

IN THE CONSISTORY COURT AT LINCOLN

In the matter of St Michael's Glentworth

**Judgment**

1. By Petition dated 2/5/19 the Petitioners seek a faculty to install an automatic winding mechanism and automatic regulation to the tower clock at St Michael's. The estimated cost of the work is £5800, and the Parish Council have agreed to fund up to £1850 towards the cost.
2. The church is Grade II\*. The tower is accessed from the nave through the Norman arch. There are various unfixed items of furniture as specified in the Statement of Significance. The electricity supply is mounted on the wall and there is a softwood enclosure housing the clock weights. The clock chamber is accessed via a wooden ladder (with a ladder guard) and is on the first floor of the tower. The chamber is quite tall and the bell chamber can be seen from the underside. 2 bell ropes hang down from bell chamber. The clock was made by William Potts in 1898. It is an armchair style with pin wheel escapement. The clock mechanism is in a tall softwood cabinet.
3. The clock is serviced annually by Smith of Derby which is paid for by the Parish Council. There is a single clock face on the east side of the tower.
4. Until January 2018 the clock was wound manually by a rota of volunteers but after a risk assessment such manual winding was suspended until safer option could be explored.

5. The Risk Assessment was by Dr Rodney May (who is also one of the objectors) and is dated 17 March 2016. His report notes that the clock is wound on average every 5 days which is about 70 days a year. There was then a team of 6 clock winders one of whom was in his 70s. His conclusion was that if his risk assessment was found to be correct, then measures should be put in place as soon as practicable to reduce the risk to a tolerable level. He identified a number of hazards in the manual winding arrangements: falls when climbing the ladder or the trellis (a high risk) and falls whilst winding the clock or falling through the trap door whilst in the clock winding room (a medium risk). Using the judgement of an experienced clock winder Dr May assessed a high risk of major injury when falling from climbing the trellis as having a 'quite probable' likelihood. There were other high risks of single death or major injury in other accidents during clock winding which he assessed as 'remote' likelihood, but because of the severity of the consequences should the risk materialise he puts those risks as at least 'medium'. Dr May's report states that only a low risk should be tolerated.
6. Following this report, the PCC decided that no one should access the clock room floor without PCC permission and a ladder guard was purchased. The PCC and the Parish Council considered 3 proposals:
  - (i) spending £1000 to make the manual winding of the clock acceptably safe
  - (ii) a bespoke ladder, safety rail around the hatch and a safe platform to wind the clock could be purchased. Initial quotes indicated this would be comparable in cost to the automatic winder.
  - (iii) the automatic winder which would reduce the risk of anyone having to ascend the tower to wind the clock every 5 days. There would only need to be access by professional Smith of Derby staff to undertake annual maintenance, and for PCC checks on bird ingress and weather depredations.
7. Dr May's objection dated 16 May 2019 is that his own assessment was that the manual winding could be made tolerably safe at a cost of less than £500. He never had any difficulties getting volunteers to

wind the clock. He states that he has no objections if the church 'chooses to use about £6500 of its funds' to automate the clock, but he considers it poor value. He did not choose to become a party opponent, but I have taken into consideration this letter of objection.

8. Mr and Mrs van den Bos's objection dated 16 May 2019 states that there are safe ways in which the manual winding could continue, and the risk made tolerable by works to the clock floor. They have confirmed to the Registrar that they do not wish to become party opponents and are content for me to take their objection into account in my decision.
9. I note that the PCC has unanimously agreed on 2 April 2019 to seek this faculty for an automatic winding mechanism and is supported in that by the Parish Council.
10. The DAC has recommended to me that the works proceed subject to the proviso that all surplus items such as weights, pulleys, winding handle and jack etc should be labelled and safely stored close to the clock.
11. The law that I must apply is set out in re St Alkmund, Duffield: The Arches Court of Canterbury 2012 which provides a framework for decisions of this kind to that set out in the 'Bishopsgate questions' (Re St Luke the Evangelist, Maidstone 1995 Fam1). The framework suggested is:
  - (i) would the proposals if implemented result in harm to the significance of the church as a building of special architectural or historic interest?
  - (ii) if the answer is 'no', the ordinary presumption that matters should remain as they are can be rebutted more or less readily, depending upon the nature of the proposals.
  - (iii) if the answer is ' yes', then I must ask myself (a) how serious would the harm be? and (b) how clear and convincing in the justification for carrying out the proposal?

(iv) bearing in mind the strong presumption against proposals which will adversely affect the special character of a listed building, will any resulting public benefit outweigh the harm? In answering this question, the more serious the harm the greater will be the level of benefit required before the proposals could be permitted. In Grade 1 or 2\* buildings only exceptionally could serious harm be permitted.

12. I am satisfied that the proposals for the automatic winding mechanism would not result in harm to the significance of the church as a building of special architectural or historic interest. The proposals are for a reputable contractor to undertake this work and remove the need for volunteers to rewind the clock every 5 days. The objections seem to be expressed on the basis that the clock winding task can be made tolerably safe by a less expensive option which would allow manual winding to continue. In my judgement once it is clear that the proposals for automatic winding do not result in harm as I have found above, then a decision about the sums which the PCC wishes to spend to reduce the risk is a matter for them. The automatic winding mechanism is a reasonable response to the risks which have been identified, and it is for the PCC to decide what sums they wish to spend on meeting those risks, bearing in mind also the number of manual winders required to staff a rota and their ages.
13. I am sure the PCC would want to join me in expressing gratitude to the rota of manual winders who have been prepared to ascend the tower to wind the clock for the assistance of the whole community over the years.
14. I grant the faculty with the condition that all surplus items such as weights, pulleys, winding handle and jack etc should be labelled and safely stored close to the clock.

The Reverend and Worshipful Chancellor His Honour Judge Mark Bishop

3<sup>rd</sup> August 2019