

IN THE CONSISTORY COURT OF THE DIOCESE OF SOUTHWARK

IN THE MATTER OF HOLY TRINITY CHURCH, BARNES

**JUDGMENT**

**Introduction**

1. This is a petition received in the Registry on 18 April 2011 by the Revd Jean Boulton-Reynolds, Team Vicar, and Adam Mitchell and Denis Barrow, Churchwardens, of Holy Trinity Church, Barnes for a faculty to replace one half of the existing benches in the church with chairs; and for the introduction of a new altar frontal and pulpit fall. The altar frontal and pulpit frontal are attractive designs from the respected firm of Juliet Hemingray and are uncontroversial; at the outset I can thus direct that a faculty do issue in respect of this aspect of the proposals. There is one objection to the proposal to replace one half of the existing benches. This is that of a parishioner, Mrs Hazel Levy. On receipt of her objection, the Registrar wrote to Mrs Levy under rule 16 (3) of the Faculty Jurisdiction Rules asking if she wanted to become a party opponent to the faculty. She did not, but requested that I take into account her objection in my consideration of the petition.
2. The DAC has considered the proposals and by its certificate dated 11 February 2011 recommend them, subject to the involvement of the Inspecting Architect, James Ford, with the selection of the appropriate colour for the backs and seats of the chairs. The chairs are of a simple design often used in churches, and there is no objection to them as such; the objection is to the replacement by them of the benches.
3. I visited the church on 23 June 2011. I am grateful to Ms Boulton-Reynolds, and to Mrs Zoe Mitchell, the parish's stewardship officer, for making me welcome, and explaining the proposals to me so clearly.

**Holy Trinity Church**

4. Holy Trinity Church was built in 1868 and is unlisted. It is however an attractive church and of some historical interest because it was designed by Thomas Allom. Allom was one of the founders of what became the Royal Institute of British Architects and lived in Barnes. The church lost its Victorian stained glass as a result of bombing in the Second World War. The simple, aisleless nave of the church makes an airy and well-lit space. Recent works to address the problem of damp in the walls resulted in them being painted white (they had previously been blue) which contributes to this effect.
5. The church is evidently well cared for and looked after by a small but dedicated congregation.
6. Until 1989 the church was traditionally furnished i.e. with pews and a Holy Table at the east end. At that date an imaginative re-ordering scheme was carried out, with an additional Holy Table being provided at the east end of the nave and the wood that furnished the pews being made into some 33 benches and furniture for those conducting the services. A wooden screen at the west end of the church enabled a narthex to be formed.<sup>1</sup> The furniture is dark stained, angular and somewhat "heavy" in appearance. Mrs Levy tells me that members of the then

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<sup>1</sup> It does not bear on the issues before me, but at this time the font was relocated to a central position, at the main west entrance to the church, although set back from it. I am pleased to learn that this has proved successful.

congregation were involved in the work of the provision of the new furniture, staining the wood; and most of the new benches were paid for by church families, often in memory of a family member or family members who had died. I think that this would have led to a strong sense of “ownership” of the new pews – and, of course, pride in the fabric of one’s parish church is something I would wish to encourage.

### **The justification for the proposals**

7. It is always the hope that when an extensive re-ordering is carried out that it will lead to a re-invigoration of the church’s life and a growth in numbers of those attending services. It may indeed lead to such a re-invigoration, but it is not always the case that it leads to growth in numbers. At the moment attendance at the main service is about 25 – 30 adults and about 10 children, who worship “in the round”. The existing furniture was not designed to be used in this way, but is capable of accommodating it.
8. Since her appointment, Ms Boulton-Reynolds, together with church members, has been seeking to develop the role of Holy Trinity Church in the local community.
9. In 2007, the Church began *Space To Be*, a monthly mid week evening project offering the community but especially single parents, those on low income and residents of the Stillingfleet estate, an opportunity for a time of wellbeing. The evening includes a healthy eating supper and social space, a listening space, a spiritual space for personal stillness and reflection, a children’s relaxation session, massage for adults and children and a led meditation. The project is currently funded via an NHS Choosing Health grant allowing the church to offer all facilities free to the community although donations are received. Attendance is 25-30 adults and 7-10 children. Christabel Gairdner and David Thomas (licensed Reader and Curate to Barnes Team Ministry respectively) have become co leaders.
10. In 2009, the Church began *Trinity Tots* (a playgroup for parents/carers and their children) with a small ‘start up’ grant from the North Barnes Children’s Centre Partnership Fund of Richmond Borough Council. Tuesday morning sessions have 28-35 children with attending parents/carers. A fee of £3 per child is charged with discretion given where appropriate. Sessions include a craft activity, healthy eating refreshments, a range of toys and a closing circle time. Once a month the Parish has recently introduced in the circle time a 15 minute toddler friendly Christian element which has been well received. Trinity Tots is the result of a long held wish of Lilian Richmond who, together with her husband John Richmond (Churchwarden for some 20 years) has made this project successful. Although John and Lilian have recently moved from the parish to be nearer their daughter, there are two church members committed to continuing the project.
11. Both these activities are held in the church and attendance predominantly consists of members of our community who do not attend Sunday services.
12. Over the last five years Holy Trinity has been building relationship with Lowther Primary School and the Castelnau Community Centre. The PCC acknowledge that these two projects are key to Holy Trinity having a relevant place in the community and that both are building bridges in promoting the life and witness of Holy Trinity.
13. All these initiatives are the sort of things which the church needs to be involved in if it is to be relevant to the community in which it is placed, and if it is to be seen to be relevant.
14. Against the background set out above, the Petitioners’ case is along the following lines. The benches do not facilitate the use of the nave for these community uses. They are physically heavy to move. Although one person is able to lift them, they really require two people. They

are not intrinsically suitable for the community uses described. They are perceived as being uncomfortable. A lightweight but well-designed chair could be more easily moved and would better facilitate community use; it would also be more comfortable for services. On the other hand, it will be perfectly possible to retain half (16) of the benches.

### **Mrs Levy's Objection**

15. Mrs Levy remembers the re-ordering very well and considers that it enhanced a beautiful church. She does not see the need for any change. She thinks that there should have been wider consultation.

### **Whether a faculty should issue**

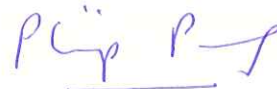
16. It is for the petitioners to demonstrate the need for change, the requirement being one of reasonable rather than absolute necessity.
17. I am satisfied that there is such a reasonable need in this case, for the reasons articulated by the Petitioners and set out above. I should add that although I can understand that the benches are uncomfortable, as far as services go one is not normally sitting down for too long at a stretch. I am more impressed by the argument that benches are not ideal for the generality of community uses. Nonetheless I think that the chairs will be more comfortable and I hope that this fact might be a factor – perhaps more psychological than otherwise – in encouraging people to come to church.
18. This does not mean that a faculty automatically issues – there might be overriding objections.<sup>2</sup> I do not think that there are any such overriding objections in this case.
19. I accept Mrs Levy's point that the replacement of the benches by chairs may be an aesthetic loss. Nonetheless this loss has to be seen in the context that the church is unlisted. I do not think that the aesthetic loss is great, or outweighs the need that has been demonstrated. Moreover it does need to be remembered that half the benches will be retained. (I am not sure if Mrs Levy is aware of this fact).
20. It is unfortunate that part of the re-ordering which was completed comparatively recently should be undone, and I recognise, apart from anything else, that this is something which could be potentially upsetting for those involved. Mrs Levy is the only person in the category of those who were involved who has objected, and I would hope that the absence of any other objections indicates that there is no-one else who would be concerned in this way. I hope that, reading this judgment, Mrs Levy may have a better understanding of why it is that the petition is being sought; and it may be that she will discover that the proposals are not as radical as she thought.
21. There is a wider perspective which I need to be aware of in this context. If the gifts and efforts of those who have gone before are regarded too lightly, it may be less easy to persuade others in the future to contribute to church projects. It has always been the case however that church buildings are modified as the present generation seeks to build upon the work of those who have preceded it. I do not think that the present case shows the church's inheritance from the past being too lightly regarded.
22. Mrs Levy thinks that there should have been wider consultation, but it is not in fact usual for proposals which do not have effects on a listed building to be consulted upon outside the

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<sup>2</sup> See the so called "Bishopsgate questions" applied by the Court of Arches in *In re St Luke the Evangelist, Maidstone* [1995] Fam 1.

“church family”. Putting the matter shortly, only the church family is likely to be interested. Of course places like this part of Barnes do still preserve a sense of community, and thus, fortunately, Mrs Levy did get to know about the proposals before a faculty was petitioned for.

23. Accordingly, I conclude that a faculty should issue for the proposal as prayed.
24. Turning to the specifics, arrangements can readily be made, if Mrs Levy wishes, so that the bench donated by Mrs Levy and her husband (who, sadly, has since died) is retained. Ms Boulton-Reynolds indicated to me that she would be happy to deal with that particular bench in whatever way Mrs Levy was happiest with. The plaques recording the gifts of the benches – which are attached to each bench – will need to be preserved. There is a ready way in which this may be done – i.e. they can be re-fixed on some convenient part of the narthex screen, with a further plaque recording what they are. (There may be other ways in which this record may be preserved, and I would not wish to be prescriptive about this.)
25. Finally, I think that before the surplus benches are disposed of, photographs should be taken of the 1989 re-ordering, with the benches laid out as then envisaged. A copy of the photographs should be offered to the archives of the London Borough of Richmond and, if still appropriate, to the archives of Surrey County Council.
26. The faculty will be subject to the condition that the colour of the backs and seats of the new chairs should be agreed with the Church’s Inspecting Architect. In the event of disagreement the matter should be referred back to this Court.



Philip Petchey  
Chancellor  
27 June 2011