

IN THE CONSISTORY COURT OF THE DIOCESE OF COVENTRY

C040/2013

CHESTERTON: ST. GILES**JUDGMENT**

- 1) The church of St. Giles in Chesterton is a Grade II listed church whose present structure dates predominantly from the Seventeenth Century but which contains older elements.
- 2) The Petition seeks a faculty for repairs to the west tower. Louvres on that tower have fallen out and it is proposed to replace the oak frame and install new louvres. Those works will require scaffolding and it is proposed that there should be repointing of parts of the west tower taking advantage of the presence of the scaffolding. The Petitioner prays in aid the danger posed by falling louvres and the unsightly appearance which has resulted from the absence of some louvres. The photograph provided in support of the Petition confirms the current “gap-toothed” appearance of the tower.
- 3) The Petition has the unanimous support of the Parochial Church Council and the proposed works are set out in a specification which has been prepared by Mr. King, the Church Architect.
- 4) The Diocesan Advisory Committee has certified that the proposed works will not affect the church’s character as a building of special architectural and historic interest. That Committee has recommended approval of the works. English Heritage was consulted about the proposal and confirmed that it did not wish to make any comment.
- 5) Thus far the picture is one of important but relatively modest and commonplace repair work. However, the public notice prompted the involvement of Ms. Lucy Tanner.
- 6) Ms. Tanner inspected the proposals at the home of the Petitioner churchwarden and then wrote a letter of objection. Ms. Tanner has not elected to become a party opponent but I will consider her letter and the concerns she raises. Ms. Tanner asserts that there is a lack of detail in the specification. She says that

there is insufficient demonstration of “*just how the interventions will blend sensitively with the existing structures*”. Ms. Tanner goes on to question whether there has been adequate publicity and consultation suggesting that the proposals together with sample materials ought to have been exhibited in the church building so that those concerned could have considered the same more fully.

- 7) Ms. Tanner explains that her concerns are influenced by her perception of the poor quality of repair and reconstruction works recently performed in respect of the churchyard wall. Those works were performed under the authority of an Archdeacon’s faculty. Ms. Tanner and others have questioned whether the works were of an adequate standard and whether the appearance of the repaired wall accords with the previous appearance of that wall. Those concerns were considered by the Archdeacon and the Diocesan Advisory Committee officers all of whom concluded that there had been substantial compliance with the terms of the faculty. This experience has left Ms. Tanner with reservations about the operation of the faculty system and as to the quality of works commissioned by the Parochial Church Council of St. Giles.
- 8) In response to Ms. Tanner the Petitioner has pointed out the involvement of the Church Architect, the Diocesan Advisory Committee, and English Heritage. The Petitioner has also questioned the practicability of having a display in the church.
- 9) The significant features in this case are:
 - a) There is a clear need for works of the kind proposed. Ms. Tanner does not challenge that need which is self-evident.
 - b) Ms. Tanner’s concern as to the way in which the works will be done and whether the end result will be fitting is expressed in somewhat generalised terms. It is to be set against the presence of a specification prepared by the Church Architect and against the consideration of the proposals by the Diocesan Advisory Committee and English Heritage. Those bodies are the experts in matters such as this and neither of them suggested any alteration in the proposals. The experts are agreed that the works are appropriate and in the light of such agreement Ms. Tanner’s unparticularised concerns can carry little weight.

- 10) Accordingly, I am satisfied that the works are needed and that the proposed manner of performing them is appropriate. In those circumstances I direct the grant of a faculty in this case subject only to the condition of the works being recorded in the log book within one month of their completion.
- 11) For the sake of completeness it is appropriate that I address Ms. Tanner's contention that there ought to have been an exhibition in the church with the opportunity to consider potential alternatives and sample materials. There will be cases where it will be appropriate to require petitioners to show that there has been wide consultation on particular proposals. Thus in cases of major reordering it will normally be the position that petitioners will have to show that the proposals being brought forward have been considered widely and that there was opportunity for input at an early stage in the process. However, this is a matter of degree. The proposals here are important but they are comparatively modest and have been prepared by the Church Architect. It is my judgment that the course taken here by the Petitioner was entirely appropriate. It involved consideration by the PCC followed by public notice and was coupled with an explanation of the proposals being proffered to any person who sought one. No greater publicity was needed for these proposals involving essentially like for like repairs.

STEPHEN EYRE
Chancellor
9th July 2013