

Neutral Citation Number: [2021] ECC Yor 3

IN THE CONSISTORY COURT OF YORK

PARISH OF THE MOST HOLY AND UNDIVIDED TRINITY, HULL

HULL MINSTER, THE CHURCH OF HOLY TRINITY, KINGSTON UPON HULL

**IN THE MATTER OF A PETITION TO INTRODUCE ALTAR FRONTALS IN THE
LITURGICAL COLOURS TO THE CHANCEL COMMUNION TABLE**

Opposed Petition

**The Reverend Dominic Black
Ian Alexander Ogilvie
Robin Alden**

Petitioners

JUDGMENT

The Petition

1. By a petition dated 29th March 2021, the petitioners seek a faculty to introduce altar frontals to the chancel communion table in Holy Trinity Church Hull, also known as Hull Minster. The said frontals are to be in liturgical colours.
2. The petitioners are the Reverend Dominic Black, priest-in-charge, and Ian Alexander Ogilvie and Robin Alden, churchwardens.

The course of proceedings

3. The matter was put before the DAC for its advice and was dealt with by the Secretary to the DAC under the Committee's Delegated Authority Policy. The advice was that the proposal was 'recommended'.
4. Public Notice was displayed between 30th March and 29th of April 2021.
5. The matter was referred to me via the Online Faculty System on 21st April 2021.
6. I was told at that time by the Registrar that there had been emails objecting to the proposal. I indicated to the Registrar that in those circumstances I would take

no further action in relation to the petition, until she had communicated with the authors of those emails and discovered how they wished the matter to proceed in accordance with the Rules.

7. The emails she referred to had been received from Mr Timothy Wilson on 19th April 2021 and from Ms Susan McGaw on 22nd April 2021.
8. The Registrar, in accordance with the Faculty Jurisdiction Rules 2015 (FJR), Rule 10.3, wrote to each of them explaining the options facing them, namely whether to formally object by filing a Form 5 document, or to allow me to take their objections into account when coming to my decision, without them becoming parties to contested proceedings.
9. Mr Wilson has not replied to that letter. Under FJR Rule 10.3(2)(d) he is therefore deemed not to have become a party opponent, and FJR 10.5(2) then requires me to take account of any letters of objection, and any comments on them received from the petitioner, in reaching a decision on the petition.
10. Ms McGaw replied on 24 January 2019 stating that she wished “to proceed with the first alternative as laid out in the letter” from the Registrar, namely, leaving “the Chancellor to take your letter of objection into account in reaching a decision without you becoming a party”.
11. On 14th May 2021 the Registrar wrote to the priest in charge telling him of the position, enclosing copies of the emails received from them and through him inviting the petitioners to respond.

The Issues

12. The proposal put forward by the petitioners is accompanied by a document explaining the rationale behind the proposal. It reads as follows:

The dedication of the Parish Church of the Most Holy and Undivided Trinity as a Minster marked a new phase in the life of the church and its relationship with the city and diocese. This change in status has coincided with the physical transformation of Trinity Square and the nave. The building has been brought back to life and is beginning a new phase of its life as a Minster church. The Choral tradition of the church under a new director of music has flourished over the last five years as befits the splendour of the building. Currently there is one Red Laudian cloth probably of Victorian vintage which sat on the Nave Altar prior to the refurbishment. The previous incumbent introduced coloured stoles and burse and veil in the liturgical colours.

It is proposed to introduce a set of simple ‘Traditional’ style altar frontals to dress the high altar in the chancel of Hull Minister. The proposal hopes

to do two things, firstly to introduce the colours of the church's liturgical year more prominently into the building and secondly to add colour to what is otherwise a relatively drab space apart from the windows. It is proposed by the PCC that from time to time the frontal would be removed to reveal the very fine carving of the Victorian altar.

The frontals will be made in the St Margaret brocade, chosen to reflect the rose of Yorkshire and the crowns of Hull, by J&M Sewing of Newcastle to the design in White, Violet, Green and Red.

13. The objections raised by Mr Wilson are that he has been a fully committed member of Holy Trinity church for over 30 years; and that the simplicity of the services to-date has enabled him to be as committed to every aspect of the church, accepting that it is the Word of God that is at the core of what it is to be a serving Christian. So he asks why it is necessary to purchase these items which are in effect adornments. He asks what purpose they serve in the life of the church in the parish, noting that the communion table is a significant piece of furniture, so for what purpose is it necessary to cover it? He refers to the recent transformation of the nave, and the clearing away of the furniture enabling more varied events to take place in the church. He says that that has focused minds on the innate value of the space within, and the people who meet there, as opposed to its adornments. He says that that change was progressive, yet still faithful to the time-honoured style of worship, whereas the frontals would appear retrograde in this respect. He argues that it more relevant to the mission of the church to use available funds to support symbolic action, such as outreach work and co-working with like-minded groups to support those in our community on the margins of society. He says that altar frontals will likely have little relevance to these individuals in contrast with the caring actions of those who seek to help them. Finally he says "Put simply, I believe that there is greater value in investing in symbolic gestures rather than symbolic objects."
14. Ms Susan McGaw submitted a photograph of the communion table. She describes it as "a late Victorian beautifully carved table, so highly carved that it is clear it was never meant to be completely hidden or covered up. It is not that many years ago when there was a cloth on the top and sides of the table which left the front carvings in view. I do understand and accept that times change and that changes will take place but I do strongly feel that in this case, this is change for changes sake and makes no sense or reason for needing such frontals. If the application had been for the nave communion table I could have understood it [even though I think it unnecessary]. The nave table is plain with four simple legs and would serve very well to have changing altar frontals. It has been suggested to me that Hull Minster lacks colour and therefore these frontals are a vital part to improving this. I would strongly disagree as the church is adorned with beautiful stained glass windows, embroidered kneelers and seat cushions which all add plenty of colour to this historic building." She says she has been a member of the church for many years.

15. As is required by the Rules these objections were submitted to the Petitioners for them to respond to if they wished. A response was received dated 17th May 2021. The petitioners referred to the church being designated as a Minster during the City of Culture celebrations in 2017. They also referred to this coinciding with the “remarkable transformation” of the church and its setting, which have enabled it to host numerous festivals and events and hopefully after the pandemic and when the Trinity Rooms have been completed there will be the possibility for even greater hospitality and flexibility. They refer to the fact that quite often visitors seeing the large empty nave space ask: “is this still a church?” The church is currently working with the Christianity and Culture project at York University on faith interpretation of the building. The introduction of frontals would be one way of visually signalling that the building is very much still in use as a place of Christian worship and would also signal the passage of the church’s year as the changing colours of liturgical time mark the great mysteries of the Christian faith. They also produce a photograph from the archives dated around 1900 showing an altar frontal [now lost] on the chancel communion table and refer again to the red Laudian cloth mentioned in the original proposal.
16. They also refer to the fact that the congregation, most of whom have joined in the last few years, are either completely new to church or come from other diverse church backgrounds. The choral tradition in the church has undergone a renaissance in the last few years and has drawn to the church many who are used to a more liturgical style of worship and to one which would usually be found in buildings of this scale and grandeur.
17. They also note that the Rev Canon Dr Neal Barnes the last incumbent before this petitioner incumbent introduced candles and coloured stoles into the worship of this church for the first time since the Reformation. That lighting of candles has become very important to hundreds of people who have come into the church when it has been open for personal prayer during the pandemic
18. It is accepted by the petitioners that the long-standing Low Church tradition which is represented in the remnants of the old congregation must be respected and that has resulted in restraint in the ceremonial that has been introduced. On some of the specific points raised: the petitioners and the PCC recognise the fine quality of the carving and it is intended, as stated in the proposal, to remove the frontals from time to time to expose this fine table particularly on heritage days. They also indicate that no general revenue will be used for the purchase of the frontals and nothing will be diverted from charitable outreach activities in that respect.
19. Finally they say that the introduction of the frontals is a small but important and significant step in the general repair and care of this heritage monument along with the general decluttering and tidying of the East End.
20. How do I approach the resolution of these matters? The test that I must apply is whether the petitioners have made out the case for their proposal. All proposals

involve change of some sort. There are particular questions that I have to ask if it is suggested that the change will result in harm to the significance of the church as a building of special architectural or historic interest. That is not suggested here. The nearest we come is the suggestion that this fine Victorian table will be visible less often than it is now. It is not being removed and on significant heritage days it is proposed to reveal it in all its Victorian glory. I am therefore not able to categorise this as significant harm or a significant loss.

21. That being the case although there is a presumption against change, that presumption is 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).
22. The argument here is that there has in recent years been a development in the style of worship which has introduced the liturgical year and its colours through the wearing of stoles and a natural extension of that would be to show those colours in another place namely the front of the communion table as is the pattern in many churches. Further it is said that many new members of the congregation feel quite comfortable with this, not having the Low Church background of some of the longer standing members of the congregation. Thirdly the church is working on how it can interpret the building to the many unchurched visitors and how through interpreting the building it can explain the message of the Christian gospel, and that by focussing on the liturgical calendar and using colour they can say something about the part of the gospel message the church is contemplating at that time of the year.
23. Mr Wilson's principal argument is that he is against any "adornment". The difficulty I find with that argument is that the table, as can be seen in Ms McGaw's photograph, is intricately carved. It is not a simple plain table.
24. Canon F2.2 provides that:

The table, as becomes the table of the Lord, shall be kept in a sufficient and seemly manner, and from time to time repaired, and shall be covered in the time of divine service with a covering of silk or other decent stuff, and with a fair white linen cloth at the time of the celebration of the Holy Communion.

It seems to me that what is proposed is entirely in keeping with that requirement – the table is now to be kept covered with some "other decent stuff"

25. But as for the table itself many other features of the church are similarly works of artists and craftspeople. They are there to tell the story other than by using words. All that is being asked for here is in a simple use of colour similarly to tell the story that is in other ways told by other parts of the building, its fabric and furnishings. Underneath this objection I sense a resistance to any movement in a more "catholic" direction in the style of worship. The canon law does set limits to

that. But within those limits churches do over the years move “up and down the candlestick”. The fact that this proposal introducing something new requires a faculty is the safeguard in that process. But what is proposed does not set anything in stone and if there was a preference in the future not to use the frontals they would not be required to be used. The faculty that is being sought would permit the introduction of these frontals, but it does not require their use.

26. The petitioners deal with Mr Wilson’s other point about the use of the funds by assuring me that they will not be using money that would otherwise be used for evangelism or care.
27. As for Ms McGaw’s argument, it is that the table was clearly never meant to be fully covered and so should not be. Against that is the photographic evidence produced by the petitioners that in the past this table has been fully covered. There may be an argument as to the exact meaning of Canon F2.2 (supra), but in any event I am not persuaded that the reasons advanced by the petitioners and to which I have referred in paragraph 22 above are outweighed by this argument of Ms McGaw; particularly given the concession that it will on suitable occasions be left uncovered so that the carving can be seen.
28. So in all these circumstances I am satisfied that the petitioners have put forward a cogent argument for introducing this change to the furnishing of Holy Trinity church and that the objections raised by Mr Wilson and Ms McGaw whether taken separately or even added together amount to good reason why the change should not be permitted.
29. I therefore direct that a faculty shall pass the seal.
30. This being a contested petition the petitioners shall bear the costs thereof.

HH Canon Peter Collier QC
Diocesan Chancellor

The Feast of Barnabas the Apostle
11th June 2021