

**IN THE CONSISTORY COURT
OF THE DIOCESE OF TRURO**

THE CHURCH OF ST IA THE VIRGIN, ST IVES

JUDGMENT

The Petition

1 By his petition dated December 4th 2023 the Reverend Nicholas Widdows, Vicar of the parish of St. Ives, seeks a faculty for alterations to the parish church of St Ia the Virgin in order to improve accessibility, welcome and hospitality. The church is Grade I listed, occupies a prominent position in the seaside town of St Ives, and is an attraction to tourists as well as playing its part in service to the local community. In order to meet the needs of residents and visitors alike, the Parochial Church Council has formulated an ambitious scheme which includes provision of a re-opened baptistry entrance with an external platform lift, linked to associated signage and landscaping in the churchyard; the removal of some seating in the baptistry to create a welcome area; re-ordering of the vestry area to include a kitchen; an extra lavatory; improved storage; a new external door; and the introduction of a hospitality bar for the service of refreshments. The challenge of incorporating all of these elements in a 15th century church of exceptional quality has been considerable, with much time and effort having been committed to the evolution of a viable plan. In the event, the generality of the scheme has the support of the P.C.C., the Society for the Protection of Ancient Buildings and Historic England; the objections considered later in this judgment are directed to what might fairly be described as matters of detail.

Advice of the Diocesan Advisory Committee

- 2 In the written advice dated November 27th 2023 the D.A.C recommended the proposals subject to a proviso that the project should be divided into phases, and that the D.A.C should have additional involvement in the detail of each phase. This is a sensible requirement in the operation of such a complex and sensitive nature, which may be addressed in a condition to a faculty.

The Objections

- 3 Initially, there were eight objections upon the giving of public notice. A significant concern to the objectors was the provision of a canopy over the newly-configured external entrance. The Petitioner and his advisors recognised that the canopy was not an essential item, which was therefore capable of being omitted. Accordingly it was withdrawn from the scheme, with the result that three of the objectors decided not to pursue the matter. As regards to the canopy, it is necessary only to direct that the petition shall be amended so as to remove reference to it, and that it will not be authorised by faculty in the current proceedings.
- 4 The remaining five objectors submitted written representations upon various issues, electing not to become parties to the proceedings. These issues are to be considered in the following paragraphs. The Petitioner has drawn attention to the fact that three of the remaining objectors are members of the P.C.C. Unlike cabinet ministers, P.C.C. members are not subject to the constraints of collective responsibility and are thus entitled to make representations to the Court which are adverse to the decision of a majority of P.C.C. members. Their objections will be considered on the merits. One of the other two objectors, Mr Coton, limited his written representations of December 19th 2023 to the canopy. This feature having been struck out, Mr Coton's objective has been achieved so it is no longer necessary to take account of his criticisms in this Judgment.

Archaeology

- 5 Ms Carmel Henry in her representations of January 1st 2024 has sought a direction for archaeological research into the baptistry area, in particular the doorway. The Petitioner, while recognising that archaeological involvement will be required has requested that "the

requirements are not too stringent since the interventions do not propose materially altering the entrance, and, in fact, will make more of a feature of it". The D.A.C. in their advice have noted the need for investigation and/or research in relation to the door and archway.

6 The present issue is best addressed by a faculty condition in general terms for archaeological oversight of the project, which will in addition to the doorway extend to any excavations in the churchyard and works to the floor. More specific requirements may be recommended by the D.A.C as part of the advice given on the individual phases of the work. In that way reasonable effect will be given to Ms Henry's representations.

Seating

7 Mr David Badcock, a member of the P.C.C., has suggested that three half length benches were designated by the P.C.C. for removal from the baptistry area instead of the four or five specified in the petition. In response the Petitioner contends that Mr Badcock is mistaken and that the P.C.C. by a majority agreed that four benches should be removed.

8 Mr Badcock's understanding of the position appears to be incorrect because Mrs Jean Curnow and Mrs Ann Luke, the other P.C.C. members making objection refer specifically to "4 or 5 half pews" without any suggestion that three were designated, either expressly or simply by the approval of the plans. The inference to be drawn from the representations of the Petitioner, Mrs Curnow and Mrs Luke is that a decision in favour of at least four benches was reached by the P.C.C. Thereafter "4/5" was carried forward in the public notice and the petition. There is no justification, either procedurally or for practical reasons for imposing a limit of three benches.

9 For their part Mrs Curnow and Mrs Luke seek reassurance that four but not five benches will be displaced. A restriction to four accords with both the decision of the P.C.C. as recalled by the Petitioner, and with the written advice of the D.A.C. The photographs which accompany the petition also show that visually and practically the loss of four half benches will create an acceptable and suitably demarcated open space. Accordingly, the removal of four half benches will be permitted.

Vestry

10 Both Mrs Luke and Mrs Curnow are critical of the proposed rearrangement of the vestry. Mrs Luke challenges the need for the mezzanine floor, and is joined by Mrs Curnow in questioning the suitability of access to it by ladder. For Mrs Curnow, the kitchen element seems too small and the storage facilities inadequate.

11 It is inevitable that when, as here, the best use has to be made of limited space in a preexisting structure compromises have to be achieved. Account must be taken of the considerable thought involved in the formulation of the current plans for the vestry area, and the fact that these proposals have, in general terms, been recommended by the D.A.C. There is, moreover, an apparent conflict between the criticisms expressed by Mrs Luke and Mrs Curnow, since loss of the mezzanine level would involve more congestion in the areas already considered by Mrs Curnow to be inadequate. The better course is to adhere to the proposals as formulated in the petition rather than to call for modifications which may not produce any improvement in the basic scheme. The objections concerning the layout of the vestry will not be upheld.

Conclusion

12 When viewed as a whole, the proposals have been successful in avoiding harm to this historic church building and its setting. Any harm is considerably outweighed by the pastoral and community benefits arising from enhanced facilities in the church and churchyard, a conclusion supported by the advice given by the Society for the Protection of Ancient Buildings in Rachel Broomfield's letter of November 15th 2023.

13 In reaching this conclusion account has been taken of Mr Badcock's concerns in relation to the appearance of the external lift, which is perhaps the most obvious visual intrusion in the overall scheme. In the case of the lift, however, ease of access for disabled people and other visitors is a compelling reason for making such provision in the manner proposed. The D.A.C is yet to consider design details.

14 Accordingly, a faculty, subject to conditions, shall issue from the Registry. Since the necessary description of the works (together with the related conditions) is somewhat complex, the draft schedule appears as an annexe to this Judgment.

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SCHEDULE TO FACULTY

Phase I

Reopening the baptistry entrance and the installation of an external platform lift to create an accessible entrance in the west facing elevation of the church, together with new exterior signage and landscaping.

Phase II

Removal of 4 half pews from the baptistry area and their relocation (if practicable) in the hospitality area. Extension of the existing Delabole slate floor to the area from which the pews are removed.

Phase III

Reordering of the vestry extension to include:-

- I. The addition of a kitchen area in the choir vestry;
- II. The introduction of bespoke storage facilities including a mezzanine storage platform;
- III. The addition of an extra W.C. alongside the present accessible W.C;
- IV. The introduction of bespoke storage facilities and a purpose built desk in the vicar's vestry;
- V. The creation of a new door in the Northeast corner of the vestry.

Phase IV

The introduction of a freestanding hospitality bar to be made by a local artisan carpenter and designed to blend with the listed organ casing.

Conditions

- 1 In respect of each phase, work upon it shall not commence until the Petitioner has submitted to the D.A.C such additional designs, specifications and information as the D.A.C. may require and has obtained the advice of the D.A.C. thereon. The Petitioner shall have leave to apply for any requisite amendment to the faculty.
- 2 There shall be archaeological oversight of excavations in the church or churchyard and of the doorway and its surroundings in the baptistry area.
- 3 In the event of any human remains being disturbed in the course of the works, the Registrar's directions shall be sought forthwith.

Dated the 20th day of March 2024

Timothy Briden
Chancellor