

In the Consistory Court of the Diocese of Worcester

**Archdeaconry of Dudley: Parish of Redditch Christ the King:
Church of St Luke, Headless Cross (also known as “the Bridge”)**

Faculty petition 10-56 relating to re-ordering of church

Judgment

Introduction

1. This petition is for a series of items of work that together comprise a major re-ordering of St Luke’s Church, Headless Cross.¹ It is the base for a joint Church of England + Methodist congregation, operating under the name “the Bridge”, established by an agreement entered into in 2009.
2. The Diocesan Advisory Committee (DAC) has recommended the proposed works, subject to a proviso that the building be properly recorded before they are carried out. However, the Victorian Society has submitted a detailed response in which it expressed concern in respect of a few of the items.
3. In a preliminary letter to the registry, circulated to the parties, I noted the concern of the Victorian Society, and made arrangements to inspect the site. Mr Bridges, on behalf of the Society, confirmed that it did not wish to become a formal objector to the proposals, and that it would be content for the matter to be determined on the basis of written representations and a site inspection.

¹ Headless Cross was in the nineteenth century a separate village distinct from Redditch, but now is one of the districts that form modern Redditch following the “new town” expansion on the 1960/70s. The unusual name “Headless Cross” appears to be a corruption of “Headley’s Cross”.

4. The site inspection duly took place on 19 January 2011, attended by representatives of the parish, the DAC and the Society. In the light of the discussion that took place at that inspection, I offered the parties a further period in which to reflect and, if they wished, to make further written submissions. Both the parish and the Victorian Society have taken advantage of that offer.

The church

5. The church building is described as follows, in the statement of significance supplied by the parish:

“A chapel of ease was built at Headless Cross in 1843. This was rebuilt and enlarged to the present church by Frederick Preedy, and consecrated in 1868. It is a traditional sandstone-built church. ...

The church currently has seating capacity of approx 270. Fixed pews provide seating for approx 230, the balance on removable chairs which are only utilised on “full house” occasions, probably about 6 times per year. ...

The church has an excellent collection of stained glass windows, mostly by Preedy, installed at or shortly after the time of construction.

Of particular note are the paintings of saints (painted on metal and fixed to the walls) and the wall and roof decorations, all in the chancel. The stone ceiling of the chancel is painted blue with gold stars to depict the universe above, and the constellations are represented by painted zodiac signs.

There have been no changes to the structure of the church since 1868, except that the vestry, on the north side of the chancel, was added about 100 years ago.”

6. The church was listed by the Secretary of State as a building of special architectural or historic interest, Grade II, in 1986. The description accompanying the statutory listing, after an extended description of the exterior, describes the interior as follows:

“Four-bay pointed nave arcades of two chamfered orders on alternating octagonal and circular columns with foliated capitals. Round-headed chancel arch is ornately moulded and has responds with foliated capitals and jambs have colonnettes with trumpet- scalloped capitals. Nave has a king-post roof.

Chancel has a tunnel vault with vaulting shafts all elaborately and richly painted. The brightly coloured paintwork continues throughout the chancel, around the windows, on the mouldings, sill string etc. There is also a painted reredos with a painted arcade and figures of the apostles. The piscina and aumbry are similarly treated and ornately moulded but the two-bay sedilia has received simpler treatment. The stone altar table has marble columns in the corner rebates and is enriched with mosaic panels.

The square font and three-sided stone pulpit have similar marble columns attached to their bases and much carved decoration above.”

The description concludes by noting that:

“... the building is one of Preedy's more unusual and elaborately detailed designs; the plan and decoration of the chancel are particularly noteworthy”.

7. The description of the church in Pevsner, *Buildings of England: Worcestershire* is to similar effect, although more detailed; it notes that there is a “fine unaltered interior”. And the description in *Churches of Worcestershire* by Bridges also particularly focuses on the chancel.

The proposals

8. In my preliminary letter, I noted that there were a number of elements to the proposed re-ordering. In the light of the more detailed consideration of these proposals since then, I would now describe them as follows:
 - (a) the removal of the pews (apparently of four types) from the nave;
 - (b) the treatment of the resulting cleared floor;
 - (c) the reordering of the central heating, including the re-location of two radiators to the side walls, as shown on the small sketch;
 - (d) the installation of some 250 new chairs;
 - (e) the removal of the freestanding front choir stalls and desks;
 - (f) the removal of the rear choir stalls and desks;

- (g) the installation of a new door into the vestry; and
 - (h) the installation of two new panels into the organ case.
9. The works fall broadly into two parts: items (b) to (d) relate to the nave, and items (e) to (h) to the chancel. The first group are broadly non-controversial; the second group slightly more problematic.
10. The need for the proposals has been set out in a comprehensive document looking at each of the various types of worship taking place in the building and considering the functional requirements that arise in each case.

Preliminary procedural points

11. Before going any further, it may be helpful if at this stage I clarify two procedural points. They both arise as a result of the comment by Mr Bridges on behalf of the Victorian Society (noted in passing, above) that:
- “I can also confirm that the Victorian Society does not wish to become a formal objector to the proposals. However, as the Chancellor notes, we are not yet in agreement on the total removal of the choir stalls. We would be content for the Chancellor to reach a decision on this aspect of the proposals based on further written representations and a site visit.”
12. This prompts two questions. First, what is the position in a case such as this, in which – as in very many others – a person or body makes representations, either in support of or in opposition to proposed works, but indicates that they do not wish to become a formal objector? And secondly, is there a power to approve some works but not others?

13. The Faculty Jurisdiction Rules 2000 are drafted on the basis that any interested person (as defined in rule 16(2), to include the national amenity societies amongst many others, but not the DAC) may object to some or all of the works that form the subject of a petition by writing to the registrar and the petitioners during the period of 28 days (or longer, if the registrar so directs) while the petition is being publicly advertised – see rule 16(1)-(3). A person who has written such a letter is then referred to as “an objector”.

14. Following the receipt of such a letter, the registrar will invite the objector either
- to leave the chancellor to take into account the letter of objection, along with any response to it by the petitioners, without the objector formally becoming a party opponent; or
 - to send formal written particulars of objection to the registrar and the petitioners, and thus become a “party opponent”.

If (but only if) the objector chooses the second option, and submits particulars of objection, he or she is entitled to be heard if there is a hearing, and to submit further written representations if there is no hearing, but is at risk of being penalised in costs. If the objector makes no response, he or she will be assumed to have chosen the first option. This is all set out in rule 16(4)-(6).

15. Where no letters of objection have been received, or where no objector has submitted formal particulars of objection, or where the chancellor is satisfied that “all the parties concerned” consent to the grant of a faculty, the chancellor may do so without further ado, under rule 17.

16. Where formal particulars of objection have been submitted, the chancellor may direct the petitioners to respond (rule 18). Those who have submitted the particulars of objection formally become “parties opponent”, although it appears that this term is not actually used in the Rules. The chancellor then has two options:

- the matter can proceed to an oral hearing, in accordance with the procedure set out in rules 19 to 25; or
- it can be disposed of on the basis of written representations, in accordance with the procedure set out in rule 26.

However, the written procedure may only be used if the Chancellor considers it to be expedient, and if the parties (that is, the petitioners and those who submitted formal particulars of objection, but not those who merely submitted letters of objection) agree in writing. The chancellor may then in either case grant a faculty under rule 27.

17. As to the first of my two questions posed above, it seems to me on a careful reading of the Rules that, however it describes its position, the Victorian Society is in the present case “an objector”. There is no provision in the rules for a person or body – whether a statutory consultee or anyone else – merely to make “representations”. Anyone who submits any letter, however strongly or weakly expressed, in response to a faculty petition is an objector, unless the letter is wholly in support of all of the proposals (although the Rules make no provision for such a “supporter”). However, the Society has not submitted formal particulars of objection, and has thus not become a “party opponent”. As a result, it has no *locus* to express a view on the procedure to be adopted – nor would it have a right to appear at any oral hearing if I were minded to hold one. However, it is not unhelpful to have its view as to procedure; and I am entirely content that the matter be determined on the basis of written representations.

18. I therefore proceed on the basis that what Mr Bridges meant by his statement, quoted above, was:

“I can also confirm that the Victorian Society, whilst it remains an objector in respect of the total removal of the choir stalls, does not wish to become a party opponent in respect of any of the proposals, by submitting formal particulars of objection. However, were it to have done so, it would be content for the Chancellor to reach a decision on the proposals as they relate to the choir stalls based on further written representations and a site visit.”

I hasten to emphasise that I make no criticism whatsoever of Mr Bridges or the Society for his mis-use of the statutory language – many others do so on numerous occasions.

19. As to the second question, as noted above, rule 17 (applying to unopposed petitions) simply states that the Chancellor may grant “the faculty” – which, on a strict reading of the rules, would seem to refer to the faculty that was initially sought by the petitioners. Rule 27 (opposed petitions) states that the registrar shall issue a faculty “if the Chancellor decides to grants” one, making it clearer that the Chancellor may decide otherwise. Presumably, therefore, although the Rules do not say so in terms, the Chancellor may decline to grant a faculty whether or not the petition is opposed – not least in the light of the views of the DAC.
20. I note that, where a petition relates to more than one work or proposal, rule 16(3) allows for a person to object only to some rather than all of the works or proposals. And it would be strange of there were provision for an objector to object to only some works or proposals, but no power for the Chancellor to grant a faculty for only some of them – were that to be the position, it would lead to the absurd result that a chancellor would have to decline to issue a faculty at all, but indicate that a faculty might be forthcoming for some specified works or proposals, were a petition to be submitted.
21. It may be noted, by way of analogy, that it was in the light of such considerations that the House of Lords has decided that an application for the registration of land as a town or village green may be accepted only in part (see *Oxford City Council v Oxfordshire County Council* [2006] 2 AC 274, at para 61), subject to considerations of fairness to the parties. I see no reason not to apply the same approach in the context of the faculty jurisdiction, so that a Chancellor is entitled to grant a faculty for only some of the works or purposes that form part of a petition.

The proposed works in the nave

Item (a): the removal of the pews (apparently of four types) from the nave

22. There appears to be no objection to the removal of the existing pews from the nave, provided that a few are retained, as a record; and it seems to be agreed that they should be arranged along the west wall. I agree that the pews do not seem to be of any particular artistic or other value. At the site inspection, four examples were identified as being suitable for retention, namely two against the back wall of the church at either side, and two in the centre slightly forward of the back wall; although some thought may have to be given as to precisely how they are to be adapted to enable them to be relocated as proposed. A detailed scheme can no doubt be agreed between the parish and the DAC.

Item (c): the reordering of the central heating, including the re-location of two radiators to the side walls, as shown on the small sketch

23. There was some discussion as to the desirability in the medium-term to long-term future of installing a new heating system, possibly under the floor, but for the time being it would be sufficient to re-locate the two large radiators that would otherwise be left isolated by the removal of the pews. This was not controversial; and I agree that this is clearly sensible.

Item (b): the treatment of the resulting cleared floor

24. The petition form makes no mention of how the nave floor is to be treated following the removal of the pews and the radiators; and I agree with the Victorian Society that in principle this is important. At the site inspection, it was clear that the Parish intended simply to make good the floor, which would have a somewhat varied appearance – with timber in the areas where the pews are currently located, and tiling in the aisles. This too was not controversial. I agree that no firm proposal needs to be in place at this stage; although the matter may need to be re-visited in due course, once the pews and radiators have been removed, and the visual effect can be seen.

Item (d): the installation of some 250 new chairs

25. The principle of introducing new chairs is also agreed; but the Victorian Society wished to see what was proposed. That is not surprising; the chairs will be a crucial element in the scheme, as they will dominate the appearance of the interior. Happily the parish was able to make available at the site inspection a sample of the type of chair proposed, the Worsley K334. This was generally agreed to be a suitable choice. I am content that, in the absence of any opposition, this is reasonable, so that no condition needs to be attached requiring the detailed design of chair to be approved.

26. It was noted at the site inspection that some chairs may need to be fitted with arms, to cater for the elderly and the infirm; and some adapted to enable the storage of hassocks (albeit inconsistent with Methodist tradition). Once that has been considered more carefully, the revised designs can be approved by way of an amendment to the faculty. It was also pointed out by Mr Hawkins that it would be wise for the parish to purchase at the outset a special trolley (or two) to facilitate the moving of the new chairs when required. That would indeed seem to be sensible, but it does not form part of the proposals before the court.

Other items

27. It was noted at the site inspection that the parish was considering in the longer term installing a new timber floor in the nave, and screens in the vicinity of the chancel arch to enable a projector to be used. Those proposals were noted, but will need to be the subject of a further petition – no doubt following consultation with the Victorian Society. The statement of needs also refers to an elevated performance space at the chancel steps; that too will need to be the subject of a further petition.

Conclusion

28. All of the items proposed for the nave are, in the end, not controversial; and a faculty can therefore issue without further ado to authorise them, subject to suitable conditions.

The proposed works in the chancel

29. The removal of the choir stalls (both the freestanding front choir stalls and desks (item (e)) and the rear choir stalls and desks (item (f)) remains the major focus of disagreement, and I have accordingly considered this in greater detail.

The position of the parties

30. The parish wishes to remove all of the choir stalls, as they currently constitute a bottleneck, restricting access to the communion rail. They do not enable the choir to be seated comfortably, and they cannot be moved to allow other seating layouts. In particular, they do not enable one choir member, who has a guide dog, to be satisfactorily accommodated.

31. There was discussion at the site inspection as to the possibility of removing just the front row of the choir stalls and desks on each side. This was felt by the parish to be unsatisfactory, as it would leave half of the choir with their backs to the organ, and the remaining rear row of choir stalls would be insufficient to accommodate the full choir, so that additional chairs will have to be used. The suggestion (made at the site inspection) of inserting a hinged panel in the rear choir stall on the north side, to enable access to the organ, was also rejected, as it would in many ways detract from Preedy's original design.

32. The parish also noted that the choir stalls were not specially made for the church, but were from a catalogue. They felt that other features of the church – notably the chancel, the pulpit and the font – were of greater significance. Indeed, arguably, the continuing presence of the choir stalls obscured Preedy’s architectural design.
33. The parish accepted that it had not fully thought through the question of what new furniture would replace the choir stalls once they had been removed; but this would be progressed as soon as possible, in conjunction with the DAC and the Victorian Society.
34. The Victorian Society, on the other hand, has no objection to the removal of the front row of choir stalls and desk on each side, but remains unable to support the complete removal of all of the choir stalls. It points out that the rear stalls and desks are of good quality, and contribute positively to the character of the chancel, which is the architectural and decorative focal point of the interior as rebuilt by Preedy in 1867-8. It would therefore like to see them retained. The Society supported the idea of a hinged panel to enable access to the organ.

Assessment

35. The position, in short, is that the parish claims that the removal of the choir stalls is necessary; the Victorian Society claims that it will spoil the special character of this listed church.
36. This is, of course, not a particularly unusual difference of opinion; and has been considered by the Court of Arches, and by many chancellors, on a number of occasions over the years. The relevant legal principles were considered most recently by this Court in *Re Malvern Priory* [2009] PTSR 1408. In my decision in that case, which related to a proposal for change to a listed church that was opposed by English Heritage, I summarised the relevant law as follows (at paras 56-58):

“First, there remains a duty on anyone promoting an alteration to any church, whether listed or not, to show the benefits, practical or aesthetic or both, that would result. Where there is a disagreement, the views of the regular worshippers are to be given particular weight. And alterations that are irreversible should be avoided where possible.

“Secondly, there is a strong presumption against alterations which *adversely* affect the character of a listed church as a building of special architectural or historic interest. But there is no presumption against works to a listed church which—for example, because of their scale or their location—have no effect at all upon its character. Still less can there be a presumption against works which affect the special character of such a church beneficially—either by the removal of an existing feature which detracts from that character or by introducing a new one that enhances it. Further, in determining the effect of works, it will be appropriate to have regard to their effect not just on the building as a whole, but also on any features of special architectural or historic interest that it possesses, and on its setting.

“Thirdly, where proposed works to a listed church are found to have an adverse effect on its character as a building of special architectural or historic interest, it will be necessary for petitioners to produce evidence of sufficient weight to show “necessity” for the change. That does not mean that it is necessary to show in some abstract sense that the works are necessary, but simply that the benefit resulting from them outweighs any architectural or aesthetic harm. However, where the effect of the works is either neutral or beneficial, there is no particular need to consider the necessity for them, since there is no adverse effect to be mitigated and thus no balancing exercise to be carried out. The only reason to do so is, as in the case of any faculty petition for proposed works, in order to save a parish from unwise expenditure or other impropriety.”

37. In the present case, the petitioners are seeking to remove the choir stalls not because they feel that to do so would result in some aesthetic benefit, but because they perceive that it will enable them to perform better their function as a local centre or worship and mission (to use the terminology of section 1 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991). The first question is therefore to determine whether those works are indeed of practical benefit.

38. The second question is to determine what will be the effect of the removal of the choir stalls on the character of the church as a building of special architectural or historic interest – and in particular on any features of the church that are of special interest. If that effect will be beneficial, that is an end to the matter. If it will be adverse, there

will be a strong presumption that they should not be allowed, but that can be outweighed if there is evidence showing a need for the works sufficient to outweigh that adverse effect. In the present case, I consider that I should give particular weight to the effect of the removal of the choir stalls on the character of the chancel, as that is undoubtedly an important feature of the church – indeed, arguably, its most important feature.

39. However, there is a difficulty in assessing either the need for the removal of the choir stalls or the effect of that on the special character of the chancel or the church as a whole. The reason for that is simply that the proposal, as submitted, is incomplete. The petition thus seeks authorisation only for the removal of the choirstalls, but not for the installation of anything to replace them. It does not appear that the Worsley chairs to be used in the nave are proposed to be used also in the chancel – other than, possibly, on a temporary basis. Are there to be new chairs for the choir, and if so of what design? How will they be arranged – in a collegiate-style layout, or facing the congregation, or in some other pattern? Will there be special chairs for the clergy or others? Further, the proposals make no provision for the treatment of the lower part of the south wall of the chancel, to which the southern rear choir stalls are attached and which will be exposed if they are removed.
40. I am thus not convinced that the parish has thought through how the choir stalls are to be removed, how the resulting exposed areas of wall and floor are to be treated, what new furniture is to be introduced into the chancel once the choir stalls have been removed, or how that furniture is to be arranged.
41. It seems to me that a proposal of this kind must be considered as a whole. The Divisional Court, in *East Riding of Yorkshire DC v Hobson* [2009] PTSR 561, has recently considered the question of whether works to a listed building affect its character for the purpose of section 7(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which provides that:

“Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised under section 8.”

42. The works in that case consisted of the dismantling of a stable block followed by its reconstruction in a slightly altered form. At paragraphs 17 and 18 of his judgment, Keene LJ said this:

“I bear in mind that the purpose of these statutory provisions is to protect the special character of listed buildings and that, by their nature, these are entities which endure for some time. The law is not concerned with their transient or temporary position, if such it is. This requires a realistic and practical approach to the use of the words “any works” and the words “in any manner” in section 7 of the 1990 Act. If what is being done by way of works of alteration to a listed building involves both a stage of removal and dismantling and a stage of replacement or rebuilding, it cannot, in my judgment, be right to cease the assessment of the effect of these works of alteration in an artificial manner part of the way through.

To take a simple example by way of illustration which was canvassed in the course of argument, which derives from the facts of *R v Sandhu* [1998] 1 PLR 17, if an owner of a listed dwelling proceeds without listed building consent to replace some windows, there can be little doubt that at the stage when the building is windowless, its special listed character would be affected, and indeed adversely so. But by the time that he has finished that process and replaced the old windows with new ones, perhaps more in keeping with the architectural or historic character of the building, it may well be that there is no effect on that character of any materiality at all.”

43. The same approach should be adopted in the present case. Thus I have not been shown any evidence of any of the matters I mentioned in paragraphs 39 and 40 above – or, in short, as to what the chancel will look like or how it will function following the completion of the whole operation, as opposed to merely the first stage (the removal of the choir stalls).
44. For that reason alone, therefore, I am not willing to grant a faculty at this stage simply for the removal of all the choir stalls.

45. However, in case I am wrong in taking that approach, I will go on to consider the supposed benefit (practical, aesthetic or both) of the proposed works, and their effect on the character of the building. And in considering those matters, I will be doing so not least by comparison with the position that would result if the front row of choir stalls and desks were to be removed, since that is generally non-controversial.
46. As for the practical benefit that would result, there will be some improvement in the way the choir is able to operate. However, that may not be as great as claimed – for example, however the chairs are disposed in the chancel, it is likely that at least some of the singers will still have their backs to the organist. And if the choir is not singing, there will be no bottleneck effect impeding ready access to the communion rail. However, I am persuaded that generally it would be an improvement in terms of the efficient use of the church for all of the choir stalls to be removed – although, again, it would be more convincing if there were plans showing how the chancel is to be arranged in future (or, possibly, a series of plans showing a range of options).
47. As for any aesthetic benefit that might result, I see none. The rear choir stalls are part of the overall ensemble of furniture and fittings in the chancel; and to remove them would be to lose a significant feature of that ensemble. I am not impressed with the argument that they are of less value because they were merely selected from a catalogue. In most cases, a historic building will contain many items that are of a standard design; its character arises as a result of their juxtaposition to create a pleasing whole. And, as I have remarked above, the chancel is an important element in the interior (as evidenced by all of the descriptions of the church that I have read). I note that the parish does not seriously argue that the removal of the choir stalls will be aesthetically beneficial, merely that it will not be harmful – and that, even if it is harmful, it is of practical benefit. The Victorian Society, of course, argues strongly that it will be aesthetically harmful, and that any practical benefit is insufficient to outweigh that harm.

48. Further, not only will there be no aesthetic benefit arising from the removal of all of the choir stalls, but there will be significant harm to the character of the church as a building of special architectural or historic interest, and in particular to the character of the chancel. I do not consider that that harm will be particularly major, as the other elements of the interior – including the wall paintings, the windows, the pulpit and so on – will still be present. But again I would be more confident as to my conclusion in that regard if I could be certain as to what would be the finished result; maybe the introduction of new chancel furniture would bring a positive aesthetic benefit. As it is, however, I conclude that the removal of the rear choir stalls will, on its own, be harmful.
49. It follows from that conclusion that there must be a strong presumption against the grant of a faculty for the removal of the rear choir stalls and desks. As I have noted, such a presumption can be outweighed by evidence as to the need for the works; but I am not yet persuaded in this case that the evidence as to need is sufficient.
50. A faculty should therefore issue to authorise the removal of the front choir stalls and desks on each side, but not for the removal of the rear ones.

The way forward

51. It will be clear from the above analysis that part of the problem with this proposed reordering is the lack of information that has been supplied with the petition. But that may reflect the fact that the parish has itself not yet fully concluded how it wishes to carry it through to completion – particularly in relation to the chancel. It may be, therefore, that there is a possibility that a scheme could be devised by the parish, no doubt in collaboration with the DAC and possibly the Victorian Society, that would give it what it wishes in practical terms, whilst retaining the chancel as the centrepiece, aesthetically, of the church – with or without the choir stalls. Or maybe no such

scheme can be devised. But I can reach no firm conclusion on what I have seen so far. The matters in paragraph 40 must be addressed if the matter is to be taken forward.

52. Finally, it will be noted that my concern arises only in relation to the removal of the rear choir stalls and desks; and that the removal of the front ones may proceed. As with any faculty, that authorisation is merely permissive, and does not require the works in question to be carried out; but I suggest that it would be beneficial for the front choir stalls to be removed. This is partly because it will slightly ameliorate some of the practical problems that are perceived to exist at present (although, I accept, not all of them). It is also because it will help the parish and its advisers to gain a better idea of how the chancel can best be used with the rear choir stalls still in place (for example, how the choir member with the guide dog can best be accommodated) and how it might be used if they were one day to be removed.

Item (g): the installation of a new door into the vestry; and

Item (h): the installation of two new panels into the organ case.

53. It was agreed at the site inspection that it was important to make the vestry secure; and the proposal to insert panels to either side of the organ, and to insert a door across the main route from the chancel to the vestry, was generally supported. It was noted, however, that this would mean that access to the organ would no longer be readily available if the rear choir stall on the north side of the chancel was retained intact.
54. Here too, it may be noted that a faculty is permissive; so it may be that, in view of my decision on the removal of the rear choir stalls, the parish may wish to defer carrying out those items until the matter is finally resolved. Alternatively, if the vestry is to be secured before the rear choir stalls are removed, the parish may wish to ponder, again no doubt in conjunction with the DAC and the Victorian Society, how this can best be achieved.

Conclusion

55. A faculty should therefore issue for all of the proposed works except the removal of the rear choir stalls and desks (item (f)), subject to conditions that:

- (1) a full photographic record be made of the church before any works are started, and that copies are deposited with the DAC and the county archaeology officer; and
- (2) no pews are removed until a scheme has been approved in writing by the court, following consultation with the DAC, for the retention of up to four pews; and the scheme is thereafter to be implemented as agreed.

DR CHARLES MYNORS

Chancellor

4 March 2011