) A non-executive member of the Chapter may not be appointed for a term exceeding three years; but, subject to paragraph (5), a non-executive Chapter member may be reappointed.
- (5) A non-executive member of the Chapter who has served three consecutive terms of office is not eligible to be appointed as a non-executive Chapter again until at least twelve months have passed since he or she last ceased to hold office as a non-executive member of the Chapter.

Membership: eligibility

6. (1) A person aged under 18 is not eligible to be a member of the Chapter.
- (2) A chief officer is not eligible to be a member of the Chapter.
- (3) A person who is disqualified as referred to in section 36 of the Measure (safeguarding) or in paragraph 2(1) of Schedule 1 to the Measure (charity trustee) is not eligible to be a member of the Chapter.
- (4) A person is eligible to be a non-executive member only if the person is
 - (a) an actual communicant (within the meaning given in Rule 83(2) of the Church Representation Rules, or

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- (3) The members of the Chapter must appoint the other non-executive members who are not residentiary canons; but each appointment under this paragraph requires the prior approval of the bishop.
- (4) A non-executive member of the Chapter may not be appointed for a term exceeding three years; but, subject to paragraph (5), a non-executive Chapter member may be reappointed.
- (5) A non-executive member of the Chapter who has served three consecutive terms of office is not eligible to be appointed as a non-executive Chapter again until at least twelve months have passed since he or she last ceased to hold office as a non-executive member of the Chapter.

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6. (1) A person aged under 18 is not eligible to be a member of the Chapter.
- (2) A chief officer is not eligible to be a member of the Chapter.
- (3) A person who is disqualified as referred to in section 36 of the Measure (safeguarding) or in paragraph 2(1) of Schedule 1 to the Measure (charity trustee) is not eligible to be a member of the Chapter.
- (4) A person is eligible to be a non-executive member only if the person is
 - (a) an actual communicant (within the meaning given in Rule 83(2) of the Church Representation Rules, or

- (b) a communicant member of a Church which is not in communion with the Church of England but subscribes to the doctrine of the Holy Trinity.
- (5) A majority of the non-executive members must come within paragraph (4)(a).
- (6) At least one non-executive member must have recent and relevant financial experience.

Resignation of non-executive Chapter members

- 7. (1) A non-executive member of the Chapter (other than the one appointed by the Bishop) may resign the office by giving notice in writing to the Dean.
- (2) The non-executive member of the Chapter appointed by the Bishop may resign the office by giving notice in writing to the Bishop and the Dean.
- (3) A resignation under this Article takes effect—
 - (a) on the date specified in the notice, or
 - (b) if no date is specified in the notice, five working days after the day on which the notice is sent (or, if it is sent to different persons on different days, the later or latest of those days).
- (4) Other than as set out in this Article 7, a member of Chapter shall cease to hold office with immediate effect if:
 - (a) they become ineligible under Article 6(2) above;
 - (b) they cease to be eligible under Article 6(3) above;
 - (c) they die; or
 - (d) Chapter determines that their conduct is in breach of any code of conduct in place from time to time (which must be in conformity with the Measure).
- (5) Subject to Article 5 and this Article 7, the terms on which a non-executive member holds and vacates office are those set out in the member's appointment for the purposes of paragraph 3 of Schedule 1 to the Measure.

Chapter member benefits and conflicts of interest

- 8. (1) A member of the Chapter is permitted to receive only those emoluments and expenses which are permitted by paragraph 4 of Schedule 1 to the Measure.
- (2) The Chapter must adopt (and may from time to time revise) a policy for managing conflicts of interest; the policy must include guidance for, and must set out the procedures to be followed by, every member of the Chapter, every member of a committee, sub-committee or advisory body, and every employee of the Chapter.
- (3) A member of the Chapter must declare any interest (direct or indirect)—
 - (a) which the member may have in a proposed transaction or arrangement with the Chapter, or
 - (b) which the member may have in a transaction or arrangement with the Chapter but which the member has not already declared.
- (4) If a conflict arises for a member of the Chapter out of an interest of the kind referred to in paragraph (3) or because the member owes a duty of loyalty to another person, body or organisation, the other members of the Chapter may authorise the conflict if they agree that doing so is in the best interests of the Chapter.
- (5) Where a conflict is authorised under paragraph (4), the member in question is not entitled to attend, and does not count as part of the quorum or vote at any part of, a meeting at which there is discussion about the conflict or the proposed or actual transaction or arrangement giving rise to it.

Functions

9. (1) The Chapter must direct and oversee the administration of the affairs of the Cathedral; and in performing that duty, the Chapter must in particular—
- (a) order the worship of the Cathedral and promote its mission;
 - (b) formulate, after consulting the Bishop, proposals relating to the general direction and mission of the Cathedral;
 - (c) prepare an annual budget for the Chapter;
 - (d) prepare an annual report for the Chapter and annual accounts for audit and subsequent approval;
 - (e) keep under review this Constitution and the Statutes;
 - (f) manage the property which is vested in the Chapter and the income accruing from it and, in particular, ensure that any necessary repairs and maintenance in respect of the Cathedral and its contents and other buildings and monuments are carried out.
- (2) The Chapter must, within ten months of the end of its financial year, send a copy of its accounts and annual report to the Church Commissioners, the Bishop and the Charity Commission.
- (3) The Chapter has the powers relating to investment and other uses of money which are set out in section 24 of the Measure.
- (4) The Chapter is not permitted to use the power conferred by section 292B of the Charities Act 2011 (social investment power).

Statutes

10. (1) The Statutes of the Chapter provide for the good government of the Cathedral.
- (2) The provisions in the Statutes must be consistent with the Measure and with this Constitution.

Safeguarding

11. (1) The Bishop has power under section 37 of the Measure to suspend a member of the Chapter on grounds relating to the safeguarding of children and vulnerable adults.
- (2) A person who is suspended under section 37 of the Measure has a right of appeal under section 38 of the Measure against the suspension.
- (3) For so long as section 5 of the Safeguarding and Clergy Discipline Measure 2016 remains in force for the purposes of any guidance issued by the House of Bishops on matters relating to the safeguarding of children and vulnerable adults, the Chapter is required by that section to have due regard to that guidance.
- (4) The Chapter is required by section 5A of the Safeguarding and Clergy Discipline Measure 2016¹ to comply with requirements imposed on it by the code of practice issued by the House of Bishops on safeguarding children and vulnerable adults.
- (5) The Dean has the responsibilities referred to in Article 18(2)(f) below in relation to the safeguarding of children and vulnerable adults.

Chapter meetings

12. (1) Meetings of the Chapter are to be chaired by—
- (a) the Dean, or
-

- (b) if the Dean is absent, the senior non-executive member, or
 - (c) if the Dean and the senior non-executive member are absent, a non-executive member who has been chosen by the members of the Chapter.
- (2) But the senior non-executive member is not entitled to chair a meeting of the Chapter if a person appointed as interim dean is carrying out functions of the Dean (unless that person is himself or herself absent).
 - (3) The Chapter must hold at least six meetings in each financial year to enable the efficient transaction of its business.
 - (4) The Dean, the senior non-executive member or one-third other members of the Chapter may at any time call a meeting of the Chapter by giving written notice of the meeting to each member of the Chapter and to the chief officers.
 - (5) Notice under paragraph (4) must be given at least fourteen days before the day on which the meeting is due to be held unless—
 - (a) each member of the Chapter agrees to waive that requirement for the meeting concerned, or
 - (b) urgent circumstances justify a shorter period of notice.
 - (6) Where a member of the Chapter participates in a meeting of the Chapter by means of a conference call or other facility which enables everyone taking part in the meeting to hear each other, the participation by that member in that way is to be treated as being present at the meeting; and the member is accordingly to be counted for the purpose of working out whether there is a quorum and is entitled to vote at the meeting.
 - (7) Where there is a meeting of the Chapter at which one or more members are present in the way described in paragraph (6), the meeting is to be documented as being held—
 - (a) at the place at which there is the largest number of members present (including in the way described in paragraph (6)) or,
 - (b) if there is no one place which meets that description, at the place at which the chair of the meeting is present.
 - (8) Subject to paragraph (9), the quorum of the Chapter is five members and must include at least one executive member and at least one non-executive member.
 - (9) When, due to a conflict of interest in a matter to be determined by Chapter, the number of Chapter members in a meeting eligible to vote is less than the number fixed as the quorum under paragraph (8), the required quorum for that decision shall be reduced to the number of the non-conflicted Chapter members (provided that there are at least 3 non-conflicted Chapter members, who may be either executive or non-executive members).
 - (10) A decision at any meeting is to be taken by a majority vote of members present at the meeting (including in the way described in paragraph (6)).
 - (11) If there is a tied vote at a meeting of the Chapter being chaired by the Dean, the Dean has a second, casting vote, and for all purposes the Dean includes any interim dean appointed by the Bishop pursuant to Article 19.
 - (12) If the Dean is absent and/or unable to vote on a decision due to a conflict, the non-executive member chairing the meeting in accordance with Article 12(1)(b) or (c) shall not have a second or casting vote and, in the event of a tied vote, the resolution shall be deemed lost.
 - (13) The chief officers must attend each meeting of the Chapter unless the Chapter considers that there are circumstances which justify excluding or excusing either or both of the chief officers from the whole or part of the meeting; and a chief officer, when attending the whole or part of a meeting of the Chapter, may speak but may not vote.

- (14) If, at the invitation of the Chapter, any other person attends the whole or part of a meeting of the Chapter, the person may speak, but only at the discretion of the chair of the meeting, and may not vote.
- (15) Where a Chapter member is suspended in accordance with Article 11(1), that person shall not, for so long as they are suspended:
 - (a) attend any meeting of Chapter or any committee meeting of Chapter or take part in Chapter business; and
 - (b) where there are any circumstances connected to their suspension which could undermine confidentiality, receive or have access to papers for Chapter meetings taking place (but in all other circumstances may receive Chapter papers).

Decisions without a meeting

- 13. (1) A resolution in writing signed by a majority of the members of the Chapter is as valid and effective as if it had been passed at a meeting of the Chapter duly convened and held, and shall be treated as having been passed on the date at which the last member required to vote in favour of such resolution signifies their agreement to it in accordance with Article 13(2).
- (2) A member of the Chapter may signify agreement to a proposed written resolution—
 - (a) by signing a hard copy,
 - (b) by email sent from the email address which the member usually uses in connection with the affairs of the Chapter, or
 - (c) if the Chapter has approved the use of some other electronic means for this purpose, by that electronic means.
- (3) The Chapter is to be treated as taking a majority decision on a matter if a majority of the members indicate to each other by electronic means that they share a common view on the matter.
- (4) A decision taken in the way described in paragraph (3) must be duly reported and minuted at the next meeting of the Chapter.
- (5) A decision taken in the way described in paragraph (3) may (but need not) take the form of a written resolution passed in accordance with paragraph (1).

Special Chapter meeting with Bishop

- 14. (1) The Chapter must each year hold a special meeting at which—
 - (a) it must consult the Bishop on the general direction and mission of the Cathedral, and
 - (b) the Bishop may seek the advice of the Chapter on any particular matter.
- (2) Before deciding who to invite to a special meeting under paragraph (1) (apart from the members of the Chapter and the Bishop), the Chapter must consult the Bishop.

The Seal

- 15. (1) The application of the Chapter's seal must be authorised by Chapter and authenticated by two authorised persons, at least one of whom must be a member of the Chapter; and a person is "authorised" for this purpose if the person is a member of the Chapter or a chief officer.
- (2) A document purporting to be duly executed under the Chapter's seal is to be received in evidence and, unless the contrary is proved, taken to be so executed.

Office holders

The Bishop

16. (1) The Bishop continues to have the principal seat and dignity in the Cathedral.
- (2) The Bishop may, after consulting the Chapter and subject to provision in the Statutes, officiate in the Cathedral and use it in his or her work of teaching and mission, for ordinations and synods and for other diocesan occasions and purposes.
- (3) The Bishop may seek the advice of the Chapter on any matter.
- (4) The Bishop may commission a review of any aspects of the Cathedral's financial affairs, governance, management, operations or mission which the Bishop considers necessary or appropriate.

The Visitor

17. (1) The Bishop continues to be Visitor of the Cathedral and, accordingly, continues to have the jurisdiction as Visitor that is inherent to the office of Bishop.
- (2) The Bishop as Visitor must determine any question which arises on the construction of this Constitution or the Statutes.
- (3) The Bishop may hold a visitation of the Cathedral—
 - (a) when the Bishop considers it necessary or desirable to do so, or
 - (b) when requested to do so by the Chapter.
- (4) In the course of a visitation, the Bishop may give such directions to the Chapter, the holder of an office in the Cathedral or a person employed by the Chapter or engaged to provide services in connection with the Cathedral as will, in the opinion of the Bishop, better serve the due observance of this Constitution and the Statutes.
- (5) The Bishop as Visitor must determine any question which arises on the nature of the cathedral duties that are carried out by any particular residentiary canon.
- (6) The Bishop has the duty under section 10(6) of the Measure to have due regard, in the exercise of functions as Visitor, to any guidance issued by the Church Commissioners in relation to the Visitor's functions.

The Dean

18.

- (1) The incumbent of the benefice which comprises the Parish is to continue to be the Dean.
- (2) The Dean, as the principal dignitary of the Cathedral next after the Bishop, must on behalf of the Chapter govern and direct the life and work of the Cathedral; and in performing that duty, the Dean must in particular—
 - (a) ensure that divine service is duly performed in the Cathedral;
 - (b) ensure that this Constitution and the Statutes are faithfully observed;
 - (c) oversee the work undertaken by the clergy and staff of the Cathedral in relation to the Cathedral;
 - (d) maintain good order and proper reverence in the Cathedral;
 - (e) secure the pastoral care of all members of the Cathedral community;

- (f) provide leadership on matters relating to the safeguarding of any children or vulnerable adults who work, volunteer or worship in the Cathedral or who visit the Cathedral;
 - (g) take all decisions necessary for dealing with an emergency affecting the Cathedral, pending consideration of the matter by the Chapter.
- (3) None of the following may be done without the consent of the Dean—
- (a) altering the ordering of services in the Cathedral;
 - (b) settling the Chapter's budget;
 - (c) implementing a decision taken by the Chapter in the Dean's absence.
- (4) In the case of a decision taken by the Chapter on a matter other than the matters mentioned in paragraph (3)(a) and (b), the Dean is to be taken as having given consent for the purposes of paragraph (3)(c) after the expiry of one month beginning with the day after that on which the decision was taken.
- (5) But paragraph (4) does not apply if, during the one-month period referred to in that paragraph, the Dean asks the Chapter to reconsider the decision at its next meeting; and the decision is to be taken by a majority vote of those present and voting at the meeting.
- (6) The Dean is, in respect of functions relating to the Cathedral, accountable to the Chapter in accordance with arrangements made by the Chapter.

Interim dean

19. If the office of Dean is vacant or the Dean is unable to carry out functions because of illness or absence or for any other reason, the Bishop must appoint a person to carry out the functions concerned during the period concerned in accordance with section 13 of the Measure.

Residentiary canons

20. (1) The number of Residentiary Canons shall not exceed four at any one time.
- (2) The Bishop must, with the approval of the Dean, appoint each residentiary canon.
- (3) At least two full-time equivalent residentiary canons must be engaged exclusively on cathedral duties.
- (4) A residentiary canonry shall be vacated automatically and without execution of any instrument of resignation in accordance with the Ecclesiastical Offices (Terms of Service) Amendment Regulations 2017.

Non-residentiary canons

21. (1) The Dean, in consultation with the Bishop, may from time to time appoint non-residentiary canons from amongst the College of Canons to serve in a particular area of ministry at the Cathedral. (e.g. Canon Pastor or Canon Theologian). A non-residentiary canon appointed in such a way will be provided with a role description on appointment, to ensure clarity of role and expectations.
- (2) A non-residentiary canon may also be referred to as an Honorary Canon and all references to Honorary Canons in the Constitution and Statutes shall be read as references to non-residentiary canons who are appointed under Article 21(3) or (4).
- (3) Any Bishop Suffragan or full-time stipendiary Assistant Bishop or Archdeacon, not being a Residentiary Canon, shall be ex-officio an Honorary Canon.
- (4) Subject to the following provisions of this section there shall be not more than a further 20 Honorary Canons in Holy Orders (in addition to the Honorary Canons holding office pursuant to Article 21(3)) who shall be appointed by the Bishop, after consultation with the Dean and with the Chapter.

- (5) No person shall be appointed as Honorary Canon who is not beneficed or licensed in the Diocese.
- (6) Honorary Canons shall cease to hold that office if:
 - (a) the Dean determines to remove them from office and notifies them in writing;
 - (b) they resign by providing notice in writing to the Dean;
 - (c) they cease to live or hold a licence in the Diocese
 - (d) automatically, in accordance with the Ecclesiastical Offices (Terms of Service) Amendment Regulations 2017, or
 - (e) they otherwise cease to be eligible to be an Honorary Canon under Article 21 (3) or (5) (as applicable).

Lay canons

- 22. (1) The Bishop may, after consultation with the Dean and Chapter, appoint up to twenty Lay Canons, being persons with an active commitment to, and concern for, the life and work of the Cathedral, its mission and service. The qualifications for Lay Canons are that they shall be baptised, and actual communicants, who are members of the Church of England, not in Holy Orders.
- (2) Lay Canons shall be appointed for an initial term of five years renewable for a further term or terms not exceeding five years in the case of each such renewal. Any renewal and the length of any renewal shall be determined by the Bishop after consultation with the Dean and with the Chapter.

Minor canons

- 23. (1) The Chapter may, after consultation with the Bishop, appoint Minor Canons and other ministers, ordained or lay, to serve the work of the Cathedral on such terms in respect of tenure, remuneration and duties as the Chapter may determine subject (where applicable) to the provisions of the Ecclesiastical Offices (Terms of Service) Measure 2009 and any regulations made under section 2 of that Measure (as amended from time to time).

Senior management and other appointments

Chief officers

- 24. (1) The Chapter must appoint persons to undertake administration in the Cathedral through carrying out the role of a chief operating officer and the role of a chief finance officer.
- (2) The Chapter is entitled to appoint the same person to carry out each of those roles, if each one is to be carried out on a part-time basis.

Architect or surveyor

- 25. (1) The Chapter must appoint an architect or surveyor of the fabric of the Cathedral.
- (2) A person may not be appointed under paragraph (1) unless that person has whatever qualifications and expertise in matters relating to the conservation of historic buildings and other matters the Chapter considers appropriate.
- (3) Before making a decision about the qualifications and expertise required for the purposes of paragraph (2), the Chapter must consult—
 - (a) the Cathedrals Fabric Commission for England, and
 - (b) whichever other persons or bodies the Chapter considers appropriate.

Auditor

26. The Chapter must appoint an auditor for the Chapter for each financial year and decide the level of remuneration for the auditor so appointed.

Director of Music

27. The Chapter must appoint a person to supervise and direct music in the Cathedral.

Committees

Nominations Committee

28. (1) There is to be a committee known as “the Nominations Committee”.
- (2) The Chapter must appoint the members and chair of the Nominations Committee.
- (3) The composition, functions and proceedings of the Nominations Committee are set out in the Statutes (except in so far as provision is made for those matters in section 15 of the Measure).
- (4) The terms of reference provided by the Chapter for the Nominations Committee may set out the matters relating to composition, functions and proceedings which are set out in the Statutes as well as any supplementary matters in accordance with the Measure.

Finance Committee

29. (1) There is to be a committee known as “the Finance Committee”.
- (2) The Chapter must appoint the members of the Finance Committee.
- (3) The terms of reference provided by the Chapter for the Finance Committee may set out the matters relating to composition, functions and proceedings which are set out in the Statutes as well as any supplementary matters in accordance with the Measure.

Arrangements for managing internal audit and risk

30. (1) The Chapter must make such arrangements as it considers to be necessary to ensure appropriate governance of the Cathedrals (including management of risk) and appropriate oversight of its internal and external audit, given the size and complexity of its financial affairs and the nature of its activities which may, but need not, include the establishment of an "Audit and Risk Committee" from time to time in accordance with the Measure. The Chapter members may also decide to disestablish an Audit and Risk Committee at any time provided appropriate alternative arrangements are put in place in accordance with this paragraph (1) and paragraph (2).
- (2) Section 5(6) of the Measure requires the Chapter, in making arrangements under paragraph (1), to have due regard to any guidance issued by the Church Commissioners on the financial affairs of cathedrals.
- (3) Where, pursuant to paragraphs (1) and (2), the Chapter decides to establish a committee to be known as the Audit and Risk Committee:
- (a) the Chapter must appoint the members of the Audit and Risk Committee and those members may include persons who are not members of Chapter.
- (b) the terms of reference provided by the Chapter for the Audit and Risk Committee may set out the matters relating to composition, functions and proceedings which are set out in the Statutes as well as any supplementary matters in accordance with the Measure.

Other committees

31. (1) The Chapter may from time to time establish committees or sub-committees of the Chapter.

- (2) Any committee or sub-committee so established may include persons who are not members of the Chapter.
- (3) The composition, chairing and proceedings of any such committees or sub-committees are set out in the Statutes.
- (4) The terms of reference provided by the Chapter for each committee and sub-committee set up pursuant to section 17 of the Measure may set out the matters relating to composition, functions and proceedings which are set out in the Statutes as well as any supplementary matters in accordance with the Measure.

Advisory bodies

Advisory bodies

32.

- (1) The Chapter may from time to time establish one or more advisory body or bodies.
- (2) Such advisory body or bodies shall not be committees of the Chapter.
- (2) Provision as to the composition, functions and proceedings of such advisory body or bodies shall be included in the Statutes and any terms of reference.
- (3) The terms of reference provided by the Chapter for such advisory body or bodies may include the matters relating to composition, functions and proceedings which are included in the Statutes as well as any supplementary matters in accordance with the Measure.

Community roll

Community roll

- 33(1) The Chapter may form and maintain a roll (referred to in this Constitution as the “non-worshipping community roll”) which contains the name of each person—
- (a) who is not eligible for inclusion on the church electoral roll of the Parish, but
 - (b) who is a member of the cathedral community, and
 - (c) whose application for enrolment for the purposes of section 6(5) of the Measure has been granted.

The College of Canons

Establishment

34. (1) There continues to be a body called the College of Canons.
- (2) The College of Canons is independent of the Chapter and neither the College nor its members (in their capacity as such) form part of the body corporate of the Cathedral.
- (3) The members of the College of Canons are—
- (a) the Dean,
 - (b) every suffragan bishop of the Diocese,
 - (c) every canon of the Cathedral, and
 - (d) every archdeacon of the Diocese.

- (4) In paragraph (3)(c), “canon” includes a lay canon and a non-residentiary canon but not a minor canon; and “non-residentiary canon” includes a prebendary who is not a residentiary canon.
- (5) The College of Canons has the functions conferred by the Appointment of Bishops Act 1533 on the body referred to in that Act as the dean and chapter of the Cathedral.
- (6) The College of Canons has the following functions – shall congregate for corporate worship, be kept informed of the work of the Cathedral and discuss matters concerning the Cathedral as may be raised by any of its members.

Amendments to Constitution

Amendments

35. The procedure for making amendments to this Constitution is set out in sections 31 to 34 of the Measure.

Interpretation

Interpretation


36. (1) In this Constitution—
 - “the Bishop” means the Bishop of Blackburn (but see paragraph (2));
 - “the Cathedral” means the Cathedral Church of Saint Mary the Virgin in Blackburn
 - “child” means a person aged under 18;
 - “the Diocese” means the diocese of Blackburn and “diocesan” is to be read accordingly;
 - “electronic means” has the meaning given to it in section 1168 of the Companies Act 2006;
 - “the Measure” means the Cathedrals Measure 2021;
 - “the Statutes” mean the statutes of the Cathedral adopted pursuant to the Measure and as revised from time to time;
 - “non-worshipping community roll” has the meaning given in Article 32 above;
 - “the Parish” means the Parish of Saint Mary the Virgin and St Paul Blackburn being the parish for which the Cathedral or part of it is the parish church;
 - “vulnerable adult” has the same meaning as in the Safeguarding and Clergy Discipline Measure 2016;
 - “working day” means a day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday in England under the Banking and Financial Dealings Act 1971;
- (2) Where the functions of the Bishop are being exercised by another bishop in accordance with an instrument made under section 13 or 14 of the Dioceses, Pastoral and Mission Measure 2007, the references in this Constitution to the Bishop are to be read as references to that other bishop.
- (3) A reference in this Constitution to a provision of a Measure or of an Act of Parliament is to be read as a reference to that provision as for the time being amended, extended or applied by or under any other such provision.
- (4) Subject to that, the Interpretation Act 1978 applies to this Constitution.

Revocation

Revocation

37. The Constitution of the Cathedral made on 2 February 2000, amended on 14 January 2007 and further amended on 20 May 2018 ceases to have effect.

Date: 18 October 2023

Signed: 

The Very Reverend Petr Howell-Jones
Dean of Blackburn

THE STATUTES

Office holders

The Bishop

1. (1) The Bishop has the principal seat and dignity in the Cathedral.
- (2) The Bishop may, after consultation with the Chapter and subject to the following provisions, officiate in the Cathedral and use it in the Bishop's work of teaching and mission, for ordinations and synods and for other diocesan occasions and purposes.
- (3) The Bishop may—
 - (a) preside at the Holy Communion in the Cathedral on Christmas Day or Easter Day;
 - (b) preach at or appoint the preacher at one of the services in the Cathedral on Christmas Day or Easter Day;
 - (c) preach at or appoint the preacher at ordination services.

The Dean

2. The Dean is the principal dignitary of the Cathedral, next after the Bishop.

The Chapter: general

Corporate and spiritual life

3.
 - (1) The corporate and spiritual life of the Chapter will be fostered, in order that the Chapter and its members may be effective in their work of promoting the mission of the Cathedral.
 - (2) The Chapter members will be expected to attend key liturgical events at the Cathedral, including the Patronal Festival, Nine Lessons and Carols, the Installation of Canons, the Ordination of Priests, and any other significant Diocesan service.
 - (3) In order to build collegiality and good relationships, the Chapter members will be encouraged to socialise together, apart from the formal business of meetings, and, where appropriate, will be invited to share in the entertainment of visiting dignitaries.
 - (4) When opportunities arise for the Chapter members to develop their governance skills and understanding, individually or collectively, members will be encouraged and wherever possible, resourced to do so.

Nominations Committee

Composition etc.

4. (1) The Nominations Committee must have at least three members.
 - (2) It is for the Chapter to appoint the members of the Committee, at least one of whom must be a non-executive member of the Chapter.
 - (3) It is for the Chapter to appoint the chair of the Committee; but that person may not be an executive member of the Chapter.
 - (4) The Chapter may remove a member of the Committee from office if—

- (a) there is a good reason for the removal (which shall include, but not be limited to, circumstances where were the member a charity trustee, they would be disqualified from acting as such and/or they act contrary to any code of conduct from time to time in force), and
 - (b) at least 75% of members present and voting (either at a meeting or by written resolution) vote in favour of the removal.
- (5) A member of the Committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than three consecutive terms is not eligible for appointment as a member, until at least twelve months has passed since the member last ceased to hold office as such.
 - (6) A chief officer, any member of the Chapter, the Dean, and the senior non-executive member are each entitled to attend the whole or part of any meeting of the Committee and is entitled to speak but not vote.
 - (7) If, at the invitation of the Committee, any other person attends the whole or part of a meeting of the Committee, the person may speak, but only at the discretion of the chair, and may not vote.
 - (8) The proceedings of the Committee shall not be invalidated by any vacancy in its membership, provided that the Committee remains able to take a quorate decision.

Functions

- 5. (1) The Nominations Committee must advise the Chapter on—
 - (a) the recruitment and appointment of non-executive members,
 - (b) the recruitment and appointment of members of committees of the Chapter,
 - (c) the training needs of members of the Chapter, and
 - (d) the recruitment and appointment of members of any advisory body.
- (2) The Nominations Committee must—
 - (a) keep under review the skills, knowledge and experience of, and the diversity among, members of the Chapter, members of each committee (including the Nominations Committee itself) and members of each sub-committee and members of any advisory body, and
 - (b) where, in light of a review under sub-paragraph (a), the Committee identifies areas where improvements are required, make recommendations to the Chapter on how to make those improvements,
- (3) The Nominations Committee must liaise and co-operate with each other committee and each sub-committee of the Chapter.
- (4) The Nominations Committee must recommend to the Bishop candidates for the role of senior non-executive member.

Proceedings

- 6. (1) It is for either of the chief officers, at the request of the chair of the Nominations Committee, to convene a meeting of the Committee.
- (2) The Committee must meet at least once each year.
- (3) Notice of a meeting of the Committee must, unless otherwise agreed, be given to each member of the Committee, and to each person entitled to attend the meeting by virtue of Article 4(6) above, at least ten working days before the date of the meeting.

- (4) In the case of each person invited to attend a meeting of the Committee by virtue of Article 4(7) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (5) Notice of a meeting of the Committee—
 - (a) must specify when and where the meeting is to be held,
 - (b) must include an agenda for the meeting, and
 - (c) must, subject to paragraph (6), be accompanied by the relevant papers for the meeting.
- (6) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as reasonably practicable be given to each person to whom the notice was given.
- (7) The quorum for a meeting of the Committee is three members, at least one of whom must be a non-executive member of the Chapter¹.
- (8) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the Committee as they apply to a meeting of the Chapter.
- (9) Articles 13 of the Constitution (Decisions without a meeting) apply to a meeting of the Committee as they apply to a meeting of the Chapter.

Reporting

7. (1) A draft of the minutes of each meeting of the Nominations Committee must be circulated promptly to each member of the Committee for approval.
- (2) Once the minutes of a meeting of the Committee are approved, the minutes—
 - (a) must be sent to every member of the Chapter, and
 - (b) may be sent to such other persons as the Committee thinks appropriate.
- (3) The Chapter must consider any matters arising from the minutes of a meeting of the Committee.

Terms of reference

8. The Chapter has the power under section 15(8) of the Measure to set terms of reference for the Nominations Committee in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

Finance Committee

Composition etc.

9. (1) The Finance Committee must have at least five members.
- (2) It is for the Chapter to appoint the members of the Committee, following consultation with the Nominations Committee.
- (3) It is for the Chapter to appoint the chair of the Committee; and that person must have recent and relevant financial experience and must be a non-executive member of the Chapter
- (4) The Chapter may remove a member of the Committee from office if—

¹ If more than one non-executive Chapter member must be a member of the Nominations Committee, consider including a requirement for one non-executive Chapter member to be present as a requirement for a quorum.

- (a) there is a good reason for the removal (which shall include, but not be limited to, circumstances where, were the member a charity trustee, they would be disqualified from acting as such and/or they act contrary to any code of conduct from time to time in force), and
 - (b) at least 75% of members present and voting at a meeting vote in favour of the removal.
- (5) A member of the Committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than three consecutive terms is not eligible for appointment as a member, until at least twelve months has passed since the member last ceased to hold office as such.
 - (6) The Dean is not entitled to be a member of the Committee but is entitled to attend the whole or part of a meeting of the Committee; and at any meeting which the Dean attends, he or she may speak but may not vote.
 - (7) The chief officers must each attend each meeting of the Committee unless the Committee considers that there are circumstances which justify excluding or excusing either or both of the chief officers from the whole or part of the meeting; and a chief officer, when attending the whole or part of a meeting of the Committee, may speak but not vote.
 - (8) If, at the invitation of the Committee, any member of the Chapter attends the whole or part of a meeting of the Committee, the person may speak but not vote.
 - (9) If, at the invitation of the Committee, any other person attends the whole or part of a meeting of the Committee, the person may speak, but only at the discretion of the chair, and may not vote.
 - (10) The proceedings of the Committee shall not be invalidated by any vacancy in its membership, provided that the Committee remains able to take a quorate decision.

Functions

- 10. (1) The Finance Committee must keep under review the activities and management of the Cathedral in relation to such matters as the Chapter specifies in terms of reference for the Committee.
- (2) Section 16(8) of the Measure requires the Chapter, in providing the terms of reference referred to in paragraph (1), to have due regard to any guidance issued by the Church Commissioners on the responsibilities of a Finance Committee.

Proceedings

- 11. (1) It is for either of the chief officers, at the request of the chair of the Finance Committee, to convene a meeting of the Committee.
- (2) The Committee must meet at least four times each year.
- (3) Notice of a meeting of the Committee must, unless otherwise agreed, be given to each member of the Committee, and to each person entitled or invited to attend the meeting by virtue of Article 9(6) or (7) above, at least five working days before the date of the meeting.
- (4) In the case of each person invited to attend a meeting of the Committee by virtue of Article 9(8) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (5) Notice of a meeting of the Committee—
 - (a) must specify when and where the meeting is to be held,
 - (b) must include an agenda for the meeting, and
 - (c) must be accompanied by the relevant papers for the meeting.

- (6) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as is reasonably practicable be given to each person to whom the notice was given.
- (7) The quorum for a meeting of the Committee is three members, at least one of whom must be a non-executive member of the Chapter.
- (8) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the Committee as they apply to a meeting of the Chapter.
- (9) Article 13 of the Constitution (Decisions without a meeting) apply to a meeting of the Committee as they apply to a meeting of the Chapter.

Reporting

- 12. (1) A draft of the minutes of each meeting of the Finance Committee must be circulated promptly to each member of the Committee.
- (2) Once the minutes of a meeting of the Committee are approved, the minutes—
 - (a) must be sent to every member of the Chapter, and
 - (b) may be sent to such other persons as the Committee thinks appropriate.
- (3) The Chapter must consider any matters arising from the minutes of a meeting of the Committee.

Terms of reference

- 13. The Chapter has the power under section 16(11) of the Measure to set terms of reference for the Finance Committee in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

Audit and Risk Committee

Composition etc.

- 14. (1) In accordance with Article 31 of the Constitution, the Chapter may at its absolute discretion establish a committee to be known as the "Audit and Risk Committee" from time to time. Where an Audit and Risk Committee is in existence it shall be governed in accordance with Articles 14 – 18.
- (2) The Audit and Risk Committee must have at least three members.
- (3) It is for the Chapter to appoint the members of the Committee, at least one of whom must be a non-executive member, following consultation with the Nominations Committee.
- (4) It is for the Chapter to appoint the chair of the Committee; and that person must have recent and relevant financial experience and must not be a member of the Chapter.
- (5) The Chapter may remove a member of the Committee from office if—
 - (a) there is a good reason for the removal (which shall include, but not be limited to, circumstances where, were the member a charity trustee, they would be disqualified from acting as such and/or they act contrary to any code of conduct from time to time in force), and
 - (b) at least 75% of members present and voting at a meeting vote in favour of the removal.
- (6) A member of the Committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than three consecutive terms is not

eligible for appointment as a member, until at least twelve months has passed since the member last ceased to hold office as such.

- (7) The Dean is not entitled to be a member of the Committee but is entitled to attend the whole or part of any meeting of the Committee; and at any meeting which the Dean attends, he or she may speak but may not vote.
- (8) The Chair may invite either or both chief officers to attend the whole or part of each meeting of the Committee; and a chief officer, when attending the whole or part of a meeting of the Committee, may speak but not vote.
- (9) If, at the invitation of the Committee, any member of the Chapter attends the whole or part of a meeting of the Committee, the person may speak but not vote.
- (10) If, at the invitation of the Committee, any other person attends the whole or part of a meeting of the Committee, the person may speak, but only at the discretion of the Chair, and may not vote.
- (11) The proceedings of the Committee shall not be invalidated by any vacancy in its membership, provided that the Committee remains able to take a quorate decision.

Functions

15. The Audit and Risk Committee must keep under review the activities and management of the Cathedral in relation to such matters as the Chapter specifies in terms of reference for the Committee.

Proceedings

16.
 - (1) It is for either of the chief officers, at the request of the chair of the Audit and Risk Committee, to convene a meeting of the Committee.
 - (2) The Committee must meet at least twice each year.
 - (3) Notice of a meeting of the Committee must, unless otherwise agreed, be given to each member of the Committee, and to each person entitled or invited to attend the meeting by virtue of Article 14(7) or (8) above, at least five working days before the date of the meeting.
 - (4) In the case of each person invited to attend a meeting of the Committee by virtue of Article 14(9) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
 - (5) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as is reasonably practicable be given to each person to whom the notice was given.
 - (6) Notice of a meeting of the Committee—
 - (a) must specify when and where the meeting is to be held,
 - (b) must include an agenda for the meeting, and
 - (c) must be accompanied by the relevant papers for the meeting.
 - (7) In so far as it is not reasonably practicable for the relevant papers for a meeting of the Committee to accompany the notice of the meeting, the papers must as soon as is reasonably practicable be given to each person to whom the notice was given.
 - (8) The quorum for a meeting of the Committee is three members, at least one of whom must be a non-executive member of the Chapter.
 - (9) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the Committee as they apply to a meeting of the Chapter.

- (10) Article 13 of the Constitution (Decisions without a meeting) apply to a meeting of the Committee as they apply to a meeting of the Chapter.

Reporting

17. (1) A draft of the minutes of each meeting of the Audit and Risk Committee must be circulated promptly to each member of the Committee.
- (2) Once the minutes of a meeting of the Committee are approved, the minutes—
- (a) must be sent to every member of the Chapter, and
 - (b) may be sent to such other persons as the Committee thinks appropriate.²
- (3) The Chapter must consider any matters arising from the minutes of a meeting of the Committee.

Terms of reference

18. The Chapter has the power under section 16(11) of the Measure to set terms of reference for the Audit and Risk Committee in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

Other committees and sub-committees

Committees: composition etc.

19. (1) A committee of the Chapter established under the Constitution must have at least three members.
- (2) It is for the Chapter to appoint the members of the committee, at least one of whom must be a member of the Chapter, following consultation with the Nominations Committee.
- (3) It is for the Chapter to appoint the chair of the committee; and that person may, but need not, be a member of the Chapter.
- (4) The Chapter may remove a member of the committee from office if—
- (a) there is a good reason for the removal, (which shall include, but not be limited to, circumstances where were the member a charity trustee, they would be disqualified from acting as such and/or they act contrary to any code of conduct from time to time in force), and
 - (b) at least 75% of members present and voting at a meeting or by written resolution vote in favour of the removal.
- (5) A member of the committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than three consecutive terms is not eligible for election, or for appointment or co-option as a member, until at least 12 months has passed since the member last ceased to hold office as such.
- (6) A member of the Executive Management Team is entitled to attend the whole or part of a meeting of the committee and is entitled to speak but not vote.
- (7) A chief officer, any member of the Chapter, the Dean, the senior non-executive member is entitled to attend the whole or part of any meeting of the committee and is entitled to speak but not vote.

Deleted: §

- (8) If, at the invitation of the committee, any other person attends the whole or part of a meeting of the committee, the person may speak, but only at the discretion of the Chair, and may not vote.

Sub-committees: composition

20. (1) A sub-committee established under the Constitution must have at least three members.
- (2) It is for the committee under which the sub-committee sits to appoint the members of the sub-committee, following consultation with the Nominations Committee and with the approval of the Chapter.
- (3) It is for the Chapter to appoint the chair of the sub-committee.
- (4) At least one member of the sub-committee must be a member of the committee under which the sub-committee sits.
- (5) The Chapter may remove a member of the sub-committee from office if—
- (a) there is a good reason for the removal (which shall include, but not be limited to, circumstances where the member a charity trustee, they would be disqualified from acting as such and/or they act contrary to any code of conduct from time to time in force), and
 - (b) at least 75% of members present and voting at a meeting or by written resolution vote in favour of the removal.
- (6) A member of the sub-committee holds office as such for a term of up to three years and may be reappointed; but a member who has served more than three consecutive terms is not eligible for election, or for appointment or co-option as a member, until at least twelve months has passed since the member last ceased to hold office as such.
- (7) A member of the Executive Management Team is entitled to attend the whole or part of a meeting of the sub-committee and is entitled to speak but not vote.

Functions

21. The functions of each committee or sub-committee established under the Constitution are set out in the terms of reference for that committee or sub-committee.

Proceedings

22. (1) It is for the chief officers, at the request of the chair of a committee or sub-committee established under the Constitution, to convene a meeting of the committee or sub-committee.
- (2) Notice of a meeting of the committee or sub-committee must, unless otherwise agreed, be given to each of its members, and to each person entitled to attend the meeting by virtue of Article 19(6) or (7) or 20(7) above, at least five working days before the date of the meeting.
- (3) In the case of each person invited to attend a meeting of the committee by virtue of Article 19(8) above, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting.
- (4) Notice of a meeting of the committee or sub-committee—
- (a) must specify when and where the meeting is to be held,
 - (b) must include an agenda for the meeting, and
 - (c) must be accompanied by the relevant papers for the meeting.
- (5) In so far as it is not reasonably practicable for the relevant papers for a meeting of the committee or sub-committee to accompany the notice of the meeting, the papers must as soon as is reasonably practicable be given to each person to whom the notice was given.

- (6) The quorum for a meeting of the committee or sub-committee is three members.
- (7) Articles 12(6) and (7) of the Constitution (remote participation) apply to a meeting of the committee or sub-committee as they apply to a meeting of the Chapter.
- (8) Article 13 of the Constitution (Decisions without a meeting) apply to a meeting of the committee or sub-committee as they apply to a meeting of the Chapter.

Reporting

- 23. (1) The terms of reference of a committee or sub-committee established under the Constitution make provision as to the reporting of proceedings of its meetings to the Chapter.
- (2) A draft of the minutes of each meeting of the committee or sub-committee must be circulated promptly to each of its members for approval,
- (3) Once the minutes of a meeting are approved, the minutes—
 - (a) must be sent to every member of the Chapter, and
 - (b) may be sent to such other persons as the committee or sub-committee thinks appropriate.

Terms of reference

- 24. The Chapter has the power under section 17(6) of the Measure to set terms of reference for each committee or sub-committee established under the Constitution in relation to its functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

Advisory bodies

Terms of reference

- 25. (1) The principal function of any advisory body is to advise the Chapter on the matters relating to the Cathedral which the Chapter from time to time assigns to it; and the composition and proceedings of the advisory body should be such as to support the exercise of that function.
- (2) The Chapter has the power under section 18(4) of the Measure to set terms of reference for any advisory body in relation to its composition, functions, proceedings and reporting requirements but subject to the requirements of the Measure, the Constitution and these Statutes.

Senior Management

Chief officers

- 26. (1) Subject to the provisions of section 5 of the Measure, there shall be chief officers of the Cathedral who fulfil the roles of the Chief Operating Officer (COO) and the Chief Finance Officer (CFO).
- (2) The Chief Officer(s) shall be appointed on such terms in respect of tenure, remuneration and duties as the Chapter may determine.
- (3) The COO has executive responsibility for the corporate administration of the Cathedral, across the entirety of its operations as more particularly described in the job description for the role which shall be reviewed from time to time.
- (4) The CFO has executive responsibility for the management and administration of the Cathedral's finances, within the scope of the budget approved by Chapter, as more

particularly described in the job description for the role which shall be reviewed from time to time.

Establishment of management group

27. There is to be a group called Executive Management Team concerned with the management of the Cathedral.

Membership of group

28. The members of the Executive Management Team are—
- (a) the Dean,
 - (b) each residentiary canon with responsibility for a department of the Cathedral or for part of its operations,
 - (c) the chief officers, and
 - (d) such other members of staff (whether lay or clergy) as the Chapter considers appropriate.

Functions of group

29. (1) The primary function of the Executive Management Team is to further the strategic aims of the Chapter, oversee the Cathedral's operational management and to deliver the Chapter's desired outcomes for the Cathedral.
- (2) As the executive arm of the Chapter, the members of the Executive Management Team make day-to-day decisions regarding the management of staff, the allocation of resources (within the constraints of delegated authority) and the flourishing of the Cathedral as a place of worship, outreach and mission.

Proceedings of group

30. (1) The Executive Management Team will hold sufficient meetings (not less than twice per month) to discharge effectively its responsibilities to the Chapter.
- (2) Occasionally it may be necessary for an additional, or single-issue meeting to be arranged. The calling of such a meeting will be by mutual consent, and all members of the Executive Management Team should be informed 24 hours in advance, save for in exceptional circumstances when such a meeting will be arranged as swiftly as possible, with as much consultation as practicable in the circumstances.
- (3) Notes will be kept of the issues discussed and the decisions made at each meeting and circulated within 7 days to the members of the Executive Management Team.
- (4) Otherwise than as set out in the Measure, the Constitution, and these Statutes, the operational management of the Executive Management Team and other Cathedral staff is for the Dean to determine.

Accountability of group

31. The Executive Management Team is accountable to the Chapter through the Dean.

Dignities

Honorific Titles

- 32.

- (1) The Bishop may confer, and at their discretion revoke, upon a Dean, or upon a residentiary canon, Honorary Canon or Lay Canon who vacates their office and immediately upon such vacation retires, the title, as the case may be, of "Dean Emeritus" or "Canon Emeritus" or "Lay Canon Emeritus".
- (2) A person who on coming into force of this Constitution and Statutes holds the title of Dean Emeritus will continue to hold that title.
- (3) A title conferred under this provision does not confer a vested interest and, in particular, the holder will not by virtue of that title be a member of the College of Canons.

Ecumenical Canons

33. (1) The Bishop, in consultation with the Chapter, may appoint on such terms as they think fit up to two Ecumenical Canons. An Ecumenical Canon shall be resident in the Diocese and a member in good standing of a Church which is not in communion with the Church of England but subscribes to the doctrine of the Holy Trinity, and may be a lay person or a person who has been ordained to ministry in their church.
- (2) An Ecumenical Canon shall be appointed for an initial term of five years, which may be renewed by the Bishop in consultation with the Chapter for a further term or terms each of three years.
- (3) An Ecumenical Canon shall cease to hold office if:
 - (a) they resign by providing notice in writing to the Bishop,
 - (b) the Bishop determines to remove them from office and notifies them in writing,
 - (c) they cease to live in the Diocese, or
 - (d) they reach 70 years of age.

Residence

Residence for residentiary canons

34. (1) The Residentiary Canons shall undertake such duties in the Cathedral as the Chapter shall determine after consultation with them. They shall strengthen the whole corporate life, worship, and work of the Cathedral and promote the ministry of the Cathedral in the diocese.
- (2) A Residentiary Canon shall hold no benefice with cure of souls and no preferment other than with the prior written consent of the Bishop.
- (3) It is the duty of a Residentiary Canon to:
 - (a) be present at daily worship of the Cathedral on a regular and frequent basis;
 - (b) undertake such duties in the Cathedral as the Chapter shall determine after consultation with the Residentiary Canon; and
 - (c) attend meetings of the Chapter unless reasonably prevented.
- (4) Each Residentiary Canon shall live in the house assigned by the Chapter to the residentiary canon's office (unless the Chapter grants the residentiary canon leave to live elsewhere) and the residentiary canon may not sub-let or use the house or any part of it for business purposes except with the express authority of the Chapter in writing.
- (5) The Chapter may give the residentiary canon responsibility for a department of the Cathedral or for part of its operations and, if seen fit, an accompanying title.

- (6) The Chapter, with the approval of the Dean, may, but need not, confer a title on a residentiary canon and may allocate duties to a residentiary canon associated with such title.

Worship

Divine Service and preaching

35. (1) Subject to the rights exercisable by any other person in accordance with the Constitution and the Statutes, the Dean shall have oversight and the power to govern and direct the provision of Divine Service and preaching at the Cathedral.
- (2) The offices of Morning and Evening Prayer according to the Church of England shall be performed daily throughout the year.
- (3) The clerical and lay vice-presidents of the diocesan synod and the rural deans shall be allocated seats by the Dean.
- (4) No person shall preach in the Cathedral unless that person is, where appropriate, properly licensed and is:
- (a) a minister, reader or Licensed Lay Minister of the Church of England or a church in communion with the Church of England;
 - (b) a minister of a designated church to which an invitation has been issued under Canon B43, or a person who has been authorised to preach by the Dean

Order of precedence

36.

- (1) The order of precedence in processions at services held in the Cathedral on "Cathedral occasions" shall be as follows –
- (a) The Bishop or any Bishop Suffragan when representing the Bishop
 - (b) The Diocesan Chancellor and/or Registrar
 - (c) The Dean
 - (d) The Residentiary Canons and members of the Chapter
 - (e) The Chapter Clerk
 - (f) Any Bishop Suffragan when not representing the Bishop
 - (g) The Archdeacons
 - (h) The College of Canons
 - (i) The Ecumenical Canons
 - (j) The Minor Canons and other ministers
 - (k) The Clerical and Lay Vice-Presidents of the Diocesan Synod
 - (l) The Area Deans
- (2) The order of precedence in processions at services held in the Cathedral on "Diocesan occasions" shall be as follows –
- (a) The Bishop
 - (b) The Diocesan Chancellor and/or Registrar
 - (c) The Bishops Suffragan
 - (d) The Assistant Bishops
 - (e) The Dean
 - (f) The Archdeacons
 - (g) The Residentiary Canons and members of the Chapter

- (h) The Chapter Clerk
- (i) The Ecumenical Canons
- (j) The College of Canons
- (k) The Minor Canons and other ministers
- (l) The Clerical and Lay Vice-Presidents of the Diocesan Synod
- (m) The Area Deans

Music, choir etc.

37. (1) The Dean and the Chapter shall ensure that the musical life of the Cathedral is supported and celebrated and that, within its resources, the choral foundation of Blackburn Cathedral is given every opportunity to flourish.
- (2) The Canon for Liturgy & Music/Precentor in conjunction with the Director of Music shall be responsible for the selection and rendering of the music in the Cathedral Church subject to the general authority and delegation of the Chapter.
- (3) The Canon for Liturgy & Music/Precentor in conjunction with the Director of Music shall be responsible to the Chapter for the selection of all choristers, choral and organ scholars, lay-clerks, deputies and voluntary singers leading worship in the Cathedral Church. All such appointments – whether paid or voluntary - will be subject to the Cathedral’s safer recruitment policy.
- (4) The Chapter, in consultation with the Canon for Outreach & Discipleship and the Director of Music, shall ensure that provision is made for the Christian Education, as well as the musical education of the choristers.

Miscellaneous

Execution of documents

38. A document which is not required to be executed by the application of the Chapter’s seal is validly executed by the Chapter if it is signed on behalf of the Chapter by two members of the Chapter, or by one member of the Chapter and one of the chief officers, each of whom is authorised to sign the document at a validly convened meeting of Chapter or by written resolution of the Chapter (whether specially or generally).

Power to establish subsidiaries

39. (1) The Chapter may, for the purpose of securing the good government of the Cathedral, establish subsidiary companies.
- (2) The Chapter may itself become a member of a company established under this Article.
- (3) In this Article, “company” includes any body corporate.

Archaeologist

40. Section 23(2) of the Care of Cathedrals Measure 2011 requires the Chapter to appoint a cathedral archaeologist.

Patronage

41. The power of presentation or nomination to a benefice in the patronage of the Cathedral is exercisable by the Chapter or a patronage committee of the Chapter.

Parish church

42. The whole of the Cathedral is to be the Parish church.

Amendments to Statutes

Amendments

43. The procedure for making amendments to these Statutes is set out in sections 31 to 34 of the Measure.

Interpretation

Interpretation


44. (1) In these Statutes—
- "the Bishop" means the Bishop of Blackburn (but see paragraph (2));
 - "Canon for Liturgy & Music/Precentor" means the residentiary canon appointed to this role from time to time;
 - "Canon for Outreach & Discipleship" means the residentiary canon appointed to this role from time to time;
 - "the Cathedral" means the Cathedral Church of Saint Mary the Virgin in Blackburn;
 - "the Constitution" means the constitution of the Chapter adopted pursuant to the Measure and as revised from time to time;
 - "Director of Music" means the person appointed pursuant to Article 27 of the Constitution;
 - "Ecumenical Canon" means a person appointed to that role in accordance with Article 33;
 - "electronic means" has the meaning given to it in section 1168 of the Companies Act 2006;
 - "Executive Management Team" means the group established pursuant to Article 27;
 - "the Measure" means the Cathedrals Measure 2021; "Minor Canon" means a person appointed to that role in accordance with Article 23 of the Constitution;
 - "the Parish" means the Parish of Saint Mary the Virgin and St Paul Blackburn being the parish for which the Cathedral or part of it is the parish church;
 - "working day" means a day which is not a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday in England under the Banking and Financial Dealings Act 1971;
- (2) Unless otherwise specified, the terms define in Article 35 of the Constitution shall additionally have the same meanings in these Statutes.
- (3) Where the functions of the Bishop are being exercised by another bishop in accordance with an instrument made under section 13 or 14 of the Dioceses, Pastoral and Mission Measure 2007, the references in these Statutes to the Bishop are to be read as references to that other bishop.
- (4) A reference in these Statutes to a provision of the Measure is to be read as a reference to that provision as for the time being amended, extended or applied by or under any other Measure.
- (5) Subject to that, the Interpretation Act 1978 applies to these Statutes.

Revocation

Revocation

45. The Statutes of the Cathedral made on 2 February 2000, amended on 14 January 2007 and further amended on 20 May 2018 cease to have effect.

Date: 18 October 2023

Signed: 

The Very Reverend Petr Howell-Jones
Dean of Blackburn