

**IN THE CONSISTORY COURT OF THE DIOCESE OF LEEDS**

**In the matter of Chapel Allerton : St Matthew**

Faculty Reference 18-02C

---

**JUDGMENT**

---

1. The church of St Matthew in Chapel Allerton, Leeds, is a late Victorian gothic revival church with a Grade II\* listing, principally because the designing architect was G. F. Bodley. The vicar (Revd David Robinson), a churchwarden (Nicholas Martin) and the [former?] Chair of the Building for the Future group (Raymond Bowen) petition seeking a faculty for the following works :-  
re-plastering and redecoration of all walls in the worship area;  
for the reordering of the west end of the nave by the creation of an enclosed, separately heated, community area and associated kitchen facilities (the kitchen to be at the West of the North Aisle);  
for the re-location of the possibly medieval, possibly seventeenth century font from its current position near the unused West door to be nearer the main entrance to the Church;  
relocation of a memorial to Vivian Arthur Walker-Walters;  
removal of the rear row of nave pews; and  
the addition of glass doors at the main entrance of the Church (currently there are spiked metal gates at the entrance to the tower-porch and part-glazed doors into the church building).

**The Extent of the Proposed Works.**

2. There are several key elements in the proposed works. First, all the walls of the church would be stripped and re-plastered, to renovate the walls after piece-meal repairs over a period of several decades. The west end of the nave is to be reordered with the insertion of a meeting room using glass and wood (especially to encase upright metal supports, so as to be more in keeping with the rest of the church building), with a fully plumbed kitchen facility at the northern end of that room. The new room needs to have a separate heating system so that the space can be used when the rest of the Church building is not in use. The room would then be used for various purposes, including a space

for hospitality, hence the improved kitchen facilities. (The creation of the kitchen would require removal of various cupboards and a large concrete safe at the West end of the Church, believed to have been installed during the second world war to protect valuables). The works proposed would necessitate removal of the rear pews of the nave, to aid movement. To avoid obscuring a significant memorial the petitioners seek permission to relocate the memorial to Vivian Arthur Walker-Walters, who died aboard his ship in a naval action during the early stages of the Great War (in effect the memorial would be moved from a South West wall to a more prominent position on the West Wall). In addition, as explained above, it is proposed that the font should be moved from near to the unused West Door to be closer to the main entrance to the Church. Lastly the petitioners wish to introduce glass doors at the entrance to the porch, to help make the Church more welcoming rather than using just the original, spiked metal gates.

3. One issue the Parish had to address is that there is already a meeting room built in the Churchyard and connected with the church building by a walkway. It was also acknowledged that the toilet facilities in the vestry area were inadequate (especially as there is no level access) and it is aimed that in future there be development in the extension of an accessible, modern toilet. There are limited and small kitchen facilities in the 'extension'. The available space within that building is already heavily used and does not provide sufficient accommodation for all groups staffed by the Church, let alone being available for outside groups. At the site visit in May 2017 (see below) the Archdeacon of Leeds is reported to have said that he would encourage the Parochial Church Council to reorder in such a way that people use the interior of the church building, which he apparently described as 'an inspiring space'.

#### **The Purpose of the Proposed Works.**

4. The Petitioners explain that the interior walls of the church have been subject to both general wear and tear and the ingress of moisture. There has been piecemeal patching so that now a uniform renovation would be welcomed, restoring the walls to their original condition.
5. Thereafter the petitioners seek to move the font (described as medieval at one stage and seventeenth century elsewhere) from the unused West Door and closer to the main entrance of the Church. At the same time the controls for the sound system (also at the West door area) could be moved to a more sensible location within the Church. At the request of the members of the Diocesan Advisory Committee and the Church buildings Council the incumbent has

prepared a liturgical statement in support of moving the font to the west end of the south aisle (that is, close to the main entrance of the Church).

6. An aim of provision of glass doors at the entry to the tower-porch is to permit the main doors (set at the end other end of the tower-porch to the spiked metal gates) to be opened to allow a line of sight into the church building and to appear more welcoming than having spiked gates at the entrance. (The petitioners do acknowledge that the metal gates, that are an original feature of the church, could be retained but fastened back into an open position). Glass doors would also allow a limited view into the Church building beyond the tower-porch when the church is not in use.
7. The Statement of Needs lists numerous ‘needs’ which it is said the proposed new room and kitchen facilities will meet. In essence the Petitioners contend that the alterations are required to enable the space in the church to be used flexibly and to provide adequate facilities for those visiting or worshipping in the church, with the aim also of increasing ‘footfall’ into the church building. The particular needs are said to be that of providing an increase in flexible space that can be heated separately from the main church building so as to encourage greater use of the church building throughout the week, including for mid-week acts of worship. There is also a need for an enclosed multi-use room so as to enable smaller groups to meet in the church both during times when the rest of the church is in use (so allowing for Children’s work or similar to be carried out there during Sunday worship) and at other times. In particular the current arrangements for Junior Church during the main service are less than desirable, so that the younger members of the congregation may not actually feel they are important members of the congregation. It is also envisaged that the linked kitchen facilities will help form part of the church’s ministry for pastoral well-being to the community (especially the physically, mentally and socially disadvantaged through better facilities for a community café, allowing a dementia café to start, providing better and warmer facilities for social groups for older citizens and for asylum seekers). An important part of the design is to use glass so that visitors may still observe what is stated to be the ‘wow’ factor of the rest of the Church building, described elsewhere as ‘an inspiring space’. A room available for hire to the local community is also of relevance to allow for much needed income for the Church.
8. At their meeting in December 2017 the members of the Diocesan Advisory Committee recommended approval of the works. However, the Diocesan Advisory Committee also certified that the works were likely to affect the

character of the Church as a building of special architectural or historic interest. I agree that there is likely to be such an impact. The works would make a not insignificant alteration in the appearance of the west end of the nave. That part of this late Victorian church will contain a twenty-first century structure consisting of glass walls and wood-clad supports. The real issue is whether that impact would be such as to harm the character of the building. There would be no real impact on the appearance of the church's exterior by any of the works, save in that the porch at the main entrance would have glass doors.

### **Representations.**

9. The proposals have been subject to lengthy consultation. The petitioners have listened to advice and acted on several suggestions by amenity societies and the Diocesan Advisory Committee. The current detailed plans are marked as having been revised (in fact two of the plans are identified as Revision H, so the eighth amendment to those plans). It was upon the much revised plans that the members of the Diocesan Advisory Committee recommended approval.

It would seem appropriate for me to briefly go through the history of representations made.

10. Historic England was broadly supportive of the proposals while making some points of detail, particularly encouraging the refurbishment and redecoration of the interior walls at the west end of the building. An extract from the response of Historic England will be found below, when consideration is given to whether harm would be caused to the church as a building of special architectural or historic interest.
11. The representatives of the Church Buildings Council have also been broadly supportive of the proposals. There have been three written communications from that body and a representative attended a site visit with members of the Diocesan Advisory Committee. By letter dated 19<sup>th</sup> October 2016 it was said "*the Council warmly supports the overall aim of providing additional facilities to encourage greater use of the historic church building and commends the parish on the works they have done to date.*" Thereafter there was advice that the statement of significance and the statement of needs should be improved. As regards the kitchen and meeting room the proposed kitchen/servery was described as 'uncontroversial', whilst the Council did not object in principle to the suggested location of the meeting room. However, at that stage it was not considered that an adequate case for the meeting room had been made out. Suggestions as regards the design were made

(a number of which were later acted upon by the Parish in further revision to their plans). The relocation of the font was deemed acceptable in principle, although a liturgical plan in support was suggested. At that stage the provision of glass doors at the tower-porch entrance was opposed.

12. On 20<sup>th</sup> March 2017 a further email from a senior officer of the Church Buildings Council accepted that the revised Statement of Needs now gave clearer justification for the construction of the meeting room/kitchen. It was said that the Council did not object in principle to the proposed location of those facilities. It was, however, noted that the parish had not yet addressed issues concerning the relocation of the font, the issues raised as to the design of the meeting room and the objection to the glass doors at the tower-porch.
13. On 22<sup>nd</sup> June 2017 an officer of the Council (who had attended the site visit in May 2017) sent an email addressing, in the main, concerns with parts of the design for the meeting room. Introducing ashlar for the return walls was discouraged (the parish heeded this advice) and use of the vaulted glass roof-light was queried, with explanations given. The Council considered, but did not raise any objection, to the removal of the back row of pews to aid circulation. By this stage the Council had changed its stance regarding the glass doors at the entrance to the tower-porch, provided that the original spiked metal gates were retained (the petitioners have heeded this advice and now seek to retain the spiked metal gates, secured into an open position).
14. On 21<sup>st</sup> August 2017 the Vicar replied in writing to the concerns raised, especially in giving an explanation for the vaulted glass roof-light proposed for the meeting room. No further correspondence has been received since and the Church Buildings Council has not sought to become a party to contested proceedings.
15. The most critical comments came from the Northern Buildings Committee of the Victorian Society. There have been three significant communications from that Society explaining what stance its members have to the proposals. On 14<sup>th</sup> September 2016 a letter set out that the proposed meeting room was not in keeping with the building and did not harmonise with the interior. It was suggested that instead of the proposed meeting room the parish should look to refurbishing the external meeting room attached to the Church building. It was also pointed out that the Statement of Needs did not show how many groups would be interested in hiring a space within the Church, nor why the external hall/meeting room did not meet the needs of the Parish.

16. On 14<sup>th</sup> March 2017 an email in effect repeated the contents of the letter, again encouraging the parish to improve or expand the current external room/hall. A specific quote from the previous letter was highlighted :-  
*“The proposed west end meeting space and kitchen are not in keeping with the building and do not harmonize with the interior and we **object** to these proposals. The curved glass and stone meeting space fails to understand the geometry of the church and does not respond to it in any way. This structure would be incongruous with the character of the interior and would cause serious harm to this highly listed building.”*
17. Correspondence with a slightly altered position was sent by email on 8<sup>th</sup> November 2017. In this correspondence was concession that the proposals concerning relocation of the font were uncontentious. There was also concession that it would be appropriate to install glass doors at the entrance of the porch, but suggesting these should be behind the spiked metal gates, which could still be retained and operable. It was suggested that there was nothing intrinsically unwelcoming by having lockable, spiked metal gates at the entrance to the Church.  
The revised plans for the meeting room were then discussed, with the design being referred to as ‘mundane and pedestrian’. Although it was accepted in principle that what was proposed was acceptable it was suggested that the design was not of sufficient quality to match the church building itself. It was suggested that the glazed vaulted roof-light on the proposed room was incongruous and instead the meeting room should be made taller to still retain visibility of the moulded archway over the west door.
18. The Vicar responded to the Victorian Society by letter on 18<sup>th</sup> November 2017. It was pointed out how the designs had been revised in accordance with suggestions from other amenity societies and the favourable opinion of the meeting room, as expressed on behalf of Historic England, was quoted. The suggestion that the new construction be increased in height was answered in that such a move would then obscure the view of stained glass at the south-west end of the church. Further, to increase the height of the structure might seem to be an attempt to ‘compete with the splendid east end’ of the church ‘which remains the liturgical and visual highpoint and focus’. Further, it was said a taller structure could be overpowering, perhaps even being in danger of looking like ‘a huge fish tank’ and certainly would not keep the structure low key, as the Victorian Society had suggested was desirable. It was pointed out that the Victorian Society had been invited to send a representative to a site visit on

several occasions but, as of that date, the Society had not availed itself of that opportunity.

19. A site visit was held on 8<sup>th</sup> May 2017 where various members of the Diocesan Advisory Committee, the Archdeacon of Leeds and a representative of the Church Buildings Council met with representatives of the Parish. Various issues were discussed and some advice was given. The Victorian Society were invited to attend, but did not send a representative (although it is reported that one of the attending members of the Diocesan Advisory Committee was also a member of the Victorian Society).
20. This matter was initially referred to the Chancellor for determination. He noted that despite the written objections of the Victorian Society that organisation had not sought to make formal objection to the proposals. At his request on 11<sup>th</sup> January 2018 the Registrar sent a Special Notice to the Victorian Society under rule 9.3. No response was received within the requisite 21 day period and consequently the Victorian Society has not sought to become a party to contested proceedings.
21. The public notice was duly displayed at the Church from 24<sup>th</sup> November to 24<sup>th</sup> December 2017. There has been no response to the public notice.

### **The Relevant Legal Principles.**

22. The proposed works will lead to an alteration in the appearance of a listed church having an impact on its character as a building of special architectural and historic interest. Therefore, in respect of each aspect of the work and overall I must ask myself a series of questions derived from *In re St Alkmund, Duffield [2013] Fam 158 (Arches Ct)* The questions to be asked in such circumstances (see paragraph 87 of the reported judgment) are as follows:-
  - (1) Would the proposals if implemented result in harm to the significance of the church as a building of special architectural or historic interest?
  - (2) If the answer to question (1) is not, 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.
  - (3) If the answer to question (1) is yes, how serious would the harm be?
  - (4) How clear and convincing is the justification for carrying out the proposals?

(5) Bearing in mind that there is a strong presumption against proposals which will adversely affect the special character of a listing building, will any resulting public benefit (including matters such as liturgical freedom, pastoral mission, opportunities for mission, and putting the church to viable uses that are consistent with its rôle as a place of worship and mission) outweigh the harm?

In answering question (5) the more serious the harm, the greater will be the level of benefit needed before the proposals should be permitted. This will be particularly the case if the harm is to a building which is listed Grade I or II\* where serious harm should only exceptionally be allowed.

23. The *Duffield* questions have subsequently been considered on an appeal in the case of *Re St. John the Baptist, Penshurst (2015) 17 Ecc LJ 393 Court of Arches*) where some guidance in how to interpret the *Duffield* questions was given at paragraph 22:

(a) Question (1) cannot be answered without prior consideration of what is the special architectural and/or historic interest of the listed church ... noting that there had been a material error in failing to identify what was the special character and historic interest of the church as a whole ... and then to consider whether there would be an overall adverse effect by reason of the proposed change.

(b) In answering questions (1) and (3), the particular grading of the listed church is highly relevant, whether or not serious harm will be occasioned.

(c) In answering question (4), what matters are the elements which comprise the justification, including justification falling short of 'need or necessity'.... it is not confined to needs strictly so-called.

(d) Questions (1), (3) and (5) are directed at the effect of the works on the character of the listed building, rather than the effects of alteration, removal or disposal on a particular article.

24. The specific Architectural and/or historic significance of the Church is perhaps best considered by looking to the information given in the description of the listing for the building :-

*Anglican church. 1897-98. By G F Bodley. Bath stone and Ancaster stone ashlar, tile roof. Built by Stephens and Baslow of Bristol. Glass by Burlison and Grylls. PLAN: nave of 6 bays, chancel and aisles under one roof without clerestory, large detached tower on S of S aisle connected by passage and serving as porch. Gothic Revival style. EXTERIOR:*



*tracery windows, narrow buttresses and crenelated tower with central staircase turret and belfry stage with clock, shields in relief and gargoyles. INTERIOR: C14-style ribbed quatrefoil columns and chamfered arches; the 3-light windows are set in recesses with quatrefoils and cusped panels below; nave ceiling is tunnel-vaulted in wood, in the aisles timber trusses on alternate stone corbels and wooden brackets, painted with badges and chevrons. The floor is stone-flagged with wood to pew area. Organ loft at mezzanine level at east end of north aisle. A fine carved screen with organ gallery separates nave and chancel. The chancel ceiling is ribbed and panelled, painted blue with 'IHS'. Sanctuary floor black and white marble, the walls panelled, the reredos of carved and gilded wood has figures of Christ in Glory, the Annunciation and saints all under tracery canopies. The choir and clergy vestries lie north of the chancel. To the south the Lady Chapel sanctuary has a white marble floor and fine triptych reredos with central figure of Christ flanked by painted figures of female saints: Mary Bethany, Monica, Martha, Agnes. Chapel floor stone with wood in seating areas. Plain panelling with linen-fold and quatrefoil details to pews, choir stalls, pulpit. Plaques in choir and chancel commemorate John Primalt Maud, perpetual curate of Chapel Allerton 1890-1904, the period of building, and the laying of the foundation stone 18.10.1897 and consecration 03.02.1900. At the W end the font is C17, a gritstone cylindrical shaft with scroll decoration in relief, octagonal bowl with raised lettering: 'THER:IS/ONE.LORD/ONE:FA/ITH.ONE/BAPTI/SME'EPH/ESIANS/ X.5.1637'; the letters 'H' are turned through 90 degrees. This church was built on a new site to replace the much smaller church in the Old Graveyard. It demonstrates the architect's principal that the history of architectural art was one of refinement, a true artistic feeling denoting restrained power.*

**Will some or all of the works harm the character of the church as a building of special architectural and historic interest?**

25. The building of a meeting room at the west end of the nave will clearly have an impact on the interior of the church. If the works are permitted those entering this late Victorian church will almost immediately see a twenty-first century room before they turn to the East and see the splendour of the reredos, the organ and other architectural treasures of St Matthew's. That insertion will clearly have some effect on this church's character as a building of special architectural and historic interest. It is a moot point whether the new structure would 'harm' the character of the building.

26. A representative of Historic England, when responding to the consultation as long ago as September 2016, stated the following :-

*“The proposed west end re-ordering . . . will alter the openness of the west end of the Church. However, we do not consider that this will cause harm to the significance of the interior. The area effected is a small proportion of the overall space. The modest, single storey height of the new structure will allow all of the windows to remain visible and the shallow definition of the projecting west end of the plan form will remain legible.*

*The design . . . has been handled with sensitivity and creativity. There is an interesting blend of transparency and permanence, balancing glazing and stonework with characterful detailing. The arched vaulted lantern will allow light into the meeting room, picking up and reflecting the tunnel vaulted ceiling and arcades. The flat roof of the enclosure echoes the string-courses under the windows. The wooden panelling around the walls will be retained in their current form with the heating grates at a low level remodelled into cupboards for storage. We consider this will be a positive addition that will integrate comfortably into the internal space.”*

On the whole I would agree with those observations. The principle importance of the interior of St Matthew’s are the various structures towards the east of the building. The currently proposed meeting room has been designed to permit the architectural structures of the west end of the Church to still be observed and efforts have been made to retain original features (such as the heating grates mentioned above).

27. It is of note that the Church Buildings Council representatives have also effectively supported the provision of the meeting room in the proposed position, and referred to the proposed location of the kitchen/servery facilities as ‘uncontroversial’.

28. Given the stance of the Victorian Society, notwithstanding the views expressed on behalf of Historic England and the Church Buildings Council, I must still give some consideration to the third, fourth and fifth questions raised in **Duffield**.

Consideration of those questions involves balancing the degree of justification against the extent of any adverse impact.

29. I am not convinced that provision of glass doors at the entrance to the tower-porch could be said to substantially harm the character of this Church. The impact on the exterior appearance would be relatively modest, replacing

lockable spiked metal gates with doors that still permit viewing of what stands beyond them. It is relevant that a stated aim is to make the Church more welcoming and still to permit a view through the porch and into the Church building itself.

### **The stripping and re-plastering of the interior walls**

30. No issue has been raised with these proposed works. The intention of the works is to overcome moisture damage and the effects of several small repairs over the years. The aim is to return the walls to the state they were when the church building was first constructed. If this was a stand-alone application I have no doubt it would be uncontentious and would be permitted without objection. There would be no harm to the character of the interior of the building.

### **The relocation of the memorial to Vivian Walker-Walters**

31. The movement of this memorial to a new, more prominent location has not been challenged in any of the correspondence I have seen. Again, I am sure that the proposal would be uncontentious as a stand-alone application.

### **The font**

32. The question of the movement of the font must be considered not just by applying the *Duffield* questions but also to those principles particularly applicable to the positioning of fonts. In cases where a font is to be moved it is unlikely that a faculty will be permitted if either the proposed new location or the alleged need for movement would not otherwise be justifiable.
33. A sensible starting point as regards positioning of a font must be Canon F1(2) which provides that:  
***“The font shall stand as near to the principal entrance as conveniently may be, except there be a custom to the contrary or the Ordinary otherwise direct; and shall be set in as spacious and well-ordered surroundings as possible.”***
34. The liturgical statement of the Incumbent focusses very much on the Canon. The Vicar highlighted that a font close to the main entrance “symbolically will better express that baptism is the entry into the Christian faith”. It is also pointed out that the proposed new location compares favourably with the current position in terms of visibility. In recent times a portable font has been used at St Matthew’s rather than the more substantial font in its current position.

35. The proposal for the relocation of the font was brought about by the need to move the font from the site of the proposed meeting room. I have concluded that even if this proposal stood alone it would have been appropriate and desirable.

#### **Removal of the rear row of pews**

36. This proposal has not raised any controversy. Those who attended the site visit in May 2017 seem to have accepted that the move is appropriate in order to assist in movement at the rear of the Church. The removal of one row of pews will not harm the significance of the church as a building of special architectural or historic interest.

#### **The provision of glass doors at the entrance to the tower-porch**

37. The issue with this proposal comes only from the suggestion of the Victorian Society that the doors be situated behind the spiked metal gates, which should be retained and used. The aim of the application is, in part, to have the new doors stand as a barrier against the elements so that the inner entrance doors of the Church can be kept open. This would make the church more welcoming. Further the glass doors would still allow a view through the porch and into the church when the inner doors are opened (and even a partial view into the church at other times because the inner doors are to be glazed, replacing partially glazed doors). The proposal of the Victorian Society would seem unlikely to be workable because the spiked metal gates appear to open inwards, thus necessitating that the glass doors are either both open when the gates are open (defeating one of the purposes of the new doors) or are set much further back into the porch, which would not be desirable. I am in agreement with the petitioners that the siting of glass doors at the entrance to the tower-porch will be more welcoming to visitors than being met by the spiked metal gates, with the advantage that what lies beyond the doors will still be clearly visible. I do not believe that the introduction of glass doors will result in harm to the significance of the church as a building of special architectural or historic interest, especially if the spiked metal gates are still retained, as is proposed. I am of the opinion that the glass doors should be permitted, with the spiked metal gates retained and pinned open, as has been suggested.

#### **The meeting room and kitchen facilities**

38. The question of whether the meeting room should be permitted is a difficult one. This is because the impact on the appearance and character of the church will be real and not insignificant. However, that impact will be confined to the rear of the nave, so causing no harm to the areas upon which attention is

focussed during most acts of divine worship, and the needs to be met are important. The provision of space to enable small groups to meet and to use the church without requiring heating of the whole of the building is very important in this modern age, where we are repeatedly enjoined to be aware of our carbon footprint. To enable such groups to be separate from other activities taking place in the church can also be an important need. The provision of a space where children and parents are present in the church building during services but where they can be separate for their own activities is a matter of real importance. (It is noted that the current arrangements under which Junior Church meets in St Matthew's by squeezing all the members into the Vestry is clearly unsatisfactory and needs to be addressed). The fact that the meeting room is to be glass sided so that children and accompanying adults inside can feel part of any service taking place is a benefit. The same applies to the other end of the age spectrum, where much older members of the local community will have their needs addressed but will also see the surrounding beauty of the Church building. A factor raised by the petitioners is that the substantial use of glass will enable other aspects of the architecture of the building to be viewed still, notwithstanding the presence of the new meeting room.

39. Even though there are modest kitchen facilities in the meeting room external to the main church building there is good reason to have those provisions immediately beside the new meeting room. Hospitality is an issue substantially pressed by the petitioners. The current provisions for the extant Community Café are somewhat inadequate and it would be inadvisable to start the proposed Dementia café without suitable facilities. Inviting people to move to the current extension meeting room for refreshments is likely to reduce the numbers staying for those refreshments and means also that the Church could not accommodate two groups at the same time. It would be wholly inadvisable (and potentially contrary to other regulations) to make refreshments elsewhere and move them to the new room.

**Have the Petitioners established a clear and convincing justification for the proposed works (by reference to public benefit or otherwise)?**

40. I have concluded that they have done so. Their objective is to provide hospitality facilities of a modern standard, where there is an area which can be used flexibly and where there is a room which can be used by various different groups, not just on a Sunday but also throughout the week. The combined effect would be to enable the west end of the nave to be used actively and purposefully in a number of different ways. I am satisfied that there is a need

for such arrangements to further the work and activities of this church. The importance of meeting those needs is such that the impact can be justified and it is appropriate to grant a faculty for those aspect of the works. (I should add that it is not a part of my determination that outside groups using the room will bring in much needed but modest revenue for the church, but that is an issue that has understandably exercised members of the Parochial Church Council). I am also satisfied that there is no reasonably practicable alternative means of providing the facilities proposed, notwithstanding the presence of the hall/meeting room outside the church building.

41. I direct the grant of the faculty as sought in the light of the reasons set out above. Several conditions will be applied to the faculty.

#### **Scheme to be applied**

42. For the avoidance of any doubt, the faculty will afford permission to carry out the works as set out in the specification of Richard Crooks Partnership dated November 2017 (reference 82514) and in accordance with drawings 82514/05/H, 82514/06/H, 82514/07/F and 82514/08/F. The original spiked metal gates will remain in situ at the entrance to the tower-porch and will be maintained, but may be fastened by appropriate means into the open position.

#### **Finances**

43. The information I have received suggests that the parish still has a shortfall in funding for the proposed works. I am informed that there has been a grant from the Veolia trust, but how much that grant is has not been specified. It will be a condition of the faculty that works relating to the construction of the meeting room and kitchen facilities will not commence unless and until the Petitioners can certify that 90% of the contract price has already been pledged or banked, or shall otherwise satisfy the Registrar of an ability to meet the contact price on the date that payment will fall due.

#### **Duration**

44. To permit the works to be undertaken and completed the faculty will endure for a period of three (3) years from issue.

#### **Insurance**

45. It has become customary that the petitioners obtain from the chosen contractors proof that suitable insurance is in place in respect of both employers liability and public liability. A condition requiring that will be applied.

## **Costs**

46. A separate costs judgment will be issued.

## **Further directions**

47. The Petitioners have liberty to apply in writing for further directions as to implementation, if so required.

### **Conditions to be applied to this faculty**

1. The petitioners will make best efforts to obtain revenue from the disposal of the pews to be removed from the nave, such monies raised to be applied to parish funds ;
2. No work shall start until the Petitioners have provided to the Registrar evidence that the contractors have in place employers liability and public liability insurance cover providing an indemnity of at least £10,000,000 in respect of works done in a period at least that of the duration of the works ;
3. The original spiked metal gates will remain in situ at the entrance to the tower-porch and will be maintained, but may be fastened by appropriate means into the open position ;
4. Works relating to the construction of the meeting room and kitchen facilities will not commence unless and until the Petitioners can certify that 90% of the contract price has already been pledged or banked, or shall otherwise satisfy the Registrar of an ability to meet the contract price on the date that payment will fall due ;
5. The petitioners shall ensure that full details of the works carried out, including the contractor involved and the costs occasioned, are entered into the church log-book within one month of completion of the works.

Glyn Samuel  
Deputy Chancellor  
12<sup>th</sup> February 2018.