

Re Forest Row, Holy Trinity

Judgment

1. I have before me a petition dated 24 January 2003 concerning the church of Holy Trinity, Forest Row. The petitioners are the incumbent, the Reverend Roger Harley, and the churchwardens, Mr Robert Evans and Mrs Allison Harman. They seek the authority of a faculty to undertake the following works:

- Conversion of existing vestry to combined kitchen and vestry;
- Formation of a lavatory and corridor giving access directly to the hall;
- Creation of an internal disabled lavatory;
- Alterations to existing kitchen to form a flower arrangers cupboard;
- Completion of the rewiring of the church.

On 14 September 2000, planning permission was granted for those limited parts of the proposals as fell under local authority control. On 16 January 2003 the DAC granted a certificate recommending the works. It expressed the proviso that economies might be found to be necessary and wished to have the opportunity to comment upon them. I regard this as an entirely otiose proviso since the practice of this court is only to permit the commencement of works once sufficient funding is in place for the entire works including contingencies. That being so, the need for economies ought never to arise.

2. In accordance with the provisions of the Faculty Jurisdiction Rules, public notice was displayed at the church from 26 January to 24 February 2003. This resulted in an objection being lodged by Mrs Lyn Leach. When informed by the Registrar of the options available to her under rule 16(3) of the Faculty Jurisdiction Rules 2000, Mrs Leach opted for me to take her letter into account in reaching my decision and not to become a party to the proceedings by delivering written particulars of objection. I have given her letter the fullest consideration, and am grateful to her for voicing her concerns so candidly.

3. In reaching my conclusions, I have read and considered the following:

- The petition and attendant documentation;
- Mrs Leach's letter of 3 February 2003;
- A letter from Mr David Hand (former churchwarden) dated 15 February 2003;
- The Reverend Roger Harley's letter of 11 May 2003;
- Mrs Allison Harman's letter of 12 May 2003;
- Mr Robert Evans' letter of 12 May 2003;

In addition I have briefly consulted the papers submitted to the court on two earlier occasions when faculties were sought. These concerned the renovation of the pipe organ for which a faculty was granted on 17 April 2003, and rewiring, moving the font, replacing carpet and removing two rows of pews for which a faculty was

granted on 18 April 2002. There was a delay in bringing together all these papers for my consideration and I regret any inconvenience occasioned by this delay.

4. Mrs Leach regards the alterations as a whole as unnecessary. She lists four specific objections. In deference to the care she has taken in making her points, and in the systematic replies of the petitioners, I shall take each ground in turn.

Adequacy of the vestry

5. Mrs Leach states that the vestry is quite adequate. She says that the only need for using the vestry as a corridor is the carrying of two flasks of hot water from the kitchen into the church for the provision of coffee after the service. She indicates that the choir vest in the hall and ministers and servers can prepare for worship with dignity in the space provided.
6. Mr Harley takes issue with this. He refers to a choir of up to 25 people, ladies preparing the coffee, the Sunday School, and people making their way to the toilet, all of whom pass through the vestry. Mrs Harman and Mr Evans echo this, the latter indicating the level of foot traffic passing through the vestry in the immediate run up to services. I defer to the views of the incumbent and churchwardens. I am satisfied that the recovery of calm in the vestry for meditation and reflection prior to divine worship is requisite and necessary and I reject this ground of objection.

Loss of unobtrusive door

7. Mrs Leach is concerned at the loss of a direct means of access from the vestry into the sanctuary. She sees it as a special feature of Holy Trinity which has a practical utility on particular occasions when unobtrusive movement is required. Mr Harley acknowledges that a minor inconvenience will be occasioned by a detour of 4 or 5 meters. Mr Evans asserts that there is no alternative but to lose this means of access, but states that the panelling will remain and there will be no visual detriment to this part of the church. I cannot see this ground as sufficient to merit refusing the petition.

Altar cloth storage

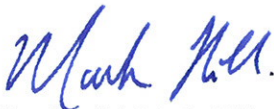
8. Mrs Leach regards the replacement of the altar cloth storage as confusing. I have considered the comments of the petitioners and consulted the plans. I confess I share neither her confusion nor her concern.

Provision of disabled toilet

9. Mrs Leach maintains that a disabled toilet can be accommodated by alteration to the existing toilet. She believes it to be unnecessary that the hall kitchen be lost to accommodate an additional toilet. Mr Harley replies by pointing to the inadequacy of the present toilet, which can only be accessed from outside and is cold and outdated. The additional toilet will be accessible from within the church and will be of particular benefit when concerts are held in the church. He also highlights how an improved kitchen would enhance the community's use of the church. Mr Evans accepts that the existing external toilet could be adapted for wheelchair use, but it would not be accessible by dint of steps between the vestry and the hall. He clearly has in mind the statutory duties under the new Disability Discrimination Act. I am

satisfied that the petitioners have made out their case in this regard and must also reject this ground of objection.

10. It is clear from the conclusion of her letter that Mrs Leach does not share the petitioners' pleasure at the completion of an earlier phase of the reordering. It is unfortunate and regrettable that Mrs Leach's comments on these previous matters did not reach the Registry. It would be improper and unedifying to investigate the reasons for this and allocate blame. The works are complete and I recognise the sense of frustration which Mrs Leach undoubtedly feels. I take some comfort that on this occasion her views have been given very serious consideration by the petitioners and by me.
11. She refers to the pews (which were removed from the church in consequence of an earlier faculty) deteriorating in the churchyard. I am entirely satisfied with the explanation provided by Mr Hand in this regard. They have found a home in the Millennium Garden where parishioners and visitors may pause for prayer and contemplation.
12. Change often engenders strong reactions. Our church buildings are testimony to evolving patterns of worship and of mixed secular and sacred use. Although we hold our buildings as temporary custodians for future generations, they cannot be left as museum pieces. Our buildings must adapt or our congregations will wither. I do not doubt the genuine nature of Mrs Leach's objections. I am however satisfied that a good case has been made out by the petitioners, and that it has the support of the wider congregation.
13. I therefore order that a faculty pass the seal. It will be conditional upon the works being supervised by the inspecting architect. The works are to be completed within nine months unless an extension of time is sought and granted by the court. Further, work is not to commence until the Registrar has confirmed in writing that he is satisfied that the parish has sufficient funds available to complete them in their entirety.



The Worshipful Mark Hill
Chancellor

15 July 2003