



Chancel Repairs

The crucial information needed for a search in the archives

The National Archives holds records which might contain the information you require and we can:

- Either search for it on payment of a fee and supply you with the information (if found).
- or
- Enable you to search for the information in other ways.

Please send as much information as you can. The following details are particularly important:

- The name of the Pre-1836 county and Church of England or Church of Wales ecclesiastical parish or township¹.
- Map showing the exact location of the land or property².

Without this information it will not be possible to check the indexes to the records of ascertainments, and so a search will not be feasible

¹ Since 1836 many county boundaries have moved and many modern parishes have been created. You may need to check gazetteers, trade directories and county histories; the local library or archive service may be able to help.

² To search for an individual liability, it is essential that a map identifying the individual plot is provided. This must show the exact location of the property or land with sufficient local detail such as roads, woods, fields, rivers and other landmarks. For rural districts and villages a 6" or 1:10,000 scale Ordnance Survey map is usually large enough to highlight the exact location of the property. For built up areas a 25" or 1:2,500 Ordnance Survey map is required.

You should be able to obtain such maps from the appropriate local library or archive service.

Research quality 1:25,000 OS maps can be downloaded from www.ordnancesurvey.co.uk and old research quality late 19th century OS maps from www.old-maps.co.uk. Both can be searched by postcode.

We will advise you if the quality or size is not good enough to locate the property or plots in the records.

Once the plot number from the map is found this can be checked against the record of ascertainments.

Introduction

1. The National Archives cannot give advice on questions of liability in individual cases or on chancel repair policy. Based on the information you supply we aim to supply copies of the index, records of ascertainment, tithe maps and altered apportionment maps indicating plots and properties for you to interpret. You may wish to seek legal advice on this and related matters.
2. There is no single central register which can be used to identify all chancel repairs or other liabilities or restrictions attached to land and property in England and Wales. Enquirers are strongly recommended to check the deeds and to contact the Land Registry and current landowners for relevant information. Questions concerning compounding liability need to be addressed to the Parochial Church Council and the diocesan authorities. Contact addresses for diocesan authorities are available at www.cofe.anglican.org/location/index.html. In the case of a chancel in Wales or Monmouthshire, enquiries should be addressed to the Representative Body of the Church of Wales, 39 Cathedral Road, Cardiff, CF11 9XF, (029) 2034 8200.
3. The records of ascertainment deal solely with the liability, if any, which attached to the ownership of the tithe rent-charge. They do not deal with parishes where tithe rent-charge was never created, nor do they necessarily cover the whole liability in a parish. Examples of situations where liability may exist but is not documented in the records of ascertainment are:
 - Where all the tithes in a parish were converted into corn rents
 - Where the tithes in part of a parish were converted into corn rents and the rest were commuted into tithe rent-charges
 - Where under an Enclosure Act lands were allotted in lieu of tithes
 - Where the tithes (and not tithe rent-charges) were merged in land under the Tithe Acts
 - Where rectorial glebe land has passed into lay hands
 - Where land previously held by such institutions as universities and the church commissioners has been sold to private individuals liability may also have been transferred
4. It is important to note that even if the records of ascertainment do not show liability for chancel repairs it does not necessarily mean that the land or property is not subject to chancel repair or other liabilities. Establishing such other liabilities will involve a complicated search of further records in The National Archives, local archive services and parochial church council and diocesan records.

Standard charge for a whole Chancel Repairs search: £135

Parish liability: Index to Records of Ascertainment

Catalogue references: IR 104/107-108

Information that this source should reveal:

These records will indicate if the parish you are interested in has a record of ascertainment and therefore liability may fall on certain owners of land and property in that parish. The National Archives will provide a copy from the index for your records.

Factors affecting success of a search:

It is necessary to know the name of the county and the Church of England, or Church of Wales, parish where the property was situated at the time of the Tithe Commutation Act, 1836.

Since 1836 many county boundaries have moved and many modern parishes have been created. You may need to check gazetteers, trade directories and county histories; the local library or archive service may be able to help.

There is no single register showing chancel repair liability and The National Archives only hold information on liability identified under the Tithe Act, 1936.

A negative result does not mean that there is no chancel repair liability. The National Archives' holdings do not show all land and property that may be subject to chancel repair liability or other liabilities and restrictions (see notes 3, 4 and 5 above).

Individual plot liability

Records of ascertainment: Catalogue reference: IR 104

Tithe maps: Catalogue reference: IR 30

Altered apportionment maps: Catalogue references: IR 29, IR 30 and IR 94

District record maps: Catalogue reference: IR 90

Information that this source should reveal:

The record of ascertainments lists the tithe plots that may bear proportionate liability for chancel repair.

The tithe maps and altered apportionment maps show the plots.

If the record of ascertainments show possible liability exists it is necessary to find out which plots may be subject to liability.

The record of ascertainments shows proportionate liability in respect of corporate bodies (such as the Church Commissioners or a university of

college) and individual plots. Note that plot numbers are not given in respect of corporate liability and if land has subsequently been sold a proportion of the liability may fall on new owners. If you think that this may affect you, you will need to seek advice from the former landowners.

If individual plots are subject to liability it is necessary to find out if the property or plot you are interested may be affected.

Factors affecting success of a search:

The records do not identify individual plots of land owned by corporate institutions. If any of that land has been sold or passed to individuals since 1936, it is possible that proportionate liability may now be borne by private individuals.

Identifying individual plots can be difficult. The tithe plots were first recorded on manuscript maps following the Tithe Commutation Act, 1836. Where the plot was sub-divided this was recorded on manuscript altered apportionment maps. In many cases the commissioners copied the new plot numbers onto Ordnance Survey maps.

In cases of uncertainty we may need to send you a research quality map for you to highlight the specific plot you are interested in.

A negative result does not mean that there is no chancel repair liability. Our holdings do not show all land and property which may be subject to chancel repair liability or other liabilities and restrictions (see notes 3, 4 and 5 above).
