

Re St Margaret of Antioch, West Hoathly

Judgment

1. On 4 June 2007, I received a petition dated 26 July 2006 pursuant to which the rector and churchwardens of St Margaret of Antioch, West Hoathly seek a faculty for the dismantling and removal of choir stalls and other works concerning a modest re-ordering interior of this Grade I listed church. The petition was submitted to the Registry on 5 January 2007 and was supplemented by a letter from the Council for the Care of Churches dated 15 February 2007. The registry clerk has already tendered an apology for the inexcusable delay in processing the petition. I can only add my own regret at the length of time it has taken for the papers to reach me for determination. Petitioners deserve better and I offer an unreserved apology for the inconvenience engendered. I note that there is a long background to the submission of the petition in any event.
2. Turning to the merits, public notice resulted in four letters of objection being sent to the registry, two in joint names and two from individuals. I do not propose to identify them individually in this judgment. The writers of these letters were informed in a pro-forma notice from the registry, sent pursuant to rule 16(3) of the Faculty Jurisdiction Rules 2000, that they may either leave the court to take their letter into account when determining the petition or become a party to the proceedings by serving written particulars of objection in Form 4. In the absence of a reply from any of the writers I take the contents of each their letters fully into account in making my adjudication. Furthermore, I am satisfied on the paperwork before me that the petitioners are content for me to determine this matter upon written representations for the purposes of rule 26 of the Faculty Jurisdiction Rules 2000.
3. The works now proposed appear from the petition to have been the subject of thoughtful consideration going back several years. I need not recite the detail in this judgment, but it is clear that the incumbent has engaged in careful, honest and widespread consultation both with the PCC and the wider church community. I am impressed at the openness of the correspondence and the genuine attempts to seek a consensus in the configuration of the building for the purpose of Christian witness in the twenty-first century. There has been ongoing dialogue with the DAC, whose collective expertise and experience is regularly put at the disposal of parishes. More latterly, there has been contact with the Council for the Care of Churches.
4. The nature and extent of local objection may, I think fairly, be summarised as follows:

- i. that it would be an act of sacrilege to ruin the craftsmanship of our ancestors;
 - ii. that it is to break faith with those who have given of their choral talents over many years to enhance the worship of the congregation through music;
 - iii. that the choir stalls are necessary for additional seating at many special services;
 - iv. that our historic heritage must be kept in prestige condition for future generations to visit, appreciate and enjoy;
 - v. that the villagers generally do not wish their village church to be altered in any way;
 - vi. that PCC resources could be better deployed in the provision of toilet facilities with access for the disabled;
 - vii. that other alternatives ought to be considered before anything so drastic as the current proposals are implemented;
 - viii. that the removal of the choir stalls would make the interior akin to a church hall;
 - ix. because there are already chairs in the nave, it is all the more important to retain formal pews in the chancel area, as well as the other items of furniture.
5. The petitioners have elected not to answer these objections in any formal way and instead have invited me to determine this matter on the basis of the documentation submitted with the petition. This reveals that, for whatever reason, there is no regular choir. A small number of elderly ladies attend on a somewhat erratic basis. The pews probably date from the 1920s and it is unlikely that they were designed for this church. The incumbent and PCC considered various proposals including the adaptation of the pews for re-siting elsewhere in the church but rejected this for good reason, and were supported in this by the DAC.
6. I consider on a full examination of the representations made to this court that it is appropriate for a faculty to be granted. I am satisfied that the worship and mission of the Church of England in this parish church requires that the alterations take place. The incumbent has consulted widely and transparently over many years and kept the PCC fully informed. It has proved impossible to achieve unanimity, which is of course regrettable, but a very strong and sincere majority of the worshipping community support the proposals.
7. In addition, such expert opinion as has been sought is also in support. I have regard to the recommendation of the DAC and to a letter from the CCC dated 15 February 2007. The CCC is perceived by many to be a conservative body. Whether the perception be true or false, in this instance it supports the removal of the pews since 'this would enhance the beauty of the space and create a clearer area with the focus on the sanctuary, which is currently rather hidden from view'. It regarded the existing pews as large in scale and dominating a space for which, in all likelihood, they were not designed.

8. Finally, and perhaps most importantly, the proposals are entirely reversible. The generous offer of free storage of the pews in safe and secure conditions means that they can be returned at a future date should the parish so wish. No damage is to be done to the fabric of the building. There are no immediate proposals to introduce replacement furniture in the chancel area and the incumbent and PCC are rightly receptive to the CCC's view that a period of reflection should precede the consideration of these matters.

9. I therefore order that a faculty pass the seal, subject to the following conditions:
 - i. that the choir stalls are retained in safe and secure premises at Edenbridge, or at such other location as this Court may approve in writing, and that appropriate insurance is put in place in relation thereto;
 - ii. that the choir stalls are not to be disposed of save by order of this court and that no application is to be made until the expiration of three years from their removal at the earliest;
 - iii. that the table currently sited beneath the pulpit is to be treated in like fashion to the choir stalls, if the owner of the premises in Edenbridge is willing to accommodate it, failing which this matter is to be returned to the chancellor for further consideration;
 - iv. that no furniture is to be fabricated or introduced into the chancel area, save on an experimental basis, without the permission of this court;
 - v. a photographic record is to be made of the interior of the church clearly evidencing the current location of all the furniture to which this petition relates and the record is to be lodged with the parish archives.

The Worshipful Mark Hill
Chancellor

19 June 2007