

Re Uckfield, Holy Cross

Judgment

1. By a petition dated 18 February 2005 the incumbent and churchwardens of Holy Cross, Uckfield seek a faculty for the internal redecoration with cornice and glazing repairs and for the reordering of the west end. In respect of the former the matter is of a confirmatory nature, the works being already complete in circumstances to which I shall make brief reference later. Prior to the formal public notice being made, correspondence was received from Mrs Jeanne Russell. The registrar treated this as a letter of objection and informed Mrs Russell by letter of her right to lodge a Form 4 objection and become a party to proceedings under r 16 of the Faculty Jurisdiction Rules 2000. No reply was forthcoming. Accordingly in reaching my decision I take into account the content of her letter of 6 August 2004, together with a letter from the rector dated 3 November 2004 addressing the matters raised by Mrs Russell.
2. On 12 July 2004 the Diocesan Advisory Committee issued a certificate recommending the works subject to a provision that members of the committee see a sample of the bronzed glass and of the carpet prior to the works commencing. I understand that the proposed bronzed glass was duly examined and approved, but that the parish has elected to proceed instead with clear glass following the advice of the Council for the Care of Churches. The position with regard to the carpet is not apparent from the papers before me.
3. The proposed works comprise the following:
 - i. re-ordering of the west end;
 - ii. replacement of internal wooden doors with etched glass doors;
 - iii. removal of two westernmost pews from south aisle;
 - iv. provision of new cupboards, storage units, and notice boards; and relocation of memorials;The works in respect of which a confirmatory faculty is sought relate to internal redecoration repairs to glazing and cornices.
4. The reason why this parish is taking the unusual step of seeking a confirmatory faculty for work already undertaken is fully and helpfully set out in the Rector's letter of 14 February 2005, referring back to correspondence with the then Archdeacon of Lewes and Hastings in January 2002. After consultation with me, the Archdeacon authorised the relatively minor works to proceed in the expectation that a confirmatory faculty would be sought. It has taken a little longer than was anticipated to reach this point, but a faculty will nonetheless issue for this non-contentious matter.
5. Turning then to the remainder of the petition, I note that this matter is recommended by both the DAC and the CCC. I also note that Mrs Russell actively supports the work to the area planned for storage so long as the colour of the woodwork matches that already present. Her objection relates solely to the

use of glass for the doors which she states considers may be appropriate in a contemporary building but would not be right for Holy Cross, Uckfield. A similar matter fell to be determined in St Mary and St Denys, Midhurst in respect of which I delivered a judgment dated 13 September 2002.

6. I have considered Mrs Russell's comments with care. She is entitled to her opinion and it is right that her view be weighed in the balance. I am nonetheless mindful of the alternative views which have been expressed in this case, not least in the brief but thoughtful Statement of Need and Statement of Significance prepared by the parish. I have come to the conclusion that the petitioners have made out a good case for the proposed glass doors in terms of utility and aesthetics and that a faculty should pass the seal.
7. I should add that the decision of the petitioners to amend their proposal from bronzed glass to clear glass was expressed to have been reached 'reluctantly' in deference to the view expressed by the CCC. I cannot emphasise enough that views expressed by the CCC and the DAC are merely advisory. The Consistory Court will give those views considerable weight but will also be prepared to entertain cogent and compelling arguments from the petitioners who have a better working knowledge of the building concerned. In this instance, the petitioners have prevented me assessing the respective merits of the alternative types of glass by electing to proceed on the basis of clear glass, albeit with expressed reluctance. It would be wrong for me to speculate as to what adjudication I would have made had the matter been left open.
8. I therefore order that a faculty be issued upon the basis that clear glass be used and that a sample of carpet be approved by a representative of the DAC or, in default of approval, that the matter be referred to me for determination.

The Worshipful Mark Hill
Chancellor of the Diocese of Chichester

3 March 2005