

IN THE CONSISTORY COURT AT BIRMINGHAM

IN THE MATTER OF ST JOHN THE EVANGELIST, LADYWOOD

JUDGMENT

1. By Petition dated the 7 June 2016 the Vicar and church wardens of St John the Evangelist, Ladywood, sought a Faculty for the installation of a new AV system to assist them in their worship.
2. After detailed discussions with the DAC the Parish amended their original proposal which was submitted to me via the Online Faculty System, with a recommendation endorsed by the DAC.
3. For reasons that I am not entirely clear about Historic England responded after I had made a provisional decision to grant the Faculty for the reasons set out in the Online Application.
4. On the 24 November 2017 Historic England made submissions in which they indicated that they did not wish to become Party Opponent but that they hope that a more adaptable and less permanent solution scheme could be adopted given that "the ever improving nature of audio-visual technology will also mean that these proposed screens will likely need to be replaced in a relatively short period of time". It seems that they have not considered the most recent Petition which was that there should be four screens as opposed to the six that they mention. In those circumstances it seems to me that the need to improve the facilities for worship outweighs the "status quo" argument and that the installation of four screens is the least intrusive installation consistent with the overriding objective to improve the quality of the facilities for worship.

5. I accept the advice tendered about the evolving nature of audio-visual screens but I am satisfied on the evidence before me that the Parish's need is immediate and I do not think therefore that it is appropriate for them to be asked to wait for new technology to alter the situation.
6. I have also considered the understandable views of Historic England wherein they advocate a more adaptable and less permanent solution but I accept the evidence from the Parish that the reason why the screens have to be fixed to the pillars is because of the high risk of theft of what are clearly valuable items.
7. In those circumstances I confirm the decision that I took that the Faculty shall be issued subject to the condition that I originally imposed which was that the fixings are not to be made to the mortar and the mountings are to be offset on the columns.
8. As always, I value the input of Historic England and their expertise and I hope that they will understand why I have seen fit to "overrule" their objections.

Dated this 6 day of December 2017

Mark Powell QC

Chancellor of the Diocese of Birmingham