

In the Consistory Court

The Parish of Stockton on the Forest,

The Church of the Holy Trinity

1. The Petitioners in this matter are the Reverend Nick Bird, Rector, and the two deputy churchwardens Mrs Pamela Brighton and Mrs Ennis Tweddle.

2. By a petition filed in the Registry on the 30th October 2015 they have sought a faculty to permit them to:

1. remove and dispose of eight pews from the west end of the nave and two from the east end, and the reinstatement of missing pews elsewhere in the nave, together with associated modifications to the floors;
2. re-locate various gas heaters, and the sound system into a new cabinet;
3. introduce a kitchen unit and storage cupboard at the west end;
4. re-carpet all un-pewed areas of the nave;
5. introduce eighteen stacking or folding chairs;
6. carry out internal modifications to the porch floor and lighting; and
7. introduce a reinforced grass parking area beside the church driveway, together with associated minor works.

3. The matter was considered by the DAC at a meeting on the 1st December 2015. The DAC had been asked previously for advice on an earlier version of the scheme. Having considered this amended version of the scheme the committee recommended it.

4. Public Notice was then given of the proposals and four persons sent letters of objection to the Diocesan Registrar. Those persons were:

JDA Bond, letter dated 6th January 2016;
Marie Paylor, letter received on 25th January 2016;
Dorothy Hardisty, letter dated 22nd January 2016;
Maureen England, letter dated 26th January 2016.

5. On the 28th January 2106 the Registrar wrote to each of these people explaining the options facing them, namely whether to formally object by filing a Form 5 document, or to allow me to take their letters of objection into account when coming to my decision, without them becoming parties to contested proceedings.

6. Mrs Hardisty filed a Form 5 dated 12th February 2016.

7. There was no response from any of the other persons who had sent in initial letters of objection. I shall therefore deem them as having opted not to become parties but I shall

nevertheless take into account what they have set out in their objections in coming to my decision.

8. The Registrar had also written to the Petitioners to inform them of the objections received. The Rector responded in a letter dated 15th March.

9. The matter was then referred back to me and I gave directions as follows:

I have considered the position in this matter and the various objections received.

I note that three objectors have chosen not to submit a Form 5 and become parties in the matter, but that Mrs Hardisty has submitted a Form 5 and I assume that the unsigned document attached to it is hers also.

I am satisfied that it would be expedient to deal with these proceedings hereafter by written representations only.

However before I can do so I need to know from both Mrs Hardisty and the Petitioners whether they are content for me to deal with this matter on the basis of written representations.

If Mrs Hardisty is so content then I also need to know from her whether there are any other representations she wishes to make other than ones she has already made in her letter of 22.01.16 and the document attached to her Form 5 Particulars of Objection date 12.02.16.

She should respond to that request for her position on those two matters within 14 days of being written to.

If she is content and has nothing more to say then I will be able to proceed to give judgment. If she wishes to put any further material before me then she should also provide that within the same 14 days and copy it to the Petitioners who should respond within 14 days of receipt. I will then give a written judgment.

If she is not content for me to deal with this on the basis of written representations I will give further directions for a hearing.

10. By letters dated 6th July and 2nd August the Petitioners and Mrs Hardisty respectively consented to the matter being dealt with on the basis of written representations and said that they did not wish to add any further representations to those already submitted.

11. I will summarise the objections advanced by those who wrote letters.

12. Mr Bond considered the proposals were a waste of time and money. He was concerned about where stacking chairs would be stored as space is at a premium. He considered that there was a greater need to replace the heating and lighting systems. He was concerned about the people being trapped in the church if there was a fire from the new cooking facility.

13. Ms Marie Paylor also did not understand what the need was. She had heard that it was said these alterations were necessary for young Christians but she remembered her own youth and did not consider that she and her contemporaries had missed out by not having the benefit of these proposals. The village has other facilities for public gatherings - a village hall and scout hut. She regarded the church as being exquisitely traditional, attractive for weddings and that this would be jeopardised by the introduction of unsightly stacking chairs.

14. Mrs Maureen England noted that the pews were the result of old British craftsmanship which could not be suitably replaced by stacking chairs. She hoped that the views of those who had long connections to the church would be respected and regarded.

15. Mrs D Hardisty said in her original response this was a traditional village church in a rural community and that the introduction of an electric hob would change the whole character of what the church is for as well as introducing a significant fire hazard. So far as this was said to be a benefit for groups who might start to use the church, she considered that they were sufficiently catered for elsewhere already and would not be attracted by these changes. Storage of the chairs would lead to clutter. The proposal has split the congregation and created an atmosphere. She proposed a compromise which was to remove 3 pews on one side and one on the other rather than the 10 that were proposed. In the document attached to the Form 5 formal objection she focused on 2 aspects. First her proposal to reduce the pews by 3 rather than 10 rows. Second her opposition to the catering facility on the grounds of safety.

16. The Rector, the Rev Nick Bird, has responded to those various objections in a letter dated 15 March 2016. The points he makes are as follows:

17. In addition to removing pews it is proposed that other pews will be restored and there will be a much better symmetry of pews which will fill the greater part of the church.

-) The chairs will not be stacking chairs but folding chairs and will rarely be folded up and removed.
-) Any loss of seats on the couple of occasions in any year when the church is full will in fact give more room for standing than is available and required at the moment.
-) The cooking facility will be a small movable induction hob that can be used to reheat food and also a microwave oven. These items would be contained in a cupboard and kept out of sight. There is no foreseeable risk of fire in these circumstances.
-) He understands that the proposal has the full support of the PCC and the regular worshippers, as well as the Archdeacon of York, the Church Buildings Officer, and the DAC.

18. The questions that I have to ask myself are first whether the proposals will have an adverse effect upon the overall amenity or any particular features of this church. If it will have an adverse effect then I must ask myself whether the need is sufficiently great to outweigh that adverse effect.

19. In coming to a conclusion about these matters I am as always assisted by the observations of the DAC. I note that the church is unlisted which means that it has no particular heritage values that have been noted as worthy of preservation. The DAC minute quotes the description of the church in Pevsner as "harmless". The DAC itself described the

nave in this way “now an inflexible aisle-less nave crowded with routine, undistinguished furniture”.

20. I do understand that for people who have known this particular church building and worshipped in it for the whole or for a substantial part of their lives, even the furniture thus described can be important because they associate that furniture along with everything else about the church with their own Christian pilgrimage beginning perhaps with their baptism followed by confirmation, time in youth groups, perhaps marriage, supporting the church and seeing their own children, the next generation, continuing the cycle. In that context almost any change will be seen as loss.

21. I am told, and I accept, that the current worshipping congregation as well as the PCC are in favour of these proposals. The intention is to create flexible space so that people can circulate and socialise after services and at other times. I am satisfied that this will be achieved by rebalancing the arrangement of the pews to give a symmetrical pattern and at the same time to create the required space. The DAC concluded that the proposal “seemed benign and modest in its architectural effect, but was likely to be a very positive benefit to the worshipping community”. I agree with that judgement.

22. I am also satisfied that there is no significant safety risk created by the introduction of the induction hob and microwave oven. I am satisfied that these will not intrude in such a way as to alter the ambience of the building. I am also satisfied that they will contribute to the quality of the community life that is being built up in this church.

23. In all these circumstances I am satisfied that the petitioners have made out the case for their proposal, that the various objections whether taken separately or together do not provide any reason why the proposal should not be allowed to proceed.

24. I therefore direct the faculty will pass the seal until further order.

25. I will allow 12 months for the completion of the proposals.

26. This being an opposed petition the petitioners will have to pay the additional costs created by this being an opposed petition.

Canon Peter Collier QC
Chancellor

Feast of Bartholomew the Apostle 2016