

NEUTRAL CITATION: [2016] ECC SWK 13

IN THE CONSISTORY COURT OF THE DIOCESE OF SOUTHWARK

IN THE MATTER OF THE CHURCH OF ST MICHAEL AND ALL ANGELS, BLACKHEATH PARK

AND IN THE MATTER OF A PETITION BY REVD ALEXANDER CHRISTIE, MARGARET HOLLAND AND CAROLYN WATKINS

JUDGMENT

Introduction

1. This is a petition by the Vicar (Revd Alexander Christie), a churchwarden (Margaret Holland) and a PCC member (Carolyn Watkins) of the parish of St Michael and All Angels, Blackheath Park. It seeks a faculty for the following works:

Removal of existing pew platforms, dais and sound desk; construction of new tiled nave floor (retaining original pews) and wooden dais with access ramps; replacement notice boards and new wooden cupboards; relocation of the pulpit with replacement steps; new reading and preaching lecterns; removal and burial of the existing fixed font; new sound desk in gallery; toughened glass infill to balustrading at gallery level; new glass doors to north and south porches with existing timber doors rehung to inner face; redecoration of church interior and external metal gates; new ramp to north porch; new doors to stair tower; replacement heating system consisting of underfloor nave heating and radiators with gas boiler; replacement lighting using LED spotlights.

2. The proposals were approved by the PCC at meetings held on 14 April 2015 and 16 June 2015¹.
3. By a notification dated 24 September 2015, the DAC recommended the proposals for approval by the Court.
4. The petition has been advertised in accordance with the rules and there are no parties opponent. There has been consultation with Historic England (formerly English Heritage), the Royal Borough of Greenwich, the Georgian Group, the Victorian Society and the Twentieth Century Society. There are two outstanding objections. The Royal Borough of Greenwich object to one aspect of the scheme, namely burial of the existing font, and have asked me to take its objection into account in reaching my decision. Historic England have expressed a reservation about the proposals for the new font. There is general agreement that the scheme proposed will achieve benefits to the architectural and historic character of the church as well as in the future use of the building. This judgment will focus on the objection of the Royal Borough of Greenwich and the reservation of Historic England.

Background

5. Those who drive along the Old Dover Road across Blackheath will be familiar with the church of All Saints, Blackheath but they may be unaware of St Michael and All Angels, which is sited a

¹ There was one abstention at the meeting on 14 April 2015; the vote at the meeting on 16 June 2015 was unanimous.

little further to the south. Its distinctive spire (styled “The Needle of Kent”) is however visible from the road. The church is a remarkable one, and it is listed Grade II*. It was completed in 1830 to designs by George Smith and served the Cator Estate, a development of high quality housing. It is in a free Gothic style, described by Pevsner as consisting of “a crazy assembly of motifs utterly unworried by considerations of antiquarian accuracy”. It is attractive both outside and inside and of course of considerable historical interest. It was originally a proprietary chapel, becoming the church of a newly constituted parish in 1874.

6. It was re-pewed in 1879. In 1920 a pulpit was installed on the southern side of the church, between the chancel and the nave. This was a war memorial and inscribed on its base are the names of those from the parish who were killed in the First World War. It is in a Gothic style but of no particular artistic merit. It replaced a more centrally positioned wooden pulpit. It seems likely that the present font was also installed at this time, equidistant between the south and north entrances at the west end of the church. Again it is not clear what it replaced. Although as a proprietary chapel, the building would not originally have had a font, it would have needed one from 1874 onwards. The font is of masonry and also of no intrinsic merit; it has a painted finish.
7. In 1981 the East end was re-ordered by the removal of choir stalls and pews and the creation of a dais and associated communion rails, enabling the congregation to receive communion in the round.
8. In considering proposals to alter a church which is a listed building I am required to consider what is its special architectural and historical interest, and especially the character of that special interest². In terms of its architectural interest, it seems to me that the church is a building in a free Gothic Revival style that is of high quality both externally and internally. The east end “needle” spire may be a unique feature. In terms of its historic interest, it is an historic building that has stood in this part of Blackheath for 200 years and is an important example of a Gothic revival church.
9. I turn to describe the proposals.

The proposals

10. The church is entered by porches of similar design on the south and north sides of the church. Each porch is gated, with a timber door to the church. The doors currently open outwards. It is proposed to re-hang them so they open inwards and to insert new glass doors between the timber doors and the gates. This will keep the heat in and also mean that, with gates and timber doors open, the church may appear welcoming because visible through the glass doors. The church would also be more welcoming because the glass doors would be activated by push pads,
11. The font would be removed from its current central position at the west end of the church and this, together with the reordering of cupboards and notice boards at the west end of the church, would free up valuable circulation space. A newly designed font would sit in a position nearer the south doors. This could be used flexibly (as is explained in the advice of the Church Buildings Council, set out at paragraph 26 below). I am told that more people enter the church from the south than the north.

² See *In re St Alkmund, Duffield* [2013] Fam 258 (Court of Arches).

12. The existing pew platforms would be removed and a solid level floor would be laid in the nave and aisles, the pews being adapted to becoming free standing. This would mean that the space could be used flexibly and facilitate a new efficient underfloor heating system. A number of the pews will be cut short to provide wheelchair spaces.
13. A new state-of-the-art lighting system will be installed.
14. The pulpit is essentially redundant in terms of present liturgical use and, in its current position, inhibits flexible use of the east end of the church. It will be moved against the east wall on the south side of the church. A new ambo or lectern will replace the existing rather old fashioned looking lectern.
15. The floor at the east end of the church will be made to be of one level, which will improve accessibility. There will be appropriate ramped wheelchair access to the different floor levels of the nave.
16. The galleries will be fronted with glass to eliminate the health and safety risk arising from them being open fronted.
17. The church will be redecorated throughout.
18. The cost of these works is of the order of £ ½M. Of this about half is in hand. It is proposed that the rest be raised by an appeal. The appeal would be for more than required for the works that I am here considering because there are external restoration works which need to be carried out.
19. Summarising the benefits of the scheme, the Petitioners say:

We believe that the implementation of these proposals will make the church significantly more attractive and usable by our own church members and by many other groups in the local community. St Michael's is the largest church in the Blackheath area in the number of people it can accommodate, and we believe it would be much more widely used if the existing constraints were removed. The new heating and lighting systems would significantly reduce our expenses and our carbon footprint. In general the changes will refresh the church building and make it a much more welcoming space, in line with our overall vision to be welcoming to all, while at the same time preserving the building's timeless qualities as a special, beautiful, and sacred space.

The objections

20. As regards the font, English Heritage made the following points³:
 - *The font is not of exceptional quality*
 - *It is not contemporary with the foundation of the church, though it may be the building's first font owing to its late adoption of parochial status*
 - *The present plinth represents a trip hazard*
 - *The font has been out of use as a result of a liturgical preference for baptisms at the east end of the church (making use of a moveable font)*

³ See its letter dated 4 November 2014.

- *A font is traditionally a permanent fixture and not a moveable item*
- *The continuity of a font's use has significance for those baptised from it, and as a touchstone for the church community past and present*
- *Many fonts are retained in continual use for centuries*
- *The permanent replacement of a font in this location creates an architectural focus at the west end and appeals to the canonical relationship between the font and the entrance to the church, something that could be emphasised through the proposed installation of glass doors.*

21. It added

In our view there is gain to be found in retaining the existing, earliest known font within the church. However, future generations may also benefit from a record of liturgical practice currently carried out in the church today. The potential loss to the aesthetic and communal significance of the church might be mitigated by ensuring that the proposed new font is of exceptional aesthetic quality.

22. I am not sure that I understand what is intended where the writer says *However, future generations may also benefit from a record of liturgical practice currently carried out in the church today*; but the comment is evidently acceptive of the proposed change. I think the point about aesthetic loss relates to moving the font from its central position; it is not of intrinsic merit (see first bullet point).

23. In an e mail dated 10 November 2015, Rebecca Duncan, the Principal Conservation Officer of the Royal Borough of Greenwich, expressed an objection to the proposals as regards the pulpit. This has now been resolved. As regards the font, the response to the initial consultation was as follows:

Whilst it is recognised that the font forms part of the 1881-2 refitting of the church, the font is traditionally a permanent fixture and forms part of the liturgical development of the building and may in fact be the first font within the church. In terms of heritage values, therefore, the font has important historical and communal value. Whilst it may be considered appropriate to install a new font in a different location for modern liturgical purposes, we recommend further consideration is given to accommodating the existing font within the church interior.

24. I do not think that the possibility that the font dates from the 1880s can be ruled out but, as explained above, it does seem contemporaneous with the pulpit. Nothing is going to turn on its precise date. The objection was re-iterated in an e mail dated 20 April 2016:

With regards to the font and its proposed burial within the churchyard, Royal Greenwich still raise objections to this aspect of the proposals and recommend that the font is retained intact as a historic feature, either within the building itself or within the churchyard. We reiterate our previous comments of 25 January: insufficient evidence is contained within the report to justify its demolition, or indicate that alternative locations have been considered. Although it is acknowledged that the font is not exceptional in terms of design, the continuity of the font's use, up until recent times, has cultural and communal significance which would be lost through its destruction, which in any case seems a rather extreme measure.

25. Most recently, Ms Duncan has confirmed that she would not object if the font were stored in the basement or crypt under the church. Subject to my views, the Petitioners are content so to store it.
26. The DAC recommended that the Church Buildings Council be consulted. The CBC's advice is as follows:

[The font] is not distinguished and it is of significance on account of its use as a font and not for its design quality. It stands on an oversized slate plinth and the Council are agreed that the present arrangement is not satisfactory.

The Council considered the proposal for a new font, with a pedestal designed to relate to the slender pillars in the building. It would stand near the main entrance to the church, but set to the south side of the area that forms a baptistery under the gallery at the west end of the nave.

Baptism is currently administered at the east end using a portable arrangement. The new font is designed so that the bowl can be removed from the plinth and used remotely. [This is] a novel solution to meet current practice whilst still forming a permanent place of baptism and reminder of baptismal vows near the entrance to the church. The Council accepted the proposed solution on the understanding that the bowl would normally be kept on its plinth and that it would be secured to prevent casual theft or being appropriated for another use. The Council asked how the bowl would be kept stable in use, and asked that adequate provision be made for this.

The Council had no objection to burying the existing font, and noted that this fulfilled the canonical requirement to remove the font from the possibility of secular use whilst providing just one place of baptism in the building.

Consideration

27. Proposals for alterations to a church that is a listed building fall to be assessed by the reference to Duffield Guidelines, i.e. guidance set out by the Court of Arches in *In re St Alkmund's, Duffield*⁴. These guidelines require the following questions to be asked:
- (1) *What is the special architectural interest of the church, and especially the character of that special interest?*
 - (2) *What is the special historic interest of the church, and especially the character of that special interest?*
 - (3) *Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?*
 - (4) *If the answer to question (3) is "no", the ordinary presumption in faculty proceedings "in favour of things as they stand" is applicable, and can be rebutted more or less readily, depending on the particular nature of the proposals: see Peek v Trower (1881) 7 PD 21, 26–28, and the review of the case law by Bursell QC, Ch in In re St Mary's Churchyard, White Waltham (No 2) [2010] Fam 146, para 11. Questions 3, 4 and 5 do not arise.*
 - (5) *If the answer to question (1) is "yes", how serious would the harm be?*

⁴ [2013] Fam 158.

- (6) *How clear and convincing is the justification for carrying out the proposals?*
- (7) *Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listed building (see In re St Luke the Evangelist, Maidstone [1995] Fam 1, 8), will any resulting public benefit (including matters such as liturgical freedom, pastoral well being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm? In answering question (7), the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will particularly be the case if the harm is to a building which is listed Grade I or II*, where serious harm should only exceptionally be allowed.*
28. In the present case no-one suggests that, as a generality, the proposals will adversely affect the special architectural and historical character of the church – the proposals are either neutral or will enhance that character. The only issue is as to the removal of the font.
29. Applying the Guidelines to the issue of the removal of the font, it seems to me that one possible answer to question (3) would be that no harm to the building would be caused by its removal. The font did not form part of the original design of the church and is of no intrinsic merit. The architectural and historic significance of the church as identified at paragraph 8 above would be unaffected.
30. I think that assessing what is proposed against the architectural and historic significance identified above is a useful exercise as putting the proposals in an overall context; evidently, in the scale of things, removing the font would not be a matter causing the greatest harm. Nonetheless, it seems to me that this does not mean that the harm caused by its removal is insignificant. The concern that has been expressed by Historic England and the Royal Borough of Greenwich is in respect of loss of “communal value” (including spiritual value), upon which it seems that increasing emphasis is being placed⁵. It seems to me that secular recognition of these ultimately intangible matters is to be welcomed. I agree with Historic England and the Royal Borough of Greenwich that there would be harm to the listed building that arises from removal of the font.
31. Before I turn to consider that harm in the context of the *Duffield* guidelines, and whether in the light of the comments of Historic England and the Royal Borough of Greenwich, that proposal falls to modified in any way, it will be helpful to identify the approach of the ecclesiastical courts to the issue of the disposal of a redundant font, and in particular, to the appropriateness of disposing of it by burial.
32. It is not clear what is the origin of the idea that an appropriate way to dispose of a redundant font is to bury it. It seems to me that it is likely to have its origins in the realisation in the nineteenth century that discarded fonts (often of great historic and artistic significance) were being used for

⁵ “Communal value derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective memory. Communal values are closely bound up with historical (particularly associative) and aesthetic values, but tend to have additional and specific aspects”: paragraph 54 of *Conservation Principles, Policies and Guidance* (2008) which was published by English Heritage but still represents the policy of Historic England. Paragraphs 55 – 60 contain further exposition of the concept, including a recognition of spiritual value in a building.

inappropriate secular purposes. In the leading text (*Fonts and Font Covers* (1908)), Francis Bond gave a number of examples of this, including a thirteenth century font being used as a pump trough in Scarrington, Nottinghamshire⁶. No doubt there was an antiquarian concern about this but I suspect that many people would have thought that it was inappropriate for an object which had once had the most sacred of uses to be turned to secular use. However this may be, when the church in Hazelbeach was restored in 1860 and a new font installed, the old one was interred beneath the church floor⁷. In the recent period, in *In re Christ Church, Cockfosters*⁸, a condition of the faculty was that

*Unless within four months from the grant of this faculty another church is found willing to have the font as a gift then thereafter the font may be removed in pieces and buried in the churchyard*⁹.

33. It seems to me that this reflects the concern of the court that in the absence of finding another church to accommodate the font, it was appropriate for it to be buried as a fitting way to dispose of it and making it impossible for it to be used inappropriately.
34. In *In re St Peter's, Draycott*, counsel for the Church Buildings Council submitted that a font no longer required for the purpose of the administration of Holy Baptism should be put beyond use. However the Court of Arches rejected this submission. Although in that case it did not permit the sale of a font, it contemplated that such a sale might be permissible in an appropriate case.
35. In *In re All Saints', Winterton*, the facts were that following the loss of the mediaeval font at the time of the Commonwealth, a new font was installed in 1663. This was used until 1903 when a new font was given to the church and the font of 1663 given away. In 1952 the original font was rediscovered¹⁰ and re-introduced into the church. In 2000 it started to be used for baptisms. In 2014, a faculty was sought to re-locate the mediaeval font in the position of the 1903 font, and bury the 1903 font beneath it. The Victorian Society objected and the Chancellor agreed that what was proposed was inappropriate in the circumstances. His preference was that the font be relocated elsewhere in the church, but otherwise that it should be removed to another church or placed in store. Bishop Ch identified a "liturgical norm" that there should only be one font in a church in which baptisms take place, but considered that that concern would be addressed if the font of 1903 was not used as font.
36. *In re St Peter's, Shipton Bellinger*¹¹ concerned a proposal to replace a Victorian font with a new font. It was proposed that the old font should be sold or given to another church, or, failing that, buried in the churchyard. Clark QC Ch granted a faculty. As regards burial of the old font, he said:

Burying the existing font in the churchyard should be regarded as very much a last resort. I require the Petitioners to do everything they reasonably can by way of publicity and

⁶ It seems that it is now preserved in the church. In *In re All Saints', Winterton* (Lincoln Consistory Court: 24 July 2014), the mediaeval font had been thrown out of the church at the time of the Commonwealth and turned up in a local garden in 1952.

⁷ See *Fonts and Font Covers* at p278. I have not identified this church independently of Bond's text.

⁸ (1999) 5 Ecc LJ 490. This was a decision of Cameron QC Ch, sitting as Chancellor of London.

⁹ Apparently there was considerable doubt whether the font could be removed from the church intact: see paragraph 52 of the judgment in *In re St Peter's, Draycott* [2009] Fam 93 (Court of Arches).

¹⁰ See footnote 5 above.

¹¹ Consistory Court of the Diocese of Winchester, 12 March 2015.

advertisement to find a new home for the Victorian font. It would fit very well in a large Victorian church or chapel. As I have said, it is not unattractive, and it may well be more suitable and imposing than an existing font in another place. Furthermore, careful analysis of the judgment in the Draycott case shows that it is legally possible to dispose of a redundant font by sale or resale (see paragraphs 49 to 57). If no offer is received from another church or chapel, then in principle I see no reason why it should not be offered to a museum, such as the Victoria and Albert, or the county museums in Salisbury or Winchester. Failing an offer from a museum, I see no reason in principle why it could not be sold on the open market. As I say, the very last thing I would wish to authorise is the burial of the font in the churchyard.

37. *In re St Peter's, Shipton Bellinger* went on appeal and Clark QC Ch's decision to permit the disposal of the Victorian font was overturned. His comments on the disposal of the font (in the light of which he imposed a condition on the faculty which he granted) must be seen in this light.
38. In *In re St Bartholomew, Kirkby Muxloe*¹², the ancient font had been removed in the early part of the twentieth century, when it was replaced by a stone font dating from not earlier than the second part of the nineteenth century. This font was replaced without the benefit of a faculty in 2014 or 2015. Rees Dep Ch decided that in the circumstances, it was appropriate to grant a faculty for the new font and the question arose as to what was to happen to the old one. The suggestion was made that it should be put in the churchyard. The view of the Church Buildings Council was that

In the event that the font were to be disposed of, the parish needs to be aware that it should be broken up and buried in the churchyard, according to the Bishop's directions. It must not be put outside as a "decorative feature".

39. Rees Dep Ch agreed that the font should not be put in the churchyard:

It seems to me wholly unfitting for a font that has been used for the sacrament of baptism in the parish to be turned into a decorative feature in the churchyard. The notion that a stone font should be turned into a form of planter seems to me to be entirely unsuitable. Equally, simply leaving it outside in the churchyard means that it will become a receptacle for dead leaves, litter and rainwater (it has no functioning drain) and be vulnerable to frost damage, weathering and theft¹³.

40. The order that Rees Dep Ch made envisaged that a new home for the old font would be found within the church; failing this, that another church or museum might provide a home for it; failing this, that it might be sold. He did not contemplate that it might be necessary to bury (or otherwise dispose) of it.
41. *In re St Philip's, Scholes* concerned an unlisted church built in 1966. It had a contemporary font. At some point a new font was introduced from St George's Church, Leeds and the old font was dismantled and buried in the garden of one of the churchwardens, save its stainless steel bowl¹⁴. This was all done without the benefit of a faculty. Hill QC Ch granted a faculty for the retention of the new font, which, it was discovered, could be accommodate the bowl of the old font. The

¹² Consistory Court of the Diocese of Leicester: 24 August 2015.

¹³ See paragraph 44 of his judgment.

¹⁴ It was subsequently dug up and brought into the church.

Chancellor sought the guidance of the Church Buildings Council as to what should happen to the old font and was advised:

In the event that a confirmatory [faculty] is issued, the Council would wish to see the removed font treated in accordance with Canon F1¹⁵, and not be available for any use apart from baptism after its removal. This is likely to mean that it is put beyond further use.

42. It will be seen that this advice is similar to the advice that I received in the present case. However, as Hill QC Ch pointed out, the advice is not consistent with what the Court of Arches said in *In re St Peter's, Draycott*:

We interpret [the canon] as simply protecting the font bowl whilst it is in use in the church for purpose of the administration of Holy Baptism. The canon says nothing about what is to happen if and when a font bowl is no longer in use for that purpose¹⁶.

43. Hill QC Ch concluded as follows:

... I am satisfied that, contrary to the proposition advanced by the CBC, there is no legal or other requirement for a redundant font to be put beyond use. In the particular circumstances of this case, the reality seems to be that the font comprises the bowl and that the breeze block and marble cladding constitute nothing more than the pedestal in which it rests. As the point was not argued before me, I need not come to a final determination, but in my judgment it is appropriate for the bowl to be retained with dignity; however, the "builder's rubble" which is all that remains of the pedestal can properly be disposed of in such manner as the Archdeacon may direct. I can see no difficulty in it being discreetly buried in a corner of the unconsecrated field in which the church building stands, but having regard to the nature of the material, providing the bowl is reverently preserved, I can see no objection to it being dumped in a landfill site or similar¹⁷.

44. I return to the question of what is to happen to the existing font in the present case. I begin by noting that neither Historic England nor the Royal Borough of Greenwich suggest that replacement of the existing font would be so harmful that it could not be permitted. The issue from their point of view is as to the terms on which it is appropriately permitted. I accept that the existing font does have historic (sc communal) value as identified by Historic England and the Royal Borough of Greenwich but in my view its loss clearly does not represent harm which is so serious that it should prevent the implementation of the sensible and beneficial proposal to replace it in a different location. I think that the new location is marginally less good from an aesthetic point of view than the original location but that that marginal disbenefit is not decisive of any matter. In saying that the harm is not so serious that it should prevent implementation of the proposal, I am conscious that I am addressing the Duffield guidelines in what may be said to be a back to front way i.e addressing question 5 in terms of questions 6 and 7. Nonetheless it seems to me that this is a common sense way of examining the issue arising. It is difficult conceptually to weigh such different matters as harm and need against each other although in practice (as here) the outcome may be clear. I must bear in mind that the guidelines are just that

¹⁵ Canon F1.3 states: *The font bowl shall only be used for the water at the administration of Holy Baptism and for no other purpose whatsoever.*

¹⁶ See paragraph 47.

¹⁷ See paragraph 50.

and that *there is a danger of imposing an unduly prescriptive framework on what is essentially a balancing process*¹⁸.

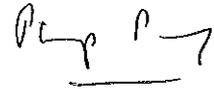
45. Historic England would like to see the font replaced with a new font of outstanding aesthetic quality. I asked the Church Buildings Council about whether the new font was of outstanding aesthetic quality. The Council did not respond in terms, but I take it from their comments that it did not take this view.
46. One might wish in theory that all the appropriate fittings of a church would be of outstanding aesthetic quality. In practice however if this were the requirement it would, it seems to me, impose an impossible as well as expensive burden upon churches. Although it may be that, from time to time, churches will wish to commission work which they hope will be of outstanding aesthetic quality, it seems to me that a requirement to do so only arises where it may be said that the harm arising from a particular proposal is particularly great. In these circumstances it may be necessary to for the benefit to be particularly great to outweigh that harm.
47. I do not think that the harm flowing from the replacement of the existing font in a different location in the present case is so great that it requires the new font to be of outstanding aesthetic quality. The new font is evidently of good aesthetic quality (evidently much better than the font it replaces) and it seems to me that this is sufficient. I will add that my finding on this matter would not preclude the petitioners in due course from re-examining the current proposal and seeking to provide a new font of outstanding quality. I need emphasise, however, that I am not enjoining them so to do.
48. I turn to consider the objection of the Royal Borough of Greenwich. It considers that the font should be put into storage.
49. The cases suggest a sequential approach, namely a consideration of the following options in turn:
 - relocation in the church
 - relocation in another church
 - relocation to a museum
 - sale
 - storage or burial or disposition to a tip.
50. Relocation in the church is evidently the best option provided it does not lead to confusion about the possibility of the church having two fonts. (I do not know how this point was addressed in *In re All Saints, Winterton* (if indeed the font was retained within the church)¹⁹). The point simply does not arise in the present case because there is nowhere else in practical terms that the redundant font could go.

¹⁸ See paragraph 87 of *In re St Alkmund, Duffield*.

¹⁹ The church of St Mary Redcliffe in Bristol now accommodates the font from the church of St John, Bedminster, which was destroyed by enemy action in the Second World War. I do not think that it is liable to be thought to be the font in use in St Mary's. This may not be the best example to take, however, since St Mary's has two fonts of its own (dating from the 13th and 18th centuries).

51. It is always likely to be difficult to find another church to take a redundant font because in all cases it will have a font of its own. In the present case, no other church is likely to want the redundant font. Similarly, no museum is likely to want the font.
52. It seems to me that sale of a font may be appropriate if one may be confident that it will end up in good hands. In *In re St Peter's, Draycott* a private collector was prepared to pay £100,000 for a font designed by William Burges. For my part, I have reservations about the appropriateness of a font ending up in a private collection (which perhaps the Court of Arches did not share) but one can see that a font bought on this basis is unlikely to end up being used for a positively inappropriate use. In the present case, perhaps no-one would buy the font. However I am concerned that, if I did permit sale, it would end up being used in someone's garden. This does not seem to me to be appropriate given its former sacred use. I take the point of the Court of Arches on the meaning of Canon F1 but my concern relates not to its continuing special status but to the unseemliness of putting something that has been used in administering the sacrament of Holy Baptism to this sort of secular use.
53. In the present case it is possible to store the font in the crypt and this of course is what the Royal Borough of Greenwich wish to see happen. I am unenthusiastic about this solution because, in practical terms, the font is never going to be used again and no-one is going to want to look at it. However I accept that it will be preserved in an accessible way. I am however attracted by the Petitioners' approach that the best way forward is to "decommission" the font by way of burial and thus achieve finality. If it transpired (which seems very unlikely) that the view was taken in the future that a mistake had been made, the font could be recovered. What I do not think would be appropriate, given its history, is sending it to a skip. It seems unseemly and its communal value would be lost. It is possible that in taking this view I may disagree with the preliminary view of Hill QC Ch as to the appropriateness of such disposition in principle. I note that on the facts before him the disposition of the pedestal of the redundant font to a skip was considered to be appropriate in the context that it had ceased in any real sense to be a font or even part of a font; and also that in that case he required the bowl of the redundant font to be reverently preserved.
54. With some reservations, I have concluded that the better course in the present case is to require the redundant font to be stored. There cannot be any strong objection to this course if the Petitioners are able, as they are, to do this. In terms of the *Duffield* guidelines, I think that, the matter being considered on this basis, the modest harm flowing from the proposal is outweighed by the public benefit it confers.
55. The faculty will be issued accordingly. No work is to be undertaken before details of (i) the new glazed doors, (ii) the glazing to the balcony and (iii) the heating flue have been agreed with the DAC (in default of agreement the matter to be referred back to the Court). The work is to be completed to the reasonable satisfaction of the Church's Inspecting Architect. These are the conditions suggested by the DAC and CBC. To them I would add the requirement that a photographic record be made of the church as it now is, to be kept with Church's records. A set of the photographs should be offered to the Royal Borough of Greenwich for its records. The visual changes that will happen will not be marked but I think nonetheless that this is an important exercise.

56. The proposals that are the subject of this petition together are an excellent scheme which preserves and enhances this important and attractive church, and which increases its ability to be used for church and community purposes. I am very pleased to see them coming to fruition.



PHILIP PETCHEY

Chancellor

25 July 2016