

## **IN THE CONSISTORY COURT OF MANCHESTER**

### **RE ST PAUL NORDEN**

#### **DECISION**

1. By their application dated 5 February 2015 Reverend David Woodall, Andrew David Nigel Mawson and Clifford Robert Harker, the incumbent and churchwardens respectively of St Paul Norden [collectively described as 'the Petitioners'], seek a faculty for:

[a] The removal of two pews from the rear of the church. These are the 'warden pews' which are separate from the main body of pews in the nave and are to be removed to make space for notice boards which are currently only in the north aisle;

[b] the removal of four pews from the north aisle and the re-fitting of the front pew of each section back to back with the next one, the removal of the book shelf of both such pews and the removal and refitting of the end panel to the exposed end. This will allow the creation of two informal spaces for children and a general discussion area;

[c] the adaptation of the fifth pew on the right side of the nave by reducing its width northern end of the seat and the pew refitted formed space for a wheelchair.

2. St Paul Norden is a Grade II listed church.

3. What is proposed is illustrated in a drawing prepared by Christopher Langstone, the Church Architect.

4. Such proposed works had been unanimously supported [there was one abstention] by a resolution of the Parochial Church Council passed on 20 January 2014.

5. The Statement of Need records that the Parish wish to create

[a] a more useable space for a growing number of young families;

- [b] an area where some of the congregation can sit and enjoy refreshments after a service;
- [c] an area close to the main entrance which can accommodate noticeboards on which to communicate information; and
- [d] an area where a wheelchair can be positioned which is not at the rear of the church.

6. The proposed works were considered by the Diocesan Advisory Committee [‘the DAC’] on 2 June 2014 and its advice that such works were recommended for approval by me. It was recommended that the Parish consider treating the fifth pew on the left side of the nave in an identical way to that set out in paragraph 1[c] above. The latter has not been pursued in this application.

7. The DAC opined that the proposed works were not likely to affect the character of the church as a building of special architectural or historic interest or the archaeological importance of the church or of any archaeological remains existing within the church.

8. The Public Notice was duly displayed between 22 June 2014 and 20 July 2014. Such Notice prompted two letters objecting to the proposed works.

9. By her letter dated 7 July 2014 Mrs Shelia Hurst objected to the removal of the ‘wardens pews’ because there were already notice boards available in the church and seemingly no need for them. She also objected to refitting of the fifth pew on the right side of the nave to accommodate a wheelchair on the basis that before this should happen the access to the church should be improved in the way she described.

10. By her undated letter received by the Diocesan Registry on 15 July 2014 Mrs J Storey made identical observations.

11. Neither lady made any objection to the removal of the four pews from the north aisle.

12. It will be noted that both these letters of objection were received before the application for a faculty was made.

13. Immediately after the application was made, by letter dated 11 February 2015 the Diocesan Registry wrote to both Mrs Hurst and Mrs Storey to ascertain whether they wished to deliver formal written particulars of objection and become a party to the proceedings or alternatively whether they were content to allow me to take their views into account in determining the application for a faculty. They were expressly

informed that if they failed to send such completed particulars of objections within 21 days, it would be assumed that they were content to allow me to take their views into account in determining the application.

14. By her letter dated 13 February 2015 Mrs Storey stated that 'I have now decided that I am not going ahead with my objection to the alterations in the church.' I thus treat her letter of objection as having been withdrawn.

15. Mrs Hurst did not reply to the Diocesan Registry letter dated 11 February 2015 and I thus take her views into account in determining this application.

16. I have carefully considered what is proposed.

17. The proposed alterations to the pews in the north aisle are designed to allow children and members of the congregation to sit together as a group either during or after worship. I regard such proposals as uncontroversial and I note that there is no objection raised thereto.

18. The removal of the 'wardens pews' seems to me to be eminently sensible. It will provide additional space at the west end of the church and I can well understand that the provision of notice boards in such area will assist communication with parishioners and that it is far better for such notice boards to be positioned at the west end of the church nearer its entrance rather than in the north aisle.

19. As for the shortening of the fifth pew on the right hand side of the nave so as to accommodate a wheelchair, even if it is the case that access to the church could be improved in other different ways, I am satisfied that it is appropriate that this should be done. It is far preferable for a person in a wheelchair to be able to sit in the body of the congregation than to have to sit at the west end of the church.

20. For all these reasons I am satisfied that I should grant the faculty sought and I do so.

21. In accordance with the practice of the court the Petitioners must pay the costs of the application.

Geoffrey Tattersall QC  
Chancellor

20 March 2015