

Petition no 2019-030749

IN THE CONSISTORY COURT
OF THE DIOCESE OF SOUTHWELL AND NOTTINGHAM

Before: The Chancellor

IN THE MATTER OF
THE CHURCH OF S JOHN THE BAPTIST BILBOROUGH

JUDGMENT

1. The church of St John the Baptist, Bilborough, was designed by Broadhead and Royle, architects, and consecrated in 1959. It occupies a large site in the post-war residential estate, with church hall, garden and clergy house in the same block. It is well sited, presenting its south (liturgically north) side to a wide avenue and the view across the valley to Wollaton. On that side and on the slim tower there are mosaics, and in general the building has claims to artistic notice. The interior consists chiefly of a wide nave leading to a sanctuary enclosure, the whole beautifully lit by windows at an upper level, and larger windows in a chapel to which the nave opens on the south side. The furnishings are all more or less contemporary with the church and they too demonstrate that at that time there was an attitude of care and concern for appearance as well as function.

2. The Petition is for re-ordering of the nave. This judgment follows my visits to the church, accompanied by the Registrar, on 2 August and 18 October 2019, and my consideration of the papers. I am very grateful to those who met us at the church, particularly on the second visit, made us welcome and told us about the church, its challenges and its activities.

3. I am told that in its early days the church was a venue of choice for weddings, and had regular services and a large robed choir. In more recent years the story has been one of decline in the building itself and its use. I have not seen the quinquennial reports, but a cursory examination showed evidence of some subsidence on the south side following earlier repairs, decay and loss of parts of the mosaics, apparently longstanding water penetration of the roof with resulting unattractive staining outside and inside the building, and, externally, rot arising from the blockage of drainpipes. A number of fittings are showing their age and do not seem to be receiving very much attention. The congregation had dwindled to barely double figures.

4. There has, however, recently been considerable progress in developing mission initiatives in the area. The Revd Rich Atkinson was appointed incumbent of Astley

in October 2018, to be also Priest in Charge of Bilborough and other neighbouring parishes; and the Revd Peter Shaw was appointed as Mission Associate with particular responsibility for Bilborough. He lives in the clergy house, is active in the estate community, and has been building up consciousness of the Church and its mission, as well as enlarging the church community. There was a relaunch event for the church on April 21. There has been an Alpha Course attended by about 25 people, there are regular services and other events, and the congregation is both growing (about 65 by August) and giving.

5. Having considered the plant available and in particular the seating in the nave of the church, it was decided to apply for Faculties for two specific projects. One was the updating of the heating. The other was for the reordering of the nave by removal of the existing apparently original composite flooring tiles with black and white designs in imitation of marble and their replacement with blue carpet, removal of all the existing pews, two pew fronts at the front of the nave and two integrated prayer desks at the entrance to the sanctuary, and the introduction of grey upholstered chairs in the nave. Petitions for both phases of the work were presented to me on 21 March following the expiry of the Public Notice period, with no indication of urgency, and no indication that they should be considered other than together. It was subsequently said that the updating of the heating was urgent and I was able to approve the faculty promptly. The Registry still awaits notification that this urgent work has been completed.

6. The proposed re-ordering caused me some concern. There is a full and careful statement of significance, describing the church, the architect, and the fittings and with a number of helpful illustrations. The following passages are extracts from it:

“The Church is unlisted and is not in a conservation area. The church needs a degree of repair but it is impressive to the extent in which the original features remain intact – tower, porch, mosaics, light fittings, door handles, pews, choir stalls, chairs, sanctuary, altar, vestibule, organ, wall paint, floor, ceiling, font – and in the strength in the simplicity of the original design. ...

Impact: The pews, and priest and readers desks are original features of the church and therefore removing them would mean these are lost. The choir pews will remain to mitigate this impact, and it is hoped that some of the wood from the pews might be up-cycled. None of the other many original features will be affected. The replacement chairs are within the Scandinavian modern feel of the church. The loss of the view of the original vinyl floor is negligible and is in a poor tired state and irredeemable because the tiles contain chrysotile. The old floor will still remain below the carpet tiles.”

7. In the light of what was said there, and after some hesitation bearing in mind that the church is not listed, I thought it advisable nevertheless to seek the views of heritage bodies. The Church Buildings Council raised no objection to what was proposed. The Twentieth Century Society and the Ancient Monuments Society both indicated that they thought the building might be worthy of listing. The Twentieth

Century Society said that it would be 'desirable' to retain some of the pews, and to store the others, in case of future reinstatement. The Ancient Monuments Society noted the artistic claims of the church and its fittings as an ensemble, and while content to defer to whatever the Twentieth Century Society said, thought that the documents accompanying the Petition did not establish a need for the work proposed. It made a number of specific observations directed to me as I made my decision.

8. The Parish authorities were of course aware of this process through the on-line system, and through an email sent by the Registrar on 14 May. On 28 May Mr Shaw responded specifically to the Ancient Monuments Society's comments. I decided that a visit to the church would help me make my decision.

9. The visit was arranged for 2 August 2019. I was accompanied by the Registrar, and was met at the church by Mr Shaw and members of the church community. As we entered the church it became clear that the work for which a Faculty had been sought had in substance been undertaken without one. The floor was carpeted. The pews had been removed; there was a pile of pews in the side chapel. The nave space was occupied by a considerable number of upholstered chairs, many of them in poor condition, of a number of different colours and (apparently) designs.

10. I indicated my concern. I pointed out that the work had been done unlawfully. I said that I was not prepared to consider the Petition in the circumstances and suggested that the church be returned to its condition when the Petition was issued, so that I could consider whether the proposed works should be authorised. I put in train the process for informing the Archdeacon, so that he could assist the parish to regularise the position.

11. I have read the Archdeacon's note, for which I am grateful. It appears that Mr Shaw, who was aware of the Faculty process and who had initiated the Petitions, decided to have the new carpet fitted on 16 April, two days after his licensing to the parish. He and his grandfather removed and disposed of the original floor covering (which contained asbestos) in the next couple of days, and the carpet was laid on 19 April. The pews were, I assume, removed as part of that process and were not replaced until after my first visit; the chairs were evidently introduced at some point.

12. I am told that Mr Shaw's actions were prompted by enthusiasm about the re-opening ceremony that had been arranged for 21 April. Two parishioners have written to me to say that Mr Shaw may have been frustrated at 'the lack of response from your office', but that suggestion does not meet the facts. The position is that he was aware of the need for a Faculty, knew that the process for considering whether one should be granted was under way, and indeed was purporting to engage with it as late as 28 May, had not sought expedition, and decided that he would not wait to see if the proposed works were to be authorised.

13. In the circumstances, and because of the decision I have reached about whether the Petition should be granted, I do not propose to say anything more about this. It is part of the history of this Petition. Any action that needed to be taken has been taken by the Archdeacon, and by Mr Shaw, who has written to me with an apology that I accept. He it was who welcomed me back to the church on 18 October, and who had in the mean time re-arranged the furniture (with the exception of the carpet) so that I could see the arrangement as it existed at the time the Petition was issued.

14. I have therefore had an opportunity to examine the pews in their positions, and to test them by sitting on them. Although their design is very much of their period, and so fits well with the other furnishings of the church, they are not of very high quality and in many cases are showing their age badly, in particular by the delamination of ply in the wooden backrests. They are not comfortable. They are now, and must always have been, too close together to allow proper space for kneeling. The individual pews are of a length that essentially rules out their use in any arrangement of seating less formal than blocks of people facing the front; and their structure and weight would anyway make it difficult to use them flexibly.

15. The desks forming the fronts of the two blocks are in even worse condition than the pews: although the bookrests which crown them are no doubt usable, the reticulated supports are too shabby to be regarded ever again as an ornament to the church. The integrated prayer desks at the (liturgically) west end of the chancel area are in better condition, although also beginning to deteriorate.

16. I was not, of course, able to evaluate the original floor covering. Earlier questions by me had provided the answer that all practically and legally necessary precautions for dealing with the asbestos had been taken: Mr Shaw comes from a family involved in the construction business. I accept that increased wear on a floor surface of this sort and of this age would be likely to cause difficulties, probably quite soon. Although the original floor design had a clear relevance in association with the original fittings, if the pews are to be removed there is less justification for requiring its retention.

17. The purpose of the church building is the promotion of the gospel, and its future lies in the ability to attract a worshipping congregation today. On the other hand the wishes of the present have to be balanced against the demands of stewardship. My first response to this Petition was that it seemed in general to be a good proposal for a good reason. Having made the investigations and sought the advice appropriate to it, I do not have any reason to change that initial opinion. Although it is no doubt a pity to make a major change to a coherent ensemble, the truth is that what is being lost is not of such quality or in such condition that there is any inherent reason to retain it; and the prospective life of the church community in Bilborough will be greatly enhanced by the flexibility and comfort that the changes will enable. I am told that after the changes Mr Shaw made, the building became 'a warm,

comfortable, inviting place where people want to be'. I have no reason to doubt that; and although of course it is not the end of the process, there is much to be said for simply getting people through the doors of their local church.

18. I will therefore grant a confirmatory Faculty for the removal of the original floor covering and the installation of the carpet. I will grant a Faculty for the removal of the pews and the desks at the front of each block. There is, I understand, a wish to re-use the material of which they are made, if possible, but I make no condition to that effect: these furnishings may be used, re-used or disposed of in any way the parish thinks appropriate. Some of them may find a new home in the church hall or the garden.

19. So far as concerns the two integrated prayer desks, after discussion with those I met on 18 October I will grant a Faculty for the removal of one; the other, in slightly better condition, is to be retained as part of the furnishings of the chancel area and may be moved to near the (liturgically) NE corner of the chancel.

20. No Faculty is sought, and none would be likely to be granted, for the introduction of the motley collection of chairs seen on 2 August, even on a temporary basis. They have no place in the building. The Faculty will be granted for the introduction of 110 Vesta stacking chairs, with frames in chrome effect paint and upholstery in pewter colour from the Advantage range, in accordance with the papers accompanying the Petition.

21. One of the changes made by Mr Shaw is the removal of a curtain behind the altar. That was admittedly done without a faculty and I am not asked to approve it. But the appearance of that part of the building now, compared with the photograph in the Statement of Significance, makes it clear that a curtain in that position is highly desirable. The present aspect, with clutter piled up behind the now visible window, contributes to the impression that the building is not loved or cared for. It is very much to be hoped that the increased use of the building, and the resultant increased giving, will give rise to an increased respect for what is in many ways an enviable facility and an increased wish to look after and enhance it. If it is now welcoming by contrast with the immediate past, it will clearly be much more attractive when basic maintenance and redecoration can be undertaken, and when there is motivation to undertake the small repairs that some of the fittings and furniture need.

The Worshipful C M G Ockelton MA BD

Chancellor

25 November 2019