

Neutral Citation No: [2017] ECCBia 8

In the Consistory Court of the Diocese of Blackburn

In the Matter of Clitheroe, St Mary Magdalene, and

In the Matter of online Petitions no's: 2016-003951 and 2016-006548 presented by Rev. Andrew Froud, vicar, and Mr Colin Scott, churchwarden.

Judgment

1. **The proposals:** these relate to the interior only, although there is some minor impact on the exterior in relation to a boiler flue and a small number of external light fittings. Taking the petitions together, the petitioners are seeking permission for work under the following general areas:
 - a new boiler and changes to the heating system
 - new lighting and power systems
 - re-decoration of the interior
 - confirmation of temporary re-ordering of the chancel, and introduction of new chancel furniture
 - changes to the doorway on the south side with the introduction of a single-leaf glass interior door
 - disposal of chancel furniture.
2. **The building:** St Mary's is a large grade II* church standing in the Clitheroe conservation area. It is of medieval origin, but was extensively remodelled and extended in the 15th century. It retains a 15th century tower and east end, but large parts were re-built in the early 19th century by the well-known church architects, Thomas Rickman and Henry Hutchinson. The interior they created involved a tall central space flanked by an arcade of arches with linked hoods, supported on slender octagonal piers with north and south aisles beyond, and with a gallery apiece on slender cast iron columns, all designed to increase the seating capacity. Further changes were made in 1844 when the tower was increased in height and a clock and ring of eight bells introduced. Further changes including a raised clerestory were introduced in 1898, along with an attractively timbered nave ceiling and other interior changes, were made by Frederick Robinson of Derby. More changes were made in later years. It therefore now consists of a tower at the west end, an aisled nave, south-west vestry, chancel with south chapel and two storey north vestry. As to the interior, the chancel was provided with new choir furniture by a local craftsman, John Higson, in the 20th century as part of the refurbishment required, following a fire. The items are described in the listing information, as having moulded ends and fielded-panel backs incorporating some linenfold panels. Priests' stalls have ends incorporating poppy heads and linenfold panelling. Further changes followed in later years, including exterior cleaning, a new choir vestry and, and the construction of a new vestry on the north side of the church in 1973.
3. Major restoration of the interior followed a further serious fire in the late 1970's, and involved some modifications relevant to the areas affected by the present proposals: the chancel floor was replaced in stone; a communion rail on wrought iron scrolled brackets was introduced; an early 20th century stone and marble pulpit was replaced in 1979 by a wooden one from a church in Darwen; a number of pews were taken out and a wooden screen re-located. Further extensive work has been undertaken in more recent years, including re-roofing and rebuilding of the spire, turrets, buttresses and parapet walls.
4. There is a comprehensive combined **Statement of Significance and Heritage Impact Assessment** prepared by Frances Verity Perspectives (FVP), dated June 2016, with the listing description and photographs in appendices, which I have found most helpful, and which gives greater detail about the architectural history. FVP report that the '*fabric now appears to be in reasonable order.*'

5. This is a significant building in the Clitheroe townscape, but this brief history shows it now presents largely as a Victorian building, with areas of medieval fabric, and that it has been subsequently re-modelled in many areas, including the chancel. There are fittings and memorials of early date, with connections to local families. The church is a good example of the work of Rickman and Hutchinson. The overall appearance of the interior is marked by size, height and elegance. It is obviously an important building as its Grade II* status indicates, but I do not think it possible to state that the particular parts of the building affected by these proposals, are of some special significance within the context of the whole building. FVP say that '*internally, a combination of structural verticality and natural light creates a sense of optimistic reverence*'. I am content to endorse that opinion.
6. The church congregation has funded a number of expensive building works in the recent past, including the re-building of the spire, re-roofing and the renovation of the organ, some of which I have briefly referred to already. The PCC has reserves to fund most of the proposed work. The church is free of debt, and meets its Parish Share. New housing is being built in the town and the congregation is planning to grow numerically and in depth of faith. I have the impression this is a vibrant and forward-looking congregation and justifiably proud of their efforts to raise funds for the care of the building over a number of years. They see the current changes as not impinging adversely on the significance of the building, but largely as matters of care and maintenance to make it better fitted for its continuing role as a centre of worship and mission.
7. **The proposals:** Both petitions are presented by Rev. Andrew Froud and Mr Colin Scott. It will shed little if any light on the proposals to try and distinguish between the two petitions. Doubtless there are reasons why there are two, but the division of the proposals within them seems without significance and to be quite random. It has certainly increased the difficulty of understanding exactly what is being sought, especially as further changes have subsequently been made to the proposals.
8. The architect is Mr Ivan Wilson of IWA Associates ('IWA').
9. **Justification as set out in the Statement of Needs:** The existing gas boiler is antiquated and inefficient. It has failed on occasions in the past, and spares are becoming harder to source. This is a good time to replace it with a more modern system. Comprehensive drawings are provided and are supported by the DAC heating expert, Mr J R Book. There is however a minor problem relating to the outlet for the boiler. The contractor has indicated that the earlier chosen location for its exit to the outside is not suitable for technical reasons, and it needs to be changed. It is obvious that there has to be a safe and efficient flue and its exact location depends on expert advice. However as this is a conservation area, the local planning authority needed to be notified and approve any new location. There is no need for any amendments to the documentation before me to be made to deal with this specific issue, which has only arisen late on. I have now been provided with documentation showing the Ribble Valley local authority is content with the changes proposed '*on the understanding that all other options have been assessed and the proposal is the one of the least impact*'. On that basis, I am content with this aspect of the work.
10. The existing **power and lighting systems** were introduced following the fire damage in the 1970's. The wiring in these areas is over 40 years old, and technology has moved on significantly since then, and the lighting scheme is now inefficient and requires frequent maintenance. The petitioners want to introduce LED lamps and to place the lighting higher within the structure to avoid glare. The opportunity will be taken to re-wire, and also replace the power circuit and distribution board. The quinquennial inspection recommends this work be undertaken. Numerous diagrams illustrating the proposals have been supplied. The petitioners also want to take advantage of the flexibility afforded by the new lighting scheme to highlight features of the chancel and elsewhere. Again, this is uncontroversial.

11. **Confirmation of temporary re-ordering:** The earlier petition (created on 28th June 2016) seeks permission for a **re-ordering of the chancel**, including the **making permanent of the temporary permission** given by the former Archdeacon of Blackburn (under what is now Rule 8.2 of the *Faculty Jurisdiction Rules 2015*), on 23rd June 2014, for the removal of the chancel furniture, including the pulpit, and introduction of temporary furniture. All the removed items have been safely stored. I have to say that the extent and impact of this work as allowed by the Archdeacon must be at the limit of what should be permitted under the relevant provisions.
12. Such a permission is only to last for a maximum period of 15 months under the Rules, in this case until 17 September 2015. *By that time*, the Rules require either the new arrangements should have been reversed, and the original arrangements restored, or a petition presented to make those changes permanent, with or without amendment. The petition was therefore presented about 9 months late. No extension was sought from me to maintain the temporary re-ordering in place, (the Archdeacon having no power to extend the original 15 months).
13. Observing the time limits given in an Archdeacon's licence for temporary re-ordering is important. This helpful procedure allows petitioners to 'road test' proposals for re-ordering, so the clergy and congregation (and any potential objectors) can see if they 'work', or require further modification, and avoids a premature ruling on the merits of the scheme and any objections. Under the temporary re-ordering procedure, the opportunity to have objections weighed and resolved *before* any changes are put in hand, is deliberately delayed, and the would-be objectors simply have to put up with that. On the other side, everyone is enabled to get a view of how the proposed changes will work in practice. As I say, the permission is supposed to be for a maximum of 15 months, which is extended if the petitioners present a petition before the end of that time until the application can be determined. Here the period initially allowed was not formally extended, and would-be objectors have simply had their objections put on hold. Changes are not to be slipped in and become semi-permanent by default; a proper faculty needs to be granted for permanent changes. The petitioners have however now finalised their proposals for this area of work, and these include items that were not and could not be included in the temporary permission.
14. **Present proposals for chancel:** These comprise structural changes, and also the introduction of new furniture. The overall aim is to enable the congregation to experience the Eucharist more as a corporate act of the whole church community, and thereby to continue earlier steps taken to that end, to lessen it seeming to be an event involving a passive congregation led by a priest, placed somewhat distantly in the sanctuary. The high altar, which was moved away from the east wall some years ago so the celebrant could face the people, is to be reduced in width by about 50% and moved back to the east wall, presumably to increase space. The sanctuary level is to be lowered and thereby aligned with the chancel, with under-floor heating in a new subfloor in both the sanctuary and chancel, and the whole area is to be finished with limestone flagging. The two present steps up to the chancel level are to be reconstructed to run across the whole width of the chancel; these will replace the narrow central steps and railings presently used. New communion rails will be placed at the remodelled steps to the chancel level, thus avoiding communicants having to surmount steps to receive the sacrament. The rails are demountable and each is 2m. in length, placed towards the north and south sides. Thus the whole area will be simplified and opened up. The petitioners also want the furniture to be movable so the chancel can be cleared and used more conveniently for other activities, such as choral events.
15. At present (that is, prior to the temporary re-ordering) the chancel furniture, as seen on some of the photos, is placed conventionally with choir pews opposite one another across the chancel area, with the pulpit on the north side and the two clergy seats on the south side. It is proposed that the choir be placed in the eastern part of the chancel, facing the congregation, and the petitioners seek permission '*to create space*' for this purpose.

The petitioners want to dispose of the pulpit, a brass eagle lectern, the choir stalls, and some attractive communion rails in metalwork which stand at the present sanctuary step, all removed under the Archdeacon's temporary licence. In its place they wish to introduce a quantity of high quality *movable* furniture made by the well-known firm of Treske of Thirsk. The detailed designs of these items have been refined most recently in diagrams provided by email dated 17th January 2017. This new oak furniture will cost a staggering number of thousands of pounds. It consists of two choir frontals, four choir benches, two choir bench readers (to be supported by the first row of benches for the benefit of those sitting behind), a lectern, a stool some 130mm high, a credence table, and a nave altar. Earlier 'indicative' drawings had suggested that there would be replacement seating for two clergy and two Eucharistic assistants or servers, but I do not appear to have detailed drawings of such items. I will approach this on the basis there are simply the 12 items I have specified.

16. **Objection:** Mr Eric Musson has objected to the re-ordering of the chancel in letters written at the time of the first Public Notice, and following the revised Notice (see below). He has had a very long association with the church, and among other roles he has held, has been a PCC member. His points, which he makes with considerable force, are that the communion rail should not be removed so as to compel people to receive the consecrated elements while standing rather than kneeling reverently. This seems to have been met to a degree by the introduction of the new communion rails over at least part of the width of the new steps up to the combined chancel/ sanctuary level, although he thinks 'kneelers' are thereby going to be sidelined (my summary). He also contends that the idea of placing the choir to the east of the chancel and facing the congregation is '*unknown*' in any other church. He is entitled to hold this view, and have it considered, although he has decided not to become a formal objector, but it is certainly an arrangement known in some of our cathedrals. Derby and Ripon, and, if my memory serves, Lincoln, all have such an arrangement, although in the latter two instances it may not be the only place where the choir may be seated. If it is an arrangement suitable in a cathedral, I cannot see an objection to its use in a parish church. I reject any idea it is liturgically unacceptable. The use of movable communion rails of restricted length seems to me a reasonable compromise in trying to meet worshippers' different perceptions of what is an appropriate way to receive the consecrated elements.
17. It seems to me that if this re-ordering is to be allowed and this new lighter movable furniture introduced, then I should not prescribe where it is to be placed. It is movable; *ergo* it can be moved, and so may well be from time to time, although probably a 'usual' pattern or position will be adopted. It is not appropriate for me to dictate where the choir is to be placed, or to grant permission '*to create space*' to place the choir in a given position; that is for the clergy and PCC to determine. For me to determine and prescribe exactly where any of the chancel furniture is to be placed may possibly be productive of future dissension and argument. The designs show one-off custom built items, designed and made with great skill. The issue for me is whether that furniture is to be introduced, not where exactly individual items are to be placed.
18. **Proposal for changes to door on south side:** The petitioners want to stop using the west door as the main entrance and use the door on the south side towards the eastern end, where they want to replace the inner wooden door with a glass one with automatic opening. The west door is up a flight of steps, and so not easily accessible for those with mobility problems or in wheelchairs. The doors are also said to suffer from extremes of weather causing considerable draughts. This new interior door again has the DAC's support. I am only concerned with the effects on the structure, not with which door or doors are used.
19. Objections have been sent to the Registrar by or on behalf of some members of the PCC, namely David Brennan and Merle Allen, the PCC secretary, because it appears they wanted the architect (Mr Wilson) to provide a design for double glass doors, rather than a single one, or believed that is indeed what the PCC had decided and instructed him to do. According to these objectors, when they realised that the petition as submitted was

for a single leaf glass door, they enquired how a change to the double doors they wanted could be substituted, and were told by the Registry – so they say – that it could only be done by putting in an objection! That leaves us in the position that these members of the PCC, are in effect both applying for certain changes, and also opposing them. That cannot be right. As it is now about 9 months since this apparent problem surfaced, and there has thus been ample time to resolve exactly what is wanted, and there have been no revised plans sent to me, I assume that the idea of a single leaf door is now acceptable to everyone. That is what is shown on the detailed drawings submitted, namely IWA's drawing 1917.P.04. This is a comparatively narrow door opening, and I observe that having two opening leaves would have been far less convenient than the single one, for anyone in a wheelchair or with limited mobility, or to bring a coffin into the church for a funeral.

20. I assume the **re-decoration** is proposed because it is needed; no separate justification is put forward. It is like-for-like, as I understand it.
21. There has been proper **consultation with the amenity societies**. **Heritage England** does not object to the proposals (letter 15th December 2016). The **Church Buildings Council** initially had concerns over disposal of the locally made chancel furniture and choir stalls. The removal was '*controversial*' and they asked for a more robust justification in an email from their buildings officer, Christina Emerson, to the architect dated 12th August 2016. Explanations were given by the petitioners in an undated document before me, centring mainly on the opening up of the space, the easier administration of communion, improving the acoustics and giving the organist a better view of the choir, and making it easier to turn the coffin at a funeral, to leave church. The present furniture is large and heavy and obviously difficult to move. CBC's concerns seem to have been allayed thereby, as in a further email from Christine Emerson to the architect in late September, she says: '*I am of the opinion the parish has made a solid case for change. Therefore although we would have preferred to see the existing furniture retained and adapted, on the basis that the parish will be commissioning high quality replacement furniture from Treskewe would raise no objection to the proposals.*' There is evidence that the question of adaptation has been explored with relevant craftsmen and found not to be feasible.
22. The 20th Century Society in an email of 11th August 2016 voiced similar sentiments to CBC and '*regrets the loss of the choir stalls designed and executed by the local craftsman and member of the choir John Higson....the stalls are mentioned in the list description as furnishings of note. The Society is deeply concerned that local craftsmanship obviously made with skill, and not to mention devotion, is not valued more highly and does not consider it appropriate to replace them with catalogue furniture*', and they urged the parish to re-consider. (The furniture by Treske is custom made and not accurately or fairly categorised as '*catalogue*'.)
23. I was not sure the 20th Century Society had seen the later, longer PCC justification for replacing this furniture, and I have recently required that they should be given the opportunity to see it. I have had no further response from them and I assume they have decided not to take their objections to the further stage of formal objection. Nonetheless I must assume the 20th Century Society continues to object to this aspect of the proposals, and I am therefore obliged under the Rules to consider their criticisms in reaching my decision. The **Victorian Society** deferred to the views of the 20th Century Society, and the **Georgian Group** do not wish to make representations.
24. **Legal test:** The test (or framework or guidelines) within which the court is **required** to come to decisions about proposed alterations to listed buildings is set out in paragraph 87 of the decision of the Court of Arches (the ecclesiastical court of appeal) in the case of *Duffield, St Alkmund* 2013 Fam. 158 (as subsequently refined in two later decisions) in a series of questions:

- 1) *Would the proposals, if implemented result in harm to the significance of the church as a building of special architectural or historic interest?*
 - 2) *If the answer to question (1) is 'no', the ordinary assumption in faculty proceedings 'in favour of things as they stand' is applicable, and can be rebutted more or less readily, depending on the particular nature of the proposals (see **Peek v Trower** (1881) 7 PD 21, 26-8, and the review of the case-law by Chancellor Bursell QC in **In re St Mary's, White Waltham (No 2)** [2010] PTSR 1689 at para 11). Questions 3, 4 and 5 do not arise.*
 - 3) *If the answer to question (1) is 'yes', how serious would the harm be?*
 - 4) *How clear and convincing is the justification for carrying out the proposals?*
 - 5) *Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building (see **St Luke, Maidstone** at p.8), will any resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm?*
- In answering question (5), the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade 1 or 2*, where serious harm should only be exceptionally be allowed.*

This provides a structured and logical method of coming to a conclusion.

25. Helpfully, I have FVP's comments on some of these issues.

FVP say that the current proposals would have heritage impact on the chancel and sanctuary, the east end of the south aisle and the modified heating arrangements. In greater detail this would result from;

- removal of the existing (imported) pulpit, lectern, choir and clergy stalls and communion rails
- lowering the tiled sanctuary floor to chancel level and re-surfacing the sanctuary in stone
- constructing two steps across the full width of the west end of the chancel
- re-ordering the chancel and sanctuary with new furniture and narrowing the existing high altar.
- removing two late 19th century pew fronts
- removing the timber inner aisle door and replacing with an automatic-opening glass door.

26. Having reviewed the changes to the chancel and sanctuary and their likely impact, FVP state: *'The changes....are considered to represent a suitably sympathetic response to the historic context and heritage value of the church interior'.* Removing the pew fronts to increase circulation space at the new main entrance would have *'negligible impact'* on the special interest of the interior; the new inner door would be *'appropriately distinct'* from historic features of the building and would involve *'minimal disturbance'* to the fabric. *'It appears unlikely the implementation of the works required to modify the heating arrangements will involve any appreciable loss of archaeological significance,'* but an archaeological watching brief is advised.
27. I note that in its letter of 15th December 2016, Heritage England repeated earlier comments on the chancel area as follows: *'Whilst the interior retains important early fittings and memorials, it has been extensively modified following a fire in 1980, with much of the work concentrated on the chancel. As a result of these recent alterations, the chancel and sanctuary as currently laid out have little historic significance, and HE therefore has no objection to the proposals for this area of the church'.* This seems very realistic to me.
28. **Conclusions:** In my consideration, in accordance with Questions 1) and 3) of the *Duffield* guidelines, in the light of these views, I conclude that the changes to the doorway, and

the chancel area, will cause some harm. The extent is minimal in relation to the former, and moderate in relation to the chancel, chiefly relating to the loss of items of furniture and fittings from the past. I am surprised that FVP consider the new heating could have any such effect, and it too must be minimal in extent.

29. Removal of the chancel furniture is opposed by the 20th Century Society, whereas CBC have accepted the justification for it. The individual items are heavy and could not sensibly be moved or re-arranged on a regular basis. The photos show good, solid craftsman-made items that were specially made for this church by one of its members. On the other hand liturgical demands and aspirations have altered since these were introduced. The desire to make the levelled chancel area available for other social or artistic activities, is a normal and accepted part of making the best use of sacred space these days.
30. **The petitioners have in my view justified their request to make these alterations, and the harm to the significance of the building caused by removal of furniture and fittings is outweighed by the liturgical freedom created, and the public benefit to be gained by having a flexible area to utilise for worship and other diverse activities.**
31. It seems to me nonetheless regrettable that all trace of what has been there and been an important part of the worship, should be permanently removed from the church. I will therefore make it **a condition that the petitioners are to retain one item** from those made by John Higson within the church, as both an example of his work and a reminder of the present chancel arrangements.
32. **As to disposal of the following items - the communion rails, pulpit, choir stalls and lectern** – I believe that I have sufficient (although limited) information about each of these items to come to a proper decision about this part of the application. I am mindful of the Court of Arches decision in *Re St Lawrence, Oakley with Wootton St Lawrence* (14th April 2014). In paragraph 19 of that decision, the Court stated in '*clear and uncompromising language*' (as Chancellor Hill QC has put it in a recent decision) that faculties in cases relating to the disposal of '*church treasures*' should seldom if ever be granted without a hearing in open court. In this case I conclude that course is not necessary, in reliance on his decision in *Re Flockton, St James the Great* [2016] ECC Lee 4. Not everything to be removed from a church is a '*treasure*'. It seems to me that of those items, only the eagle lectern and the communion rails could even arguably fall into the category of '*church treasure*'. Such lecterns are common, and nothing distinguishes this one. The rails are attractive, but do not quite reach the level of being '*church treasure*'. However good their quality, the pews are at the end of the day usual items of church furniture, even if they appear on the listing description. I am not to be taken as saying wooden furniture cannot ever fall into that special category; plainly some such items could. But these pews do not, in my judgment. I appreciate that the 20th Century Society is objecting to the disposal of the pews, but there has been no other such objection from anyone else, that has been continued to date. The pulpit has not been mentioned as worthy of retention or commented on, by anyone responding to the proposals. The DAC supports, and HE has at least no objection to, their disposal.
33. Removal and disposal of **the pews by the south door** is not a matter of any real consequence and causes little if any harm. It is justified to increase circulation space.
34. It would also be expensive to convene a hearing, especially when the items appear to have little heritage value and limited financial value as compared with the costs of a hearing. It does not seem to me, while respecting of course the importance of the *Wootton* decision, that a re-ordering petition should require such a hearing just because the petitioners want to dispose of some items, and replace them with other modern examples. Nonetheless **the communion rails** seem to me to be of sufficient quality, even if not '*treasures*', that they should not be treated as of scrap value only – as I am sure the petitioners would accept – and they are to take reasonable steps to advertise them for

use in another church. As to the other items they may dispose of them as they wish, save for the one Higson item I have already said must be retained.

35. **Also I make clear that permission to make changes to the sanctuary and chancel structure and dispose of these items, is conditional on the parish in fact acquiring and installing the chancel furniture manufactured by Treske, as outlined in the drawings submitted on 17th January 2017.**
36. There is one other important issue that I need to deal and which I have left to now. A serious **procedural difficulty** arose in the course of this case, and I will deal with that at this point, although it had to be faced fairly early on. To have tried to deal with it earlier in this judgment would have significantly interfered with the description of the main points in the case. It arises in relation to completion of the on-line petition. What was sought was initially disguised by the use of the phrase '*refer to documents attached*', under the heading on the petition *Schedule of Works or Proposals*. Because of the way the on-line system functions, that wording was automatically carried over onto the Public Notice, and also onto the Notification of Advice given by the Diocesan Advisory Committee ('DAC'). That phrase is meaningless without knowing exactly what documents are referred to, and when the application first came to me in May 2016, I did not, nor has it been clarified subsequently. I can see the attractions for the petitioners of this approach, on the basis the proposals appear within the relevant documentation, but it simply will not do.
37. The use of such a catch-all phrase, fatally undermines the whole purpose of the Public Notice. That should set out in a meaningful way, so those reading it can understand **from that document alone**, the nature of the proposals being put forward, **with such detail as may be necessary** for that to be done. They can then decide if they want to make enquiries or obtain further details from the plans and other documentation exhibited at some convenient location, as indicated on the Notice, or if they wish to write to the Registrar setting out criticisms or objections, in the way the Public Notice explains. The phrase I have used ('**such detail as may be necessary**') does not require every last detail of the proposals to be specified, but the Notice must be sufficiently informative to allow the reader to understand clearly what is intended. The Notice should not require an expedition of discovery to be undertaken, or for anyone interested to plough through a mass of other documentation, in order to discern the main thrust of the various proposals being put forward.
38. A brief description is not enough. Thus '*reordering*' may describe the work generally, but gives no idea of what is proposed. Details could be, and should be, given, something like '*removal of choir stalls, and front three rows of pews, levelling of floor at west end, re-location of font to position north of chancel arch, creation of a serverly in the north-west corner of aisle,*' and so on. Reference to plans and drawings may be helpful in all this, but that is no substitute for the sort of summary details I have indicated is necessary. As I have recently seen a number of inadequate descriptions of the work proposed in different petitions, I draw attention to what I consider is the minimum required. This is not to be seen as procedural fussiness; it is necessary to comply with the purpose of the relevant Rules, and it has real practical benefits as well.
39. Not only does a proper summary enable those who have to grapple with what may often be complex proposals, to understand them more easily and so approach the detail with a clear idea of what is wanted, but it keeps the petitioners themselves on track in their thinking, so that there is no confusion arising over time as new ideas or refinements are considered, and some may simply somehow be adopted into people's thinking. In this case, the proposals have undoubtedly changed and developed over the months and, as the objections about the new glass door show, confusions can arise.
40. The **Public Notice** procedure is integral to the faculty jurisdiction. If proposals are not specified there in the way I have described, then the chancellor cannot as a matter of law

give approval for them. If petitioners fail to indicate properly what they want, the chancellor is simply not in a position to give approval.

41. I am also told aspects of the applications have been returned to the DAC on no less than four occasions for their advice to be given. One of these involved a reconsideration of refinements to the details of the new chancel furniture the petitioners seek to introduce. Drawings from the manufacturer, were seen and approved by the DAC in December 2016, only for revised ones to be forthcoming in January. Such duplication of work should not happen. It results in a waste of valuable time and effort, by a body that is always burdened with long agendas and far more work than it can cope with easily.
42. When the DAC first *Recommended* the proposals at its meeting on 9th December 2016, the **Notification of Advice** simply repeated the earlier phrase '*Refer to documents attached*,' so it was not clear what was being approved. I am sure that DAC itself knew what it was approving, and that it had the necessary written materials, reports, statements, drawings and photographs, on which to come to a proper and meaningful decision, and I have proceeded on that basis. In future, if such a situation were to reoccur, the DAC Secretary should insist on the petitioners providing a list of the works they want to achieve, or draw the Registrar's attention to the problem. Difficulties in changing details already up-loaded onto the system, can be addressed by the Registrar.
43. **Revised Notice:** When I saw the problems that had arisen with the original Notice, I directed that a revised one to cover the two petitions, should be prepared and re-exhibited for 28 days. I tried to give the petitioners an indication of what it should look like. I made it clear however that responsibility for the details, and the comprehensiveness of the Notice, were the petitioners', not mine. As I suggested, they have now also included a list of items they want to dispose of, namely the pulpit, choir stalls, communion rails, the eagle lectern and three pews near the South porch.
44. I ought to mention that the desire to re-decorate the interior, emerged rather late on, and it has the DAC's approval, and was included on the revised Public Notice dated 19th March 2017.
45. **I Direct that the petitions be combined, and be amended (and are hereby amended) to include all the items on the revised Public Notice.** There is now therefore an application for a faculty that covers everything. I believe that the proposals are now back on track procedurally.
46. This Revised Notice was re-exhibited from 19th March to 16th April 2017. It expressly stated that any objections previously submitted would continue to be considered by me, so those who had previously written in, did not need to repeat what they had said.
47. **The petitioners are to have 18 months, or such longer period as may be allowed, to complete the work.**
48. **The petitioners must pay an enhanced correspondence fee to the Registrar to cover the costs engendered by the large amount of extra work these two petitions have given rise to.** That will be in a figure approved by me.
49. The petitioners have liberty to apply for Further Directions, if necessary, by letter or email to the Registrar.

John W. Bullimore
Chancellor
2nd July 2017