

IN THE CONSISTORY COURT OF THE DIOCESE OF ROCHESTER

Re: THE STEEPLE MEMORIAL GARDENS BEXLEYHEATH

J U D G M E N T

1. By a Petition filed on 14 April 2014, the Petitioners, Colin Rowland and Mark Taylor sought a faculty to carry out substantial works of alteration and improvement to The Steeple Memorial Gardens, Albion Road, Bexleyheath (hereinafter referred to as "The Gardens")
2. The cost of the proposed works has been estimated at £138,000.00. This cost is to be met by the local authority with the assistance from the G.L.A..
3. There has been extensive consultation over, and publication and advertisement of the proposed works, over and above the normal public notice advertisements. Local amenity groups and the press have all been made aware of what is proposed, and there has been widespread local dissemination and discussion of and about the intended redevelopment scheme.
4. All the formalities have been complied with. On 16th September 2014, at a P.C.C. meeting of Christchurch Bexleyheath, attended by 19 council members, a unanimous resolution was passed in support of the proposed works. The Rochester Diocese D.A.C., by Notification of Advice dated 6th August 2014, recommended

the proposed works for approval by this Court. There were no restrictions attached to the recommendation.

5. One objection has been received in respect of what is sought. Miss Jo O'Donnell of 30 Heathfield Road, Bexleyheath, has written letters dated 4th July 2014, 29th August 2014, and 23rd December 2014, in which she sets out her objections. I have carefully read and taken into account the content of these letters, and likewise have read and considered the letter in reply dated 31st December 2014 from Mr Mark Taylor, one of the Petitioners, and the Parks Conservation and Community Officer of the London Borough of Bexleyheath.
6. Miss O'Donnell was, by letter dated 1st December 2014 from the Rochester Diocesan Registry, offered the opportunity to become a formal Party Opponent to these proceedings. By her letter dated 23rd December 2014, for perfectly understandable reasons, and as was her right, she elected not to be joined, but maintained her objections. Miss O'Donnell stated that she remained; "of the opinion that the Steeple Memorial Gardens are fine as they are, and that in these straightened times public money would be best spent elsewhere."
7. This means that I have to decide this matter on paper, as I am entitled. It follows that I have not had the advantage of seeing or hearing Miss O'Donnell give evidence, or being cross-examined. Inevitably this makes any assessment of her evidence difficult. That said, Miss O'Donnell has expressed her objections concisely, and in a way that I can easily understand.
8. Mr Taylor, in his letter, has demonstrated the degree and extent of consultation that has taken place, both within the parish, and

the locality, and by way of discussion with local organisations and groups. He has made it clear that the proposed works are, at any rate in part, intended to undo the negative effect of some of the works done in the past. He points out that the Royal British Legion support the scheme insofar as it affects the War Memorial in The Gardens, and says that the works are intended to preserve The Gardens and to enhance their status.

9. I am impressed by the amount and extent of consultation and advertisement that has taken place, and am fortified in my decision by the fact that only one proper objection has been made.
10. Having considered all the evidence and information before me, I am wholly satisfied that the proposed works are both appropriate and required.
11. Accordingly, I direct that a Faculty is to issue, as sought, for all the works set out in the Petition.
12. The Petitioners are to pay the costs of and incidental to the Petition.

A handwritten signature in black ink, appearing to read 'John Gallagher', written in a cursive style.

John Gallagher
Chancellor
6 January 2015