

**Neutral Citation Number: [2021] ECC Bir 1**

**In the Consistory Court of Birmingham**

**In the matter of St Luke's Great Colmore Street Birmingham**

### **Judgment**

1. By Petition dated 18 March 2021 Mr Jerome Belgrave petitions for a Faculty authorising the church of St Luke's Great Colmore Street to move the Cross from its present position, to install a new screen for the projector, and to increase the size of the stage upon which the altar is situated.

2. The reason for seeking such Faculty is that the present placement of the screen partially blocks the Cross from visibility when the video is operative. The new screen will prevent that partially as it would be placed lower than the existing screen, would be larger, thus reducing the need for paper service books and would be directly over the altar. A part of the Cross would still be blocked and thus the original Petition sought a faculty authorising the moving of the Cross to the left of the worship space which, as I will refer to later, would have meant that for some of the congregation the Cross would have been behind them. At the same time as replacing the screen, the parish propose an upgrading of the projector and the existing screen would be removed and replaced by a larger screen more visible to the congregation .

3. The Petition was properly advertised and as a result a written objection dated 25 May 2021 was received from Mrs Shirley Titmarsh, who, whilst not living in the area served by the church is listed on the electoral roll of the Parish. She raised no objection to the upgrading of the projector and the screen but was concerned that the positioning of a larger screen would lead to the Parish no longer providing paper copies of service books which would be a significant disadvantage for those with poor eyesight. She suggested alternatives as to the positioning of the screen or possibly freestanding televisions.

4. Perhaps her principal objection is to the moving of the Cross. She describes the Cross as central to communion and taking the Cross away from the altar is, in her mind, symbolically, taking Jesus away from communion. She felt that by placing the Cross on the wall as was originally suggested many of the congregation would have their backs towards the Cross. "For me and many others, this is disrespectful to Jesus. He has never turned his back on me and I would not want to turn my back on him." She has suggested that to avoid such a difficulty the original proposal could be amended so that the Cross be moved to an alternative position to

the left wall while looking at the altar. By so positioning she suggested that the Cross would be instantly visible to anyone who came into the worship space brackets even when the space is used as a café) and it would be obvious that the building is a Christian building.

5. Further correspondence passed via the Registrar from Mrs Titmarsh and from Mr. Belgrave. I must express my gratitude to Mrs Titmarsh for the clear and reasoned suggestions that she has made and I am pleased to note that the Parish has adopted her suggestion as to the placement of the Cross. I am also grateful to the Parish for their recognition that for some worshippers a paper copy of the Order of Service is desirable although that was not something which was a subject of the Faculty Petition. I am also grateful to Mrs Titmarsh, who did not wish to become a Party Opponent to the petition, for her agreement that I should deal with the matter on the papers without the necessity for an oral hearing.

6. The current position as I understand it is that the Petition is effectively unopposed given the amendments made by the Petitioner as reflected in the stage plan which I annex to this judgment and the photograph of the agreed position of the Cross, which I also annex to this judgment. Not only is it unopposed but the D A C having considered the matter in detail support the proposals and recommend that I grant the Faculty as it is presently sought.

7. St Luke's is an inner-city parish near to the centre of Birmingham. It covers a very diverse area of student accommodation, commercial buildings, social and private accommodation and incorporates some of the richest and poorest parts of the city. The church centre was built in 2007 and consists of a main worship area 40 ft<sup>2</sup> with the altar set into one corner. Long windows provide a considerable amount of light to the altar area where presently is situated the simple large wooden cross. The seating consists of 90 upholstered chairs which can be moved. There is a modern sound and video system. The worship area is divided from the Foyer and Community Hall by a heavy screen which can be moved for larger services extending the size of the worship area. Adjacent to the worship area is a creche and children's room. Given its geographical location the church seeks to broaden its appeal and to draw in groups who have not previously been worshippers and in particular seeks to attract families and, through a youth centre, teenagers. It is a modern building and the Parish has a modern outlook. In order to achieve its aim the Parish seeks to improve the facilities for worship and the proposals relating to the increase in screen size and enlargement of the platform upon which the altar sits form part of their mission.

8. I bear in mind the principles set out in the judgement of the Arches Court Of Canterbury In "Re St Alkmund". Applying these principles I find that the proposals, if implemented, would not result in harm to the significance of the Church as a building of special architectural or historic

interest. I acknowledge that the ordinary presumption in faculty proceedings "in favour of things as they stand" is applicable but the improvements that the scheme envisages to worship and the furtherance of these improvements in promoting the Church's mission in my judgement rebut such a presumption. I acknowledge the concern of Mrs Titmarsh that she would not want the Cross to be placed behind her when she worships but the petition as it is presently drawn addresses her concern and I am satisfied that the granting of the faculty will improve the environment for worship and facilitate the Parish's mission.

9 . Accordingly I grant the petition and direct that a faculty issue. As it has been necessary for me to give a written judgement and pursuant to The Ecclesiastical Judges, Legal Officers and Others (Fees) Order 2020 I direct that the Parish will pay the following fees incurred in accordance with this Faculty within 28 days of the date hereof;

Registry fees of £1070.60 p plus VAT being 10.1 hours at £106 per hour and Chancellor fees of £522 being four hours at £133 per hour.

J M H Powell QC

Chancellor

3<sup>rd</sup> November 2021