

IN THE CONSISTORY COURT OF THE DIOCESE OF ROCHESTER

Re: SLADE GREEN: ST AUGUSTINE

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J U D G M E N T

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1. By a petition dated 26 February 2018, the petitioners, being the Priest-in-Charge, the Venerable Paul Wright, and the Churchwardens, Ms Hayleigh Smith and Mrs Elizabeth Hillman, of the Parish Church of St Augustine Slade Green, Kent, applied for a faculty for the removal and sale of the Vicar's Stall in the church. I do not propose to rehearse the details of the proposed works here; they have been set out with full particularity in the petition and accompanying papers.
2. The estimated cost of the works is zero, there being no costs of removal. There may be a small amount to be made on the sale of the stall, if I permit it. When I had the opportunity of considering the petition on an initial basis I dealt with it in the usual way for uncontested petitions, but then, on 13 June 2018, recalled my Order, because it had transpired that the Victorian Society had indicated that they did not support the proposals. I therefore gave the Petitioners 28 days to file such further evidence as they deemed appropriate. Last, I indicated that, provided the Petitioners gave their consent in writing, I would be prepared to deal with the petition on the basis of written representations.
3. By an email dated 20 November 2018, the appropriate consent in writing was provided by the Priest-in-Charge on behalf of the Petitioners. Having reconsidered the matter, I am of the view that it is expedient and appropriate for me to deal with the petition on written submissions.
4. The P.C.C., at a meeting on 10 July 2017, unanimously resolved to approve the proposals. There were seven members present and voting. There have been no objections to the public notices displayed as required under **Part 6 Faculty Jurisdiction Rules 2015**. However, Mr James Hughes, on behalf of the Victorian Society, in an email dated 13 March 2018, wrote; "In short, while

we would not wish to formally oppose this application, we nonetheless could not support it and would urge the parish to reconsider its proposal.” Hence, I recalled the original Order made, and gave the directions referred to above.

5. The church, which is Victorian, is not listed under the **Planning (Listed Buildings and Conservation Areas) Act 1990**. Planning consent for what is sought to be done, is not required.
6. The D.A.C., in their Notification of Advice dated 8 February 2018, recommended the works for approval by the Consistory Court.
7. For the avoidance of doubt, there have been no other adverse comments or views expressed about, or objections to, the proposals before me.
8. I have read the Statement of Needs, which has been carefully put together. The proposed works are required because there is a need for greater flexibility in the church building, following a re-ordering that took place some years ago. In short, the Vicar’s Stall at present occupies an area where young children are permitted to play. Perhaps not surprisingly it is in the way, and hampers the activities in that region of the church. It only provides a health hazard because inevitably young children try to climb up or over it. It is a large piece of furniture which cannot easily be moved.
9. The Vicar’s Stall is not in its original position; it was moved from the chancel in 1991 after much of that area of the building (along with the whole of the roof) was destroyed in a fire. Subsequently, the chancel was re-ordered so as to provide a more open liturgical space. The only piece of furniture not damaged in the fire was “the large and bulky Vicar’s Stall,” as described in the Statement of Need. This was repositioned along the north wall, in what would have been the north transept close to what were then newly installed lavatory facilities.
10. There was no liturgical reason for the Vicar’s Stall being repositioned as it was (and remains). Moreover, it has not been used since it was moved, if only because it is in an obviously inappropriate position for practical use. There is no other suitable place in the church building for it.
11. In his email of 13 March 2018, Mr Hughes said; “The Vicar’s Stall appears to be one of the few surviving original fixtures of any distinction. The ring mouldings and general character suggest it is

contemporary with the eagle lectern that currently resides beside it. These are presumably all that remain of the original chancel furnishings. The aesthetic value of these pieces, in addition to the potent symbolism of their having survived wartime bombing and a catastrophic fire in the 1990s, surely accounts for their having been retained previously.” There is no evidence at all to assist me on why the Vicar’s Stall was retained, and it would be wrong for me to speculate about the matter. Mr Hughes suggested that another position might be found in the church building for the stall.

12. The Priest-in-Charge, correctly, in my view, in an email of 13 June 2018, has pointed out that; “to remind people of the catastrophic fire of the 1990s in an area where there (are) social challenges is probably not a key reason for holding on to a piece of furniture which is not needed,” nor the fact that it survived bombing in World War II. I agree. Furthermore, he says in his email, that there is nowhere else to put the stall where it might be of any practical use. I accept that.
13. Having considered the matter, I am wholly satisfied that the Petitioners have made out their case. In my judgment the removal and disposal of the Vicar’s Stall is both needed and appropriate. In simple terms the stall is surplus to requirements, is unused and unusable, and is in the way to an extent that it is potentially a positive hazard to children. There is nowhere else in the church building where it might be put so as to be used. I am satisfied on the information before me that there no reasons of any merit for preserving it.
14. There are now, as may be inferred from what I have set out above, no formal objections to what is proposed.
15. In the premises I direct that faculty issue. The works must be completed within three months, or such longer period as may later be granted.
16. The petitioners must pay the Registry and Court costs of and incidental to the petition, in the normal way. There shall be a correspondence fee to the Registrar in a sum as I direct.

**John Gallagher**  
**Chancellor**  
**25<sup>th</sup> November 2018**

