

Re St Andrew, Tangmere

Judgment

1. By a petition dated 31 December 2004, the rector and churchwardens of St Andrew's, Tangmere seek a faculty for the following works:
 - the removal of pew platforms and existing paving in the nave and west end of the chancel;
 - new paving on concrete slab, incorporating underfloor heating;
 - new electric boiler;
 - moving of vestry screen;
 - new chairs;
 - internal redecoration.

On 16 November 2004 the DAC issued a certificate recommending the works subject to three conditions which I summarise as (a) archaeological watching brief; (b) night time use of electricity; and (c) an alternative colour for the fabric of the chairs.
2. In response to the obligatory public notice, a letter of objection was received from Mr Travers Johnson and, although technically out of time, from Mr Michael Nation. The registrar informed them by letter of their right to lodge a Form 4 objection and become a party to these proceedings under r 16 of the Faculty Jurisdiction Rules 2000. They each replied declining to become an objector but asking me to take their letters into account in reaching my decision. On the date these papers were dispatched to me, a further letter was received from Mrs Jeanne Davies. Even though two of these letters were out of time I propose to take them into account alongside the other. I will also have regard to a letter from the petitioners dealing with the content of the first two letters. I note that they have not had the opportunity to comment upon Mrs Davies' letter but I do not consider them to have been prejudiced by this.
3. The proposals have been considered by the Council for the Care of Churches, English Heritage, and the Society for the Protection of Ancient Buildings. The architect retained by the petitioners has taken into account the constructive comments made by each of these bodies in their letters and has made adjustments to the proposal in the light of their recommendations. The matters raised are of a technical nature and I do not need to rehearse them in this judgment. I note however that in relation to the potential hazards of underfloor heating, the second alternative advanced by SPAB appears to have been adopted, namely a generously proportioned evaporation zone around the perimeter of the floor. I note that the architect is confident that damage will not result to the fabric of the church in consequence of the installation of this particular heating system.

4. The works now proposed, amended in consequence of the consultation process find favour with all of the professional bodies to whom they have been referred for advice, both diocesan and national. It follows that the only dissentient voices are the three individuals identified above whose letters I give serious consideration. I propose to take their objections generically and not allocate comment to any particular individual.

Lack of consultation

5. A recurrent theme when significant changes are proposed to much loved church buildings is the insufficiency of consultation. The Chancellor's General Directions Concerning Churches and Churchyards were distributed in 2001 and at paragraphs 2.1 and following deal with the preliminary steps to be followed. Incumbents and churchwardens are not as familiar with these Directions as they ought to be.

6. In this instance, the church was struck by lightning in October 2003. On the following day I gave my permission for emergency works to be undertaken to make the building watertight. It is unfortunate that the faculty to deal with repairs was not dealt with as expeditiously as it ought but I do not propose to revisit matters in relation to which a line has been drawn. In relation to the subject matter of the present proceedings I am in no doubt that the procedures have been properly followed in relation to the statutory consultees and I have already commented on this. In relation to the local community, I note that the proposed chairs were viewed and voted upon by the PCC. A similar procedure was adopted at the Annual Parochial Church Meeting, which every resident in the parish and everyone on the electoral roll is entitled to attend. They were also displayed on a gift day in December and no adverse comment was received. It is suggested that one of those who wrote a letter of objection abstained in the voting. I do not consider this to be a matter for criticism.

7. I therefore reject the argument of insufficiency of consultation. The PCC is elected to deal with the affairs of the parish. In the highly unusual circumstances of a lightning strike, additional burdens are placed on an incumbent and all church officers as well as the PCC. I consider that all concerned have risen to this challenge and have acted throughout in the best interests of the fabric of the building and the community which it serves. In any event, anyone who considered that their misgivings had not been voiced, had the opportunity of responding to the public notice as three individuals have done in this case. This is a valuable failsafe in the faculty jurisdiction.

Adequacy of costings

8. One letter of objection makes particular reference to the fact the proposals have not been sufficiently costed. This is a matter for the tender process. The parish has retained a highly experienced ecclesiastical architect and I am confident that the broad indications of cost which he has given will prove correct. Any concerns in this regard can be dealt with by the imposition of a condition that no contract is to

be placed until the proposals have been fully costed and the petitioners have satisfied the registrar that the parish has sufficient funds available to complete all the works.

Heating

9. It is suggested that the underfloor heating proposed is expensive to install and to run and is more than the modest worshipping community can afford. Much of the capital cost will be borne by the insurers and the observations as to the running costs are rebutted by the petitioners on the advice of their architect. I am told that the fabric fund is adequate to deal with any shortfall. Likewise there is nothing in the papers to suggest that this type of heating is any more expensive than an alternative method. Unsightly radiators and pipe runs can be avoided and additional versatility given to the building. Since, as hereafter appears, the floor is in need of relaying in any event, installing underfloor heating at the same time strikes me as an example of good housekeeping and not a cause for criticism. The architect is satisfied as to the efficiency and appropriateness of this particular form of heating. The PCC is entrusted to make decisions such as these and to the use of the resources of the parish. It is answerable to the annual meeting of parishioners and the Charity Commission. In the absence of bad faith, it would be a usurpation of the PCC's function if I were to review its decisions on financial matters.

New electric boiler

10. This item is uncontroversial.

Works to the floor

11. Although English Heritage does not condemn the floor, it acknowledged the benefits which would accrue were it to be laid and a uniform level achieved. SPAB and the CCC do not regard this as controversial. None of the letters raises a specific objection to the leveling of the floor. It seems to be unobjectionable. I note that the suggestion from English Heritage that the east/west axis be preserved by the paving of an aisle has been adopted by the petitioners. The removal of the pew platforms is a necessary part of the leveling process.

Moving of oak screen

12. Despite the objection, I am satisfied that additional vestry space and (without prejudice to any future application) I consider there to be greater merit in utilising the porch area for a toilet and kitchen facility should such commend itself to the parish hereafter.

Relocation of organ

13. There seems to be no objection to the moving of the organ. It has the support of the diocesan organ adviser.

Internal redecoration

14. The specification has been amended following advice from the DAC and CCC.

This aspect is no longer controversial.

Removal of pews and replacement with chairs

15. Herein lies the biggest dispute. Experience dictates that feelings run high when pews are concerned. People have an emotional attachment to them, often regardless of their quality. In this instance the expert opinion is that these pews are of little intrinsic merit. The CCC recommended that the parish explore the possibility of adapting some or all of the pews so that they might be moveable. I understand that this was considered and rejected, although I invite the petitioners to give further thought to it. I am satisfied in this instance, for the reasons carefully and thoughtfully advanced in the papers accompanying this petition, that the parish has made out the case for change to the standard required. Flexibility seems to me to be essential if there is to be meaningful outreach to the growing population, particularly of the younger generation. I repeat what I said in my judgment in *Re St Mary, Slaughtam* (CH 116/03) of 20 January 2004:

‘All involved in the faculty jurisdiction are under a duty to have due regard to the role of the church as a local centre of worship and mission. See section 1 of the *Care of Churches and Ecclesiastical Jurisdiction Measure 1991*. The sacred space of any Christian community needs continually to adapt to meet the needs and aspirations of successive generations. Unless young families are attracted to services, congregations will wither and the redeeming work of Christ will be compromised.’

Conclusion

16. For the reasons given under the individual sub-headings above, I am of the opinion that the parish has made out a necessity for the works even though it will have a material effect upon the interior of this Grade I listed building. The lightning strike was an unfortunate event in the life of this church which dates from Norman times. It has afforded the parish the opportunity to reflect on how best it can minister and witness to the community which it serves. The petitioners have made out their case and a faculty will issue subject to the conditions outlined above. Clearly there is a measure of upset in the parish that this appears to have come about with an insufficiency of openness. Whilst importing no criticism I should like to encourage all concerned to work together so that the work of the Gospel can be resumed when the building works are complete in a fashion befitting the God whom we are all called to serve. I trust that the misfortune of October 2003 will be turned to good advantage in the years ahead.

The Worshipful Mark Hill
Chancellor

14 February 2005