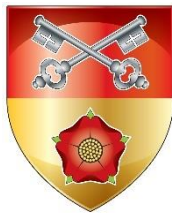


Neutral Citation Number: [2024] ECC Bla 5



Faculty – Unopposed petition for Replacement of a heating system in the church – Retrospective permission for the repair of a vandalised stained-glass window in the south aisle – Supported by Churchwarden and PCC – Two objections during the consultation period – One subsequently withdrawn – Faculty granted for repair of the stained-glass window - Faculty granted for the heating system on condition details of how it will be funded are provided by the end of January 2025

Petition No: 66 of 2024

**IN THE CONSISTORY COURT OF
THE DIOCESE OF BLACKBURN**

Date: Thursday 19 December 2024

Before:

ARABA OBODAI, DEPUTY CHANCELLOR

In the matter of:

Christ Church: Wesham

And in the Matter of:

Petition requesting: (1) Replacement of a heating system in the church and (2) Retrospective permission for the repair of a vandalised stained-glass window in the south aisle.

THE PETITION OF:

Mr Paul Hodgson

This is a petition determined on the papers and without a hearing.

There were two objections during the consultation period to the first proposal in the petition; but the objectors did not complete Form 5 and become party opponents in accordance with FJR 10.3 and 10.4. Therefore, the petition is formally unopposed. One objection has been withdrawn.

JUDGMENT

Introduction and background

1. The parish of Wesham is undergoing a population explosion because of a considerable housing development programme. At present the church is a place of worship on Sundays and is widely used by the adjacent church school during the week, as well as Starfishes, Mothers' Union, Lent lunches, coffee mornings and fund-raising events. The current congregation is depleted in comparison to its historical regular weekly attendance; however, they have seen a steady growth.
2. The Church is Victorian/Pre-WWI and Grade II listed. It needs to replace its wall mounted condemned heaters with a new boiler and wet system with convector heaters.
3. The Drugasar units have been condemned and unfit to use. The life expectancy for these heaters was in the order of 15/20 years from the date of installation which was 1987. They are now well past that date and are due for replacement.
4. As the existing heaters are condemned, the Church has no heating. Last winter was very cold in the Church making it difficult for the congregation and school to use the building, consequently congregation numbers were reduced as well as income.
5. The report prepared by the Consulting Engineer J.R Book in February 2023 said this:

A Church heating system must be capable of not only providing 'warmth' to the congregation but must also be able to be used to assist in the condition maintenance of the Church fabric & fitments. The assistance towards condition maintenance of the Church fabric & fitments is made by trying to ensure that the internal surface temperature of the structure is slightly higher than the external surface temperature. This helps to prevent interstitial condensation within the fabric construction and hence damp and stale/moisture laden air within the space. It is thought that the use of the existing system will not adequately provide for good control of the heating system by ensuring that the Church is currently not allowed to become too cold by maintaining the internal space at a temperature 12deg C.

6. At a meeting of the Diocesan Advisory Committee held on 04/09/2024 the following proposals were considered:

1. *To remove 10 defunct gas heaters and replace with a new wet heating system including a gas condensing boiler in the storage area with new flue at high level and 10 convector heaters in the north and south aisles, with new pipes at low level, in accordance with the quotation from GOS Heating Ltd dated 14th February 2024 and JR Book heating options appraisal Ref: 117.22 dated April 2023.*
2. *Retrospective permission for the repair of a vandalised stained-glass window in the south aisle in accordance with the quotation from Pendle Glass dated 12th April 2024.*

The Committee recommended the proposals for approval by the court.

7 However, the first proposal involves matters to which net zero guidance applies (see the guidance issued by the Church Buildings Council under section 55 of the Dioceses, Pastoral and Mission Measure 2007 on reducing carbon emissions). The Committee formed the view that the explanation provided of how, in formulating the first proposal, the Church had had due regard to the net zero guidance, was adequate.

8. The usual 28 days Public Notice was given between 14 September 2024 and 14 October 2024. There were 2 objections. The first said this:

FAO The Diocesan Registrar

Re - Form 4A Public Notice

In the Consistory Court of the Diocese of Blackburn

As a member of the congregation of Christ Church Wesham for 50 years and on the electoral role of the parish, I wish to object to proposal 1 of the notice.

I have no objection to proposal 2, which of course needed to be carried out and has been completed satisfactorily.

On proposal 1, I have the following observations leading to my objection.

1) The plans and proposals are not displayed in a place where they may be conveniently inspected by members of the public, nor have I or other members of the congregation been advised of their existence or where they are displayed.

2) I am aware that the existing heaters were taken out of use but have no idea why they should all have been condemned at the same time more than a year ago. Up to that point some were not working efficiently but others were maintained and working well.

3) I can see no reason why the existing heaters cannot be replaced like for like with a more modern model of the heaters in place in the church,

especially as the proposed new wet system still relies on gas, a fossil fuel, so is no more sustainable and not carbon neutral.

4) The siting of a new gas boiler in the storage area to serve the proposed "wet system" makes no sense to me being well away from the area to be heated, therefore involving a long run of water piping before it would reach the proposed heaters.

5) The new "convector heaters" are stated to be in the north and south aisles. This, it seems, ignores the well-used "community space" behind the pews and served by the kitchen for events held in the church. At present one of the "defunct" heaters is there and heated this essential space well until apparently condemned.

My views are that of a layman, but well informed.

I believe that the congregation of our church should have been consulted on what kind of heating could be viable and effective before these proposals have reached this stage.

Obviously the small, cold, congregation is being asked to raise money for heating but have had no say in what system is being proposed.

Money is very tight at Christ Church, Wesham. The congregation is small, and we can barely meet the Parish share and other essential expenses needing to be paid to keep the church running. Having no heating at all going into its second year does not help the situation and I am sure the attendance will shrink in the coming colder months.

Had another solution been pursued, such as replacing like for like, it would have been possible to afford at least some of the heaters to heat part of the church.

Having visited many other churches, including in France, I know there are other heating solutions which could have been investigated.

Last but not least, I believe the system currently proposed does not meet the climate change objectives any more than the previous system. If we are to be forced to spend this huge amount of money, surely it would have made sense to consider a carbon neutral system which, as well as importantly being environmentally friendly, would have enabled us to access grants to help towards the cost.

I hope my views will be taken into account.

The second said:

FAO Diocesan Registrar

In response to the form 4A Public Notice I wish to offer the following comments

I am for many years a church warden having to retire from church activities due to serious ill health issues. I have the following comments:

1 There has been little visibility regarding the cost of the heating solution.

2 It is not indicated if more than one quotation was obtained.

3 There is no visibility that an evaluation for simple replacement of the heater units on a one for one process was carried out.

4 There is no visibility of the original safety inspection on the individual units.

5 The affordability of the proposed solution is a serious concern.

6 The benefits as regards the environment are difficult to evaluate and possibly of minimal value

9. The second objection was subsequently withdrawn:

Further to the Christ Church Heating Faculty application I have decided it is in my best interest to withdraw my Objection. I trust the necessary action will be implemented.

10. On 16 December 2024, the Churchwarden responded to the first objection as follows:

1. The proposed system was fully explained to the congregation, and they were informed if they had any questions or required further information regarding the system to contact myself, no one has come forward with questions or asking for information. 2: Commegas issued a Gas Warning Notice and reported it to HSE Under RIDDOR 11(1). Unsafe to use due to Main heat exchanger corroded causing spillage of products of combustion. 3; A survey / audit/ report was carried out by John Brook (Heating Adviser to the Diocese) with his Recommendations. The PCC believe that the system is the best way forwards to secure that long term heating of the Church. The new system would be more cost efficient, with maintenance and running costs and would be Hydrogen ready to meet the carbon zero by 2030 and reduce the carbon footprint by up to 50% 4; The positioning of the boiler is down to the gas supply, electric supply, water supply and servicing. The first radiator would be behind the choir stalls (currently none fitted) which would be approximately 4 meters away from the boiler. The run of water pipework would follow the same as the existing gas pipe work (which would be removed), also the pipework between radiators would allow

some heat to be transmitted into the building. 5: The plan is that there would be two radiators fitted in the community space, one on either side of the font, which would be zoned on the new system controller to allow just to heat this area if needed. The old fashioned 35-year-old plus Gas wall heaters, have never heated the church efficiently, (congregation always complained it was cold and stopped coming in winter) they were expensive to run and maintain. On the recommendations of John Brook (Heating adviser to Diocese) and the DAC, the PCC decided to go for the proposed system, which would better heat the church, be more environmentally friendly, reduce running costs and servicing costs, have a modern control system zoning certain areas as needed and being Hydrogen ready would reduce our carbon footprint by 50% and go a long way to being carbon neutral by 2030.

11. Notwithstanding the withdrawal of the second objection, he responded on the same date to that as follows:

1: The congregation has been informed of the cost of the proposed heating system on numerous occasions and it was displayed in church, along with the amount of money to be raised and the current amount so far raised. 2: Two quotations were obtained, so as we know how much needs to be raised to fund the new system. Once the faculty has been passed other quotes will be obtained. 3: A survey / audit/ report was carried out by John Brook (Heating Adviser to the Diocese) with his Recommendations, which have been approved by the PCC 4: Commegas issued a Gas Warning Notice and reported it to HSE Under RIDDOR 11(1). Unsafe to use due to Main heat exchanger corroded causing spillage of products of combustion. 5: The PCC believe that the system is the best way forwards to secure that long term heating of the Church. 6: The new system would be more energy efficient, cost efficient, with maintenance and running costs and would be Hydrogen ready to meet the carbon zero by 2030 and reduce the carbon footprint by up to 50%

12. £9000 has already been raised towards the total of £70216 required for the heating system. The balance of £61,216 is being sought and although I have seen references in the documentation to grants being available because of the type of system being geared to meet carbon net zero by 2030, no further details have been submitted of what may be available and/or accessible in terms of funding.

13. There is no issue in relation to the damaged stained-glass window as that is being covered by insurance, less any excess.

Analysis and conclusions

14. I am satisfied from all the documentation that has been produced that the heating system is in urgent need of replacement and what has been proposed is in

accordance with the net zero guidance issued by the Church Buildings Council under section 55 of the Dioceses, Pastoral and Mission Measure 2007 on reducing carbon emissions. The remaining objection has been satisfactorily answered and there has been no further correspondence.

15. However, it would be useful to know how the new heating system is to be funded as in any event this will ensure the relevant parties turn their minds to addressing this issue and making the necessary enquiries sooner rather than later. I propose therefore, granting a faculty subject to that information being provided by the end of January 2025. If further time is required then, I am content for an extension to be requested from the DAC Secretary. Any works should be completed within 18 months of the balance of funding being secured.

16. In so far as the stained-glass window is concerned, I grant a faculty retrospectively.

Araba Obodai

Deputy Chancellor of the Diocese of Blackburn