

In the consistory court of the Diocese of Lincoln

In the matter of St Andrew's Epworth

Faculty Number 3184

In the matter of a Petition for various works including re-ordering

B E T W E E N

The Reverend Ian Walker

Mrs Penelope Birks

Mr James Oliver

Petitioners

And

Harold Woolgar

Winfred Woolgar

John Fennell

Elizabeth Fennell

Respondents

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J U D G E M E N T

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Introduction.

1. St Andrew's, Epworth is a grade 1 listed church the origins of which date back to the early 12<sup>th</sup> century. It was rebuilt during the 14<sup>th</sup> and 15<sup>th</sup> centuries but retains 12<sup>th</sup> century arcading

in the nave. The current tower is 15<sup>th</sup> century. Renovations occurred in the 18<sup>th</sup> and 19<sup>th</sup> century and there was a major restoration in 1868 under Fowler of Louth in which an organ chamber was built, the gallery was removed and there was re roofing of the aisles. The nave pews were introduced at this time.

2. The Church is set on a slightly raised site and there are splendid views from the churchyard of surrounding country side. I have had the privilege of visiting the Church. It is clear that it is a building which has deep roots within the community. Historically the Isle of Axholme where this Church is placed, was an isolated area with villages set on higher land above the marshes. It was not until the 17<sup>th</sup> century when Vermuyden drained the land and thereby exposed rich agricultural land, that the area became more accessible. In the 18<sup>th</sup> century Samuel Wesley, father to John and Charles, was rector in Epworth and both his sons were baptised in the font which is part of this Faculty application. John Wesley was a curate to his father at Epworth and later preached from his father's tomb in the churchyard when he was not permitted to enter the church following his estrangement from Church authorities. This historic link with the founder of Methodism means that many visit this church from around the world and this gives a special significance to this church.

3. Since 1997 there has been a programme of restoration to the fabric with a new roof and extensive masonry works, an organ rebuild and a restoration of the south east window within the nave. This followed an assessment by Richard Jacques, Historic Buildings Architect of English Heritage that 'the church was in exceptionally poor condition' (Petitioners statement p1). In 2005/6 there has been high level restoration on the chancel, nave and south aisle roofs which cost over £350,000. In 2006 the PCC received a project planning grant by the Heritage Lottery Fund and this allowed the production of, amongst other items, a Conservation Management Plan. From spring 2007 a vision was discussed which would allow the church to develop its mission as a parish church by encouraging the use of the church for access and learning projects, with scope for conservation projects within the building. From this point this reordering proposal has been formed.

4. A particular problem that the church faces is that in 1969 the floor was relaid by the formation of a concrete slab over a plastic membrane to the Nave and Chancel.

Understanding of the breathability of floor zones is more advanced now than it was then. The effect of laying the slab in this way was to lead to a 'wicking effect' of ground moisture into the historic masonry of the arcades and external walls. This has led to highly corrosive water

borne salts being transmitted through the masonry causing deterioration and damage to the historic fabric. Work done in 2009 to the chancel is already disintegrating at ground level because of this. The final stage in managing water ingress and minimising the salt growth is the removal of the concrete slab. There are no objections to this essential work for which the pews must be removed. The question of reinstatement of the pews thereafter is a subject of dispute.

5. The Petitioners submit to me that the current heating system has been unreliable in winter for some time and in 2010 only half the heaters were working. In May 2011 a decision was taken to switch off the gas supply because of the smell of gas. This led to the church being closed for services and the adjacent Ivy Andrew Hall being used instead. The electrical and lighting systems are in urgent need of replacement. The lavatory facilities are sub standard and there are no disabled persons' facilities or facilities for babies to be changed. A small kitchen is too close to the existing lavatories. They also seek a new sound system, and to take the opportunity to carry out some miscellaneous restoration and repair proposals. These proposals are not objected to.

6. The Petitioners also seek the removal of the pews and their replacement with chairs; a new bell ringing gallery and to relocate the font. These are objected to.

### The Petition

7. The Petition for these works is dated 18.11.2011 and seeks a faculty for the following works in these terms:

- (i) reordering
- (ii) installation of kitchen and toilets
- (iii) installation of a 'heritage display' and meeting room
- (iv) creation of ceramic tile heritage pavement
- (v) the removal of pews
- (vi) creation of a ringing gallery
- (vii) window repairs

- (viii) clock repairs
- (ix) restoration of a chest
- (x) installation of a sound system
- (xi) installation of a heating system
- (xii) repair to gates
- (xiii) 'other work'

8. The Petitioners withdrew the application for a heritage pavement in December 2011 and that no longer forms part of the application.

9. The work is set out on a specification from Brian Foxley RIBA dated September 2011 and a structural appraisal dated October 2004 by Willie Haigh Consulting Engineer. There are a number of other reports in the papers before to support the individual items of work:

- (i) specification for a new heating system dated September 2009 by Roger Glister (document 7/16 before DAC 27.10.11)
- (ii) report and specification by Dr Jennifer Alexander about the chest ( undated, document 10/16 before DAC on 27.10.11)
- (iii) quotation from P Clay dated 16 July 2009 in respect of work to the gates ( document 4/16 before DAC 27.10.11)
- (iv) specification for a sound system by Cantoris Sound dated 19.10.09 ( document 8/16 before DAC 27.10.11)
- (vi) wording for a commemorative plaque in respect of these proposed works ( document 12/16 before DAC 27.10.11)
- (vii) archaeological mitigation strategy : Naomi Field dated May 2011 (document 13/16 before DAC 27.10.11)
- (viii) report and quotation for dial restoration by Time Assured Ltd dated 14 May 2011 (document 14/16 before DAC 27.10.99).

(ix) method statement by Martin Johnson and Co (York) Ltd dated 10 June 2009 for work on the west window ( document 15/16 before DAC 27.10.99)

(x) report of cleaning of 5 memorial tablets by Skillington's dated 22 April 2009 ( document 16/16 before DAC 27.10.99)

(xi) assessment and justification for removal of pews ( document 9/16 before DAC 27.10.99)

#### Preliminary remarks

10. From this list it is clear that this faculty is a very large project with which the restoration committee have been engaged for some years in the context of significant works in the church which have already been carried out. Very significant sums of money have been raised or pledged for these new works. In October 2011 the cost of the works was estimated to be £730,000: more than this sum has been raised or pledged or is otherwise available. The Restoration Committee are to be congratulated on this great achievement.

11. The proposals have been developed in consultation with English Heritage, the Church Buildings Council, the Society for the Protection of Ancient Buildings and the DAC of the diocese: all have indicated their support for this project ( the DAC did not object). The PCC voted in favour of these proposals and to apply for a Faculty on 7 July 2009.

12. It is clear that the project will effect a significant amount of change within the church over a relatively short period once work begins. There has been extensive work undertaken in this church for some years. In these circumstances, it is very important that every effort is made to explain proposals and to reassure parishioners that what is proposed is something that will result in the extension of opportunities for mission and evangelism, and further enrich the fabric of the church so that worship can continue to be offered by this community as they would wish, in their parish church. It is important that people are reassured that what they have will be enhanced, and that there is no need to fear that they will lose something which they value.

13. It is clear from the letters that I have read that there is a great deal of support and enthusiasm for these proposals ( including the removal of the pews), but from other letters there are fears that what is being proposed may lead to the loss of something precious.

14. It may be that the focus of many objections on the issue of pew removal in particular is evidence of an underlying unease about so much perceived change being brought about by

such a large project. It may be feared by some that there is a risk of losing something that is cherished, and the issue of the pews has become a symbol of this. It is notable that many of the letters in opposition express their concerns in terms of fear and loss

‘... some things need to be left alone ...’;

‘... when one of these features is altered or removed it impacts on others and the design as a whole. Then it is not possible to just remove the pews and choir stalls - the action has to be viewed from its impact on the other features around it ...’;

‘... we never appreciate things until they disappear and then look back and regret what has been done ...’;

‘... you would not throw away a 140 year old vase just because it is old, so why do it to these pews ...’;

‘... I think the plans are good and I fully support them. Nevertheless I am disappointed the pews will be removed although I have no good reason to give why they should stay. I suppose I feel sentimental about them and they seem synonymous with the church building. I am sure the chairs will be more comfortable and offer a more flexible use of the space in church’;

‘if the wrong decisions are made it is a mistake that will last a life time. Not all modernisation is a wonderful thing ...’

‘our daughters got married at this church and their children were christened there too... I realise that we must move with the times, but in this case people’s views about the pews are not being listened to ...’

‘I am concerned we will become known as the people who installed stackable chairs and turned the church into a venue for events.’

15. These are a sample of the tone of letters of objection that I have read. I could also set out a sample of letters expressing enthusiasm for the project. However the purpose of setting out these excerpts from objectors is this: whatever one’s opinion about pew removal or any of the other parts of this project proposed, the fears expressed in these letters are very typical for any community where significant change is perceived to be about to occur, in a deeply valued public space (such as St Andrews) with which people’s lives have been intertwined with

family weddings and funerals, and regular (or even irregular) attendance at services. In a parish church that is loved by its community, as St Andrews plainly is, significant change is not just about bricks and mortar or even pews, but it engages with people's memories and what they have found there spiritually throughout their lives. These memories are not to be dismissed as 'sentiment' or 'sentimental' as if of no worth: they must be respected. In the Church of England this memory is not limited to those on the electoral roll or even the current worshippers at the church, but extends outwards to embrace the wider community for whom this is still their parish church.

16. Any project of this scope in a parish church must therefore take great care to respect these sensitivities. I suppose that it is inevitable that in a project of this kind where there is serious disagreement, the tone of the argument can sometimes become too harsh and dismissive of opinions with which someone disagrees. This is to be regretted. I am sure that everyone will recognise that all those who are involved in the debate about these proposals, on both sides of the argument, have the best interests of the church at heart. Many of the letters I have read (both for and against) are concerned at the damage to the life of the community that this dispute has brought about. I hope that following this judgement it will be possible to draw a line beneath the divisions that there have been, and be a united worshipping congregation at the centre of the community.

#### What has happened so far

17. It is clear that there has been extensive consultation to explain what is proposed. The Petitioners have provided a summary of their consultation within the church and with the wider community and local schools. A number of presentation events have occurred in the church: in 2006 with the Bishop of Grimsby, in 2007 with the Rural Dean; in 2008 with the Archdeacon and in a presentation in 2008 to Epworth Town Council. There have been displays in the church at various times. There was an open weekend held jointly with the Epworth Society and meetings with other local groups and schools. There has been extensive coverage of the proposals, and in particular the application to remove the pews, in the local press. I have been assisted by a number of articles and letters written to the press over the years in which this proposal has been under discussion. A copy of the visitors book from 10.8.10 -29.10.11 has been produced which demonstrates a variety of opinions but the predominant one is that the Church was greatly appreciated by those that visited it.

18. Notwithstanding this, a thread of a complaint persists in some of the letters I have read, as well as more explicitly from the Respondents, that there has been insufficient openness and genuine consultation. I have considered this carefully in the light of these complaints and I am satisfied from my assessment of the history of these proposals that there has been adequate consultation over a significant period. Inevitably as opinions have hardened about certain aspects of the proposals there has been a concern about dissenting views not being listened to. However, from what I have read, the course of consultation that has been undertaken by the church has been appropriate.

19. Before the Application was submitted a number of letters were received in support of what was being proposed: these letters were no doubt collected by the Restoration Committee in support of a variety of applications for funding. These letters are from 16.11.05-29.5.08 and include letters from both suffragan Bishops, the Archdeacon and the representatives of North Lincolnshire Council. These letters commend the opportunities that will arise for the Church further to engage with the wider community particularly with local schools through an access and learning project, and through visitors to the area on 'The Wesley Trail'. None of these letters deal with the detail of the proposals as they have become formed in this application, but are supportive of the general thrust of the project.

20. Additionally, a significant number of letters (30) were received in support of the proposals in the Faculty around the Public Notice Period in November 2011 which I have read carefully.

21. As I have already indicated, it also clear that there is a body of dissent to some of the proposals: letters from Mr Paul Lane and Mrs Jean Turner were received in the pre-Public notice period by the Registry, which I have read, as well as letters from Mrs Fennell, who is one of the Respondents. During the Public Notice period Mrs Turner, Mr Lane and Mr and Mrs Fennell and Mrs and Mrs Woolgar entered objections to the proposals as well as a significant number (43) of others most of whom (but not all) lived in Epworth: they were particularly concerned about the proposed removal of the pews. I have read all these letters.

22. All those who objected were sent the appropriate form to indicate whether they wished to be party opponents to the Petition for a Faculty. The 4 Respondents replied as follows:

(i) Mr Harold Woolgar on 22 December 2011 stated that his objection were set out in his letter dated 25 November 2011 in which he objected to the removal of the pews as an



‘unnecessary act of official vandalism’. Although acknowledging the hard work of Mr Rose, the Restoration Committee Chairman, he considered that he had misled people about whether the grant money would be forthcoming if the pews were not removed: it was now clear, he wrote, that the grant money was not conditional on the pews being removed.

(ii) Mrs Winifred Woolgar on 21<sup>st</sup> December 2011: her objection is set out in her letter dated 25 November 2011 which deals with her concerns about pew removal which will diminish, in her view, the reverence she feels within this historic place of worship. She explicitly objects to the church being changed from being an historic Christian monument to a ‘concert hall’.

(iii) Mr John Fennell on 21 December 2011: his objection is set out in his letter dated 20 November 2011 which includes objection to pew removal (including the choir stalls) as well as moving the font, the ceramic pavement and the open bell ringing gallery. He objects to the church being converted in to a ‘multifunctional events hall’. He is concerned that the church is going to be ruined by modernisation.

(iv) Mrs Elizabeth Fennell on 21 December 2011: her objection is also to pew removal, the font being moved, the ceramic pavement and the open bell ringing gallery. Her objection letter is dated 20 December 2011. She also wrote me a letter on 21 December enclosing a copy of her letter to the Registrar of the previous day in which she recorded her concerns about a meeting held on December 19<sup>th</sup> between the Petitioner and the Respondents.

23. The Petitioners commented on the objectors’ letters and to the Respondents objections in documents date 12 January 2012, which I have read.

24. On 21<sup>st</sup> February the Consistory Court convened for me to give directions for the future conduct of this Petition. The Petitioners and Respondents were all present. I declared that it was expedient that the proceedings should be determined in accordance with written representations pursuant to FJR 26(1). The Petitioners and Mrs Woolgar had already given their written consent for the matter to be dealt with in this way. Mrs Fennell agreed orally at the hearing and later confirmed this in writing on 24<sup>th</sup> February. Mr Woolgar and Mr Fennell also agreed to this in writing on 27<sup>th</sup> February 2012 and 26<sup>th</sup> February 2012 respectively.

25. At this hearing the Respondents agreed that the only issues that were in dispute were as follows (the proposal for a ceramic pavement having been withdrawn by the Petitioners):

(i) the relocation of the font

(ii) the removal of the pews/choir stalls

(iii) the ringing gallery proposals

26. Following the hearing I was shown round the Church by the Reverend Walker accompanied by the Registrar and a representative of the Respondents, Mrs Fennell.

27. Following confirmation in writing that the Respondents agreed that the case be determined in writing, a time table for the sequential service of statements was drawn up. I also ruled that Mrs Jean Turner was not an independent expert and I would therefore not receive her evidence as an expert witness. In fact, she was an objector and I indicated that I would consider her letters and reports in that light, when I considered all the objections.

28. Statements were received from the Petitioners and Mr Foxley the architect on 3 March 2012. The Respondents submitted responses on 11 March (Mr Woolgar), Mr and Mrs Fennell (9 March 2012) and Mrs Fennell on 6 March in which she submitted further press cuttings and letters. The Petitioners responded to these responses on 16 March 2012.

#### The legal framework

29. In considering any re ordering proposal in a listed building I must apply the ‘Bishopsgate questions’ ( Re St Luke the Evangelist, Maidstone 1995 Fam 1), which are:

(a) have the petitioners proved a necessity for some or all of the proposed works either because they are necessary for the pastoral wellbeing of the parish or some other compelling reason?

(b) will some or all of the works adversely affect the character of the church as a building of special architectural and historical interest?

(c) if the answer to (b) is yes, then is the necessity proved by the petitioners such that the exercise of the court’s discretion a faculty should be granted for some or all of the works?

30. What does ‘necessity’ mean? It has been described as a ‘broad concept’ (Re St Mary the Virgin Sherborne 1996 Fam 63). Chancellor George QC as he then was defined the word as:

“something less than essential, but more than merely desirable or convenient; in other words something that is requisite or reasonably necessary” ( Re St John the Evangelist, Blackheath 1998 5 Ecc LJ, Southwark Cons Ct).

31. The burden of proving ‘necessity’ in a listed building rests upon the Petitioners and it is a significant burden to discharge.

These proposals

32. I begin with that aspect of the faculty to which objection is not taken which are:

- (i) work to the kitchen and lavatories
- (ii) heritage display and meeting room
- (iii) window repairs
- (iv) clock repairs
- (v) restoration of the chest
- (vi) installation of a sound system
- (vii) installation of a heating system ( which involves taking up the floor )
- (viii) installation of a lighting system
- (ix) repairs to gates work
- (x) ‘other works’: I assume this is the car park work for which planning permission has been obtained , and the work by Skillington’s to the memorials.

33. In so far as these are works of repair (items (iii), (iv), (v), (ix) and (x)) a faculty is granted for these items.

34. In respect of the other items I am satisfied that there is a necessity for all these works and none of the work will adversely affect the character of the church as a building of special architectural or historic interest. A faculty is granted for these works.

35. It is very likely that in excavating the floor of the church that disarticulated human remains will be uncovered. If it is necessary to remove those remains for the work to be done, then I will permit them to be removed and reburied in consecrated ground as close to their

original resting place as possible. This to be done under the supervision of a priest. If articulated human remains are uncovered, and it is necessary to remove them, work is to stop and await further directions from me.

36. I do not know where the plaque headed ‘Conserving and Sharing, St Andrew’s’ is to be placed. The first line should not have a comma in it. I suggest that it should be ‘St Andrew’s Church’ rather than just ‘St Andrew’s’. The final format of this plaque and the final location for it must be agreed with the Archdeacon. It satisfies the exceptionality test.

37. The Wesley memorial is subject to a DAC proviso which I have made a condition of this Faculty. Of course, it satisfies the exceptionality test.

#### The removal of the pews.

38. The removal of the nave pews is required to enable work to be undertaken on the floor where a traditional stone floor will be laid on a breathable Limecrete sub-base. The Petitioners do not want to put them back but have chairs instead.

39. The existing nave pews are 19<sup>th</sup> century pine of plain design and were possibly catalogue items mass produced by Jones and Willis of Birmingham. They were part of an 1868 re-ordering. I have sat on the nave pew when I visited the church. They pews are quite shallow and I agree with the architect’s comment at paragraph 3 of his statement that they are unsuitable for lengthy periods of sitting. The choir pews were installed in 1880 when the Chancel roof was raised. The front pews were originally intended for small boys and are now inadequate for requirements. They propose to remove the front choir stall from each side to give more space in the Chancel. They are 19<sup>th</sup> century pine (para 4.0 Mr Foxley)

40. The PCC intend to keep 2 small pews in the North East wall recess and a longer one in the ringers gallery as a record of the pews.

41. I note that English Heritage has stated:

“we did not consider the pews to the nave and the aisle to be of any particular historical significance and agreed to their removal”

42. The Petitioners wish to replace the pews with chairs for the following reasons:

(i) with congregation of 30 -50, they seek more flexible use of the church offering other styles of worship. They wish to explore the possibility of a Nave altar. The could be used in special services on Maundy Thursday or for a Harvest Supper

(ii) the PCC leases the church centre buildings from the diocese, although the PCC is responsible for upkeep and maintenance: the buildings are in a poor state of repair. Currently many church activities take place within the church centre and the PCC wishes to surrender the lease and move all church activities within the church. The use of chairs will provide a more flexible use of space to enable this to happen more successfully.

(iii) the Petitioners want the church to be more readily used by local schools for access and learning projects. Letters I have read from various schools indicate that this hope is reciprocated. The use of chairs will make the interior of the church more flexible, they argue.

(iv) the current pews are located on pew platforms which are difficult for disabled people

(v) the petitioners would like the church to be used more for concerts and drama which can be more easily achieved with good quality seating, rather than the inflexible and shallow pews.

(vi) the removal of the front row of choir stall pews will enable the chancel space to be used more flexibly. Currently the distance across the space is restrictive for weddings and funerals and choir gatherings.

(vii) the front row choir stall pews are narrow and no one sits on them. It is proposed to remove the front seats, relocate the book rest to the position of the removed stall. It is proposed to use the ends of the redundant choir stalls as well as the backs, within freestanding pieces of church furniture.

43. The Respondents objections to the removal of the pews are:

(i) the removal of the pews will diminish the ‘ churchliness’ (per Mr Woolgar letter 25.11.11) as people enter the church. Instead of seeing pews, they will see chairs which will diminish the peaceful and spiritual atmosphere of the church. In her objection letter Mrs Woolgar states:

“ the interior of St Andrew is beautiful, especially when the sun floods in through the stained glass windows and catches the tops of the glossy pews. This was my first experience 47 years ago when I first attended St Andrew Church”

(ii) this is part of an over-modernisation of the church

(iii) the church is already used successfully for concerts and other events which the pews do not prevent.

(iv) in any event there are other venues in Epworth for concerts and there is no need to provide more space for them in the church which would turn the church into a multi functional hall

(v) there are concerns about the chairs being stacked and moved

44. The Petitioners response to the question of alternative venues in Epworth is that the Imperial Hall needs more work to be done on it and is in need of further upgrading; the church hall is in a poor state of repair and is to be handed back to the diocese when the project is complete; South Axholme school has a good hall but it is expensive to hire; Thurlow Pavilion has limited facilities and there are restrictions upon who can use it; the Methodist school room has limited potential. At present there is no ideal venue for choral concerts.

45. The first question that I must answer is:

‘have the petitioners proved a necessity for some or all of the proposed works either because they are necessary for the pastoral wellbeing of the parish or some other compelling reason?’

46. I am satisfied that the replacement of the pews by suitable high quality chairs satisfies the test of necessity. The replacement of the pews is something that is less than essential, but more than merely desirable or convenient. In the words of Chancellor George QC as he then was, they are ‘something that is requisite or reasonably necessary’.

47. My reasons for this are:

(i) the existing pews are a fixed and static presence in the church which restricts considerably what can be done within the church. The pews are not of any historic or aesthetic interest in themselves.

(ii) good quality chairs will permit reordering the seating arrangements for different services and forms of worship should the PCC want to do this, although I note the current intention is that the chairs in the nave should be permanently in place but capable of being reorganised for special occasions or services.

(iii) concerts and performances within a church are to be encouraged as part of the life of a church at the centre of a community. Chairs offer flexibility in how the church is organised for any particular event. The pews act as a disincentive to these events because of their shallowness and lack of comfort. I accept the evidence of the Petitioners on this about the need for concert space in Epworth.

(iv) when the church hall lease is surrendered, many church activities will move into the church. Chairs will provide a much more suitable adaptable environment for these activities. Likewise educational activities with local schools will be made easier by the removal of pews and replacement with chairs.

48. The second question I must answer is:

‘will some or all of the works adversely affect the character of the church as a building of special architectural and historical interest?’

49. I am satisfied that with the appropriate choice of high quality chairs and with good pastoral sense from those with responsibility for this church, the removal of the pews will not adversely affect the character of the church as a building of special architectural or historic interest. For most of the life of this church since the 12<sup>th</sup> century there would have been no pews in the church. I do not think that the many qualities of this church which have been identified by the objectors, will be adversely affected by the removal of these pews and replacement with good quality chairs.

50. I understand the concerns of objectors that pew removal will mean that the church may lose its quality as being a space set apart for God, and become an over-busy hyper-active space where a variety of events and forms of worship will take place. This is a fear that must

be met by an understanding pastoral response, as I am sure it will. However, removing these pews and replacing them with the high quality chairs that are proposed does not mean that any of the qualities of the church which have been written about by the objectors need be lost. The opportunities for worship and other Christian gatherings will become greater, in my judgement. The participation of more people, particularly those who are younger, will be promoted : I do not think that the lack of pews and the replacement with chairs will adversely effect the character of this building.

51. The quality of the chairs is of fundamental importance: the PCC propose to purchase 60/70 chairs for permanent location in the nave. They will not be stacked: but they can be rearranged. It is also intended to purchase 40 stackable chairs of similar quality and design to be used at larger services/events. These will be kept in a cupboard in north west corner of the nave. Decision about these chairs are very important and it will be a condition of this Faculty that selection of the chairs will be subject to the Archdeacon's approval.

52. Before the pews are removed a photographic record should be made of the church with the pews.

#### Relocation of the font

53. It is proposed that the font should be relocated to the central east west axis of the church but remain still at the west end. The SPAB had no objection to the relocation of the font understanding that it will be moved with its two steps.

54. The Petitioners wish to move the font because of the problems of access to it when it is used for baptisms. It is very near the door which is to have a new secondary glass/wood porch internally in front. This would not be compatible with the font in its current position.

55. I agree with Mr Woolgar that the illustration in Mr Foxley's statement dated 3 March 2012 at Fig 1 is much more likely to be a box pew than a cabinet as suggested. However I note that he does not object to the relocation of the font. It may be that the objection to the font being moved was linked to an objection to the ceramic pavement which was to be laid around it: this proposal has now been withdrawn. I note that the font is still to remain at the west end of the Church.

56. The first question is:



‘have the petitioners proved a necessity for some or all of the proposed works either because they are necessary for the pastoral wellbeing of the parish or some other compelling reason?’

57. I am quite satisfied that the petitioners have satisfied me that it is necessary in the sense that I have explained at paragraph 41 above.

58. The second question is:

‘will some or all of the works adversely affect the character of the church as a building of special architectural and historical interest?’

59. Again, I am quite satisfied that the answer to this is that this proposal will not adversely affect the character of the church. This is a simple relocation and it will remain at the west end thereby maintaining the symbolism of entry to membership of the Church at the west end, before advancing towards the altar and entering into full membership in confirmation by the Bishop.

#### Bell ringing tower

60. Mr Woolgar does not object to the proposals but the other 3 Respondents do so object.

61. The west tower was divided from the Nave in 1868 by a heavy pine screen. This separates the ground floor ringing chamber from the Nave: a 20<sup>th</sup> century glazed pine screen was a later insertion. The proposal is to reinstate a first floor gallery within the Tower providing two usable spaces instead of one. There will be a new ringing floor at the higher level with shorter bell ropes for novice ringers. A bell simulator is proposed to assist new ringers. Bell ringing is undertaken at St Andrews and it is hoped that these new arrangements will encourage more people to become involved.

62. This will leave the ground floor space available to be a heritage space where there will be visual displays and audio visual interpretation about the Isle of Axholme. The idea of locating a place where the social history of Epworth and the Isle of Axholme can be told was of significance in securing funding.

63. The 20<sup>th</sup> century glazed tower screen is to be removed: SPAB were content for this describing it as: ‘visually highly damaging to the west end of the nave’

64. Mr and Mrs Fennell seek restoration of the tower to its 'original form'. However, the structural report of Mr Haigh (October 2004) makes clear that there have been numerous changes and rebuildings over the centuries: the tower appears to have been first rebuilt in 14<sup>th</sup>/15<sup>th</sup> century.

65. Additionally they express the objection to this proposal on the basis that bellringers should not be on view to the rest of the church: worshippers should be facing east to the altar rather than turning and watching the bell ringers.

66. The first question that I answer is:

'have the petitioners proved a necessity for some or all of the proposed works either because they are necessary for the pastoral wellbeing of the parish or some other compelling reason?'

67. I am quite satisfied that they have established this necessity. The current arrangements are described, correctly in my view, as being visually highly damaging to the west end of the nave. The creation of a bell ringing chamber and exposing this to the rest of the church is about including within the act of worship the actions of the bell ringers. I do not think anyone would suggest that the congregation should turn round and watch the bell ringers rather than face the altar (or the pulpit), but it is surely constructive that bell ringers should feel part of the act of worship in ringing bells, rather than pulling at ropes out of sight of the church and in some way detached from the worship that is being offered. The provision of a heritage room below is an obvious bonus in my judgement and provides another way in which the parish church can be at the centre of this community.

68. To the second question :

'will some or all of the works adversely affect the character of the church as a building of special architectural and historical interest?'

the answer is that these works will not. I believe on the contrary that the character of the church will be enhanced. I note the opinion of SPAB and agree with them.

### Conclusion

69. I recognise that these conclusions will be a disappointment to a number of people who have been very concerned about these proposals and how it will affect their parish church. I

hope that those who have the conduct of bringing these proposals to reality will adopt an open and inclusive approach to those who have hitherto been opponents of parts of this scheme and that those who have been opponents will likewise work with the PCC in building up the work of the Church in Epworth.

70. I was heartened to read Mr Woolgar's letter dated 6 March in which he concluded that in whatever direction I went in considering this faculty, he would accept my decision as final. I was also impressed by the constructive and helpful atmosphere that was evident at the directions hearing on 21 February 2012. I hope that after this very protracted disagreement, the parish can now proceed with this proposal with understanding and respect for everyone else's opinions.

71. I would like to congratulate the Restoration Committee on the enormous amount of work that they have put in to achieve this ambitious project.

72. The precise terms of Faculty are :

Let the Public Notice be displayed( if not previously displayed in accordance with the FJR 2000)

Subject to the receipt of the Public Notice with completed certificate of publication and if not objection has been received, let a Faculty be issued on condition that:

- (i) the works to be undertaken will not include the ceramic tile heritage pavement
- (ii) that the works are to be those set out in specifications and reports and placed before the DAC on 19 October 2011 to which they did not object
- (iii) the 'other works' referred to in the Schedule are limited to works to the car park for which planning permission was obtained on 10 October 2011, and all conditions of that permission are conditions of this Faculty, and the work by Skillingtons set out in their report dated 22 April 2009
- (iv) provisos of the DAC at the meeting 19 October 2011 are all conditions of this Faculty.
- (v) the final choice of chairs is to be subject to final approval of the Archdeacon

(v) the final design and location of the plaque headed 'Conserving and Sharing St Andrews' is to be subject to final approval of the Archdeacon

(vi) if during the excavation work any disarticulated human remains are uncovered, and it is necessary to remove the same, they may be removed and reinterred in consecrated ground as close to their original location as possible. All this to be carried out under the supervision of a priest, reverently and discreetly. If articulated human remains are uncovered and it is necessary to move them for the work to continue, work is to stop until further directions are given by this Court.

(vii) all works are to be undertaken within the framework provided by the archaeological mitigation strategy of Naomi Field dated May 2011.

(viii) work in the tower which may disturb bats should not take place before liason and report from Envirotech.

(ix) the works should be carried out in accordance with the requirements of the insurers in their letter dated 10 November 2011.

(x) a photographic record of the church should be made before the works are undertaken and kept at the church.

Mark Bishop

Chancellor

10 May 2012