

Re St Mary, Barcombe

Judgment

Mr Andrew Johnson, solicitor, of Messrs Batt Broadbent, Salisbury, for the petitioners  
Lord Monk Bretton and the Honourable Christopher Dodson (formerly objectors) did not appear and were not represented

1. By petition dated 3 July 2009, a faculty is sought for a minor re-ordering of the interior of the twelfth century Grade 1 listed church of St Mary, Barcombe. The petitioners are the Reverend James Hollingsworth, incumbent, Mr Andrew Lamont, churchwarden, and Mr John Simpson, vice-chairman of the Parochial Church Council. The Schedule of Works within the petition states as follows:  
‘Internal re-order of the chancel and east end of the south aisle.  
Removing choir pews and other fitments and providing new chairs.  
Installation of projection screens within the chancel and south aisle with projectors at high level. The installation of a video camera to the side of the organ casing.  
The relocation of the British Legion standards.’

**Public notice**

2. Following the display of the statutory public notice, letters of objection were received in the registry from Mr Christopher Apps, Mrs Marjorie Cook, the Honourable Christopher Dodson, Mrs Antonia Gibbs, Lord Monk Bretton, Miss Muriel Pyne, Councillor Meg Stroude and Mrs Elizabeth Thomas. In accordance with rule 16 of the Faculty Jurisdiction Rules 2000, each of these ‘interested persons’ received a letter from the registrar inviting them either to leave me to take their letter into account in reaching my decision or to lodge formal written particulars of objection in Form No 4. Lord Monk Bretton and the Honourable Christopher Dodson chose the latter course and accordingly became parties to the proceedings. As to the remainder, some replied opting for me to take their letter into account, others did not reply within the time prescribed, which had the same effect. Their letters were sent to the petitioners who provided a written response.

**Objectors**

3. Following the lodging of separate Particulars of Objection by Lord Monk Bretton and the Honourable Christopher Dodson (hereafter referred to as the objectors) the matter was referred to me. I issued Directions on 22 September 2009 designed to bring the matter on for a swift hearing. In the light of the observations of the Court of Arches in *Re St Peter, Draycott* [2009] 3 WLR 248 at paras 34-36, I did not consider this to be an appropriate case for determination on written representations.

4. Those acting for Lord Monk Bretton applied to the Court to postpone the hearing date (but did not seek any consequential variation of the directions for the exchange of evidence). The registry was in the process of finding a convenient alternative date, when Lord Monk Bretton decided to accept the original hearing date after all. Following a separate request from those acting for the petitioners, on 15 October 2009 I made some minor extensions to the periods for compliance with my earlier Directions.
5. Once the time for the service of evidence by the objectors had passed, an e-mail was sent by the registry on my instructions on 10 November 2009 seeking an update from the parties as to the forthcoming hearing. This elicited a letter from Messrs Lee Bolton Monier-Williams on behalf of the objectors stating:

‘In view of the concessions that the Petitioners have made and which our client endorses (albeit with a degree of reluctance), our clients have decided to withdraw their formal objection to the Petition and would instead prefer the chancellor to make a decision based on the papers and the concerns outlined in this letter.’

Unlike adversarial civil proceedings in which opposing parties can (and frequently do) engage in ‘horse trading’ designed to compromise litigation, with the faculty jurisdiction the permission of the consistory court still needs to be sought irrespective of whether there have been private negotiations between the parties. Doubtless the objectors were well aware of this since they had the benefit of experienced ecclesiastical solicitors whom they had engaged.
6. It follows that on 12 November 2009, I issued Further Directions having regard to the withdrawal of the formal objection by the objectors. I did not vacate the hearing date because of the matters raised in the various letters of objection which needed to be addressed and because those acting for the objectors (and for convenience I will continue to use this expression for Lord Bretton and the Honourable Christopher Dodson) expressly asked in their letter of 10 November 2009 that I visit the church before determining the matter so that I (in their words) ‘can better understand both the Petitioners’ application and the objectors’ concerns’.
7. The court duly sat at St Mary’s, Barcombe on Tuesday 17 November 2009. The petitioners were represented by Mr Andrew Johnson. He formally put before me evidence in the form of witness statements from the Reverend James Hollingsworth, Mr Ian Pounce, Mr Andrew Lamont, Miss Caitlin Yapp, Mr Graham Tomsett and Mr Peter Pritchett. The court had no questions of any of these witnesses and their statements were admitted unchallenged. Mr Johnson made oral submissions outlining the underlying purpose of the proposals and the thinking which lay behind them, amplifying the points made in the evidence in answer to particular objections, and addressing some of the court’s concerns on points which needed clarification. Following the short hearing, Mr Johnson and Mr Pritchett (the parish’s inspecting architect) walked me through the church pointing out the physical features touched upon in the evidence and submissions. I

reserved my judgment so as fully to consider the substantial written material before me, informed by what I had seen during my visit. I have treated the content of the objectors' Forms No 4, together with the letter of their solicitors, in precisely the same way as the letters from the other interested persons referred to above, and taken them fully into account in determining this petition.

### **The proposals**

8. I have already categorised the proposal as a 'modest re-ordering' and so it is when compared with other proposals which are submitted to the registry. Mr Johnson took me to the DAC certificate which asserts that in its opinion, 'the work proposed is not likely to affect the character of the church as a building of special architectural or historic interest'. Whilst, of course, this is not determinative of the matter, it indicates that the proposals are perhaps not as substantial or intrusive as some of the letters of objection might suggest. Put shortly, what is proposed is as follows, taken broadly in the order outlined by Mr Johnson:
- i. the lowering of the pulpit by some 5 or 6 inches by the removal of the upper tier of the podium upon which it stands (which upper tier appears to be a concrete addition);
  - ii. the removal of the priest's stall and desk and a double bank of choir stalls (together with a frontal) from either side of the chancel;
  - iii. the carpeting of the chancel (being a substantially enlarged space in consequence of the proposed removal of the choir stalls);
  - iv. the introduction of free-standing chairs into the chancel;
  - v. the removal of carpet in the sanctuary to reveal its tiled floor;
  - vi. alterations to the south aisle comprising:
    - a. leveling the floor by the removal of two raised stone plinths or steps;
    - b. moving the altar forward of the east wall and removing riddell posts and curtains. Converting the fixed altar rail into one or more free standing 'prie-dieu' to be stored when not required liturgically;
    - c. installing fitted cupboards in a 'horseshoe' formation cradling the altar, such cupboards to accommodate the freestanding chairs when not in use;
    - d. raising the British Legion standards to a higher position on the wall;
    - e. carpeting part of the south aisle as a dedicated focus for prayer ministry;
    - f. removing the front two rows of pews;
  - vii. the introduction of projection equipment, camera and screens.

### **Consultation**

9. Before turning to the evidence upon which the petition is advanced, it is helpful to set out the position of mandatory consultees.

- Diocesan Advisory Committee*
10. On 15 June 2009, the DAC issued a certificate stating that it had ‘No Objection’ to the works, subject to one proviso in relation to which a concession has readily been made. This apparently luke warm response belied the true position as is apparent from a statement from Mr Steven Sleight, its secretary, dated 23 October 2009. This records discussions with the parish dating back to 2007 and sets out its support for the proposals as they have evolved. It concludes:
- ‘In retrospect, it may be that the DAC was unduly swayed by the objections from Lord Monk Bretton in the issue of its advice. The purpose of issuing a certificate of no objection was intended not to impugn the work that was being proposed – the Committee was fully supportive of this and would recommend it unreservedly – but rather to not be seen as taking sides on the question of the objections which of course is a matter upon which the Consistory Court will judge.’
- Mr Sleight properly recognizes that it is the rôle of the DAC to advise ‘in respect of the works or other proposals for which a faculty is required’ (rule 3(1) of the Faculty Jurisdiction Rules 2000) and that it exceeds its statutory function if it trespasses into the province of the consistory court in assessing the views of protractors and detractors. In the light of the gracious and candid statement of Mr Sleight, I propose treating the DAC certificate in this instance as if it were a Recommendation since, in truth, it positively commends without reservation what is proposed.
- Church Buildings Council*
11. By letter dated 3 February 2009, Jude Johncock of the CBC stated that it had no objection to the removal of the choir stalls but expressed reservations as to the choice of replacement seating. It did not commend carpeting, but considered that making better use of the south aisle was entirely sensible. It was not convinced as to the need for a chair storage cupboard and regarded the proposal (as then advanced) as ‘inappropriate and overly dominant’.
- English Heritage*
12. By letter dated 21 January 2009, Mr Tom Foxall of English Heritage stated that it did not wish to offer any comments on the proposal.
- Victorian Society*
13. In an email of 16 January 2009, Mr David Garrard, its historic churches advisor, stated ‘aside from regretting the loss of the 1905 chancel furnishings, the Victorian Society does not wish to comment on this case’.
- Society for the Protection of Ancient Buildings*
14. Miss Catherine Cullis, churches and cathedrals officer, provided the views of SPAB in a letter dated 10 December 2008. It considered the proposed chair storage inappropriate with regard to the east window and the cill of the south east window. It was unhappy with the ‘overbearing’ trefoil design for the cupboards (a feature which has been attenuated in the light of these and other observations) and

offered advice on cable runs and fixings. It welcomed the revealing of the tiled floor in the sanctuary.

15. With the exception of the DAC, all the other bodies declined my invitation to make further or additional observations for my consideration but asked me to take into account their earlier written comments, which I do.

*Royal British Legion*

16. The works involve moving two Royal British Legion flags, and the Legion has properly been consulted too. The new positions proposed for the standards are not controversial and were suggested by the Legion itself in an undated letter at page 75 of the hearing bundle. As their new position would be wall mounted (as opposed to floor mounted) the Legion requests that the stands are retained for future occasions when a bearer may not be available and the standards need to be in a freestanding position elsewhere, as may be the case for a funeral or on Remembrance Sunday.

**The history of the church building**

17. St Mary's is an attractive Sussex church, a sketch of which by Terry Roberts is coincidentally to be found on the front cover of the second issue of the Chancellor's General Directions for the Diocese of Chichester which were promulgated in 2007. Mr Peter Pritchett, the parish's inspecting architect, briefly summarises the history of this building in paragraph 3 of his witness statement. I am happy to adopt it. St Mary's is a relatively small mediæval church which was re-modelled and enlarged in the mid and late nineteenth century, including the addition of the south aisle. A full set of pews was introduced into the body of the church at about this time. It is understood that the choir stalls and frontals, which are well crafted, were introduced into the chancel in 1905, apparently without authority of a faculty.

**The background to the petition**

18. Amongst the papers put before me by the petitioners was a chronology dating back to 1978, which deals with discussions on the use of the church taking place as early as 2002 and steps being taken to secure the requisite permissions for the construction of a church extension, now called the Conker Room, which was completed in the Autumn of 2006. In the following year, consultation began in relation to the internal reordering, including a letter to all on the electoral roll in September 2008, coterminously with the drafting of a Statement of Significance and a Statement of Need, and a public meeting the following month. I have considered all relevant documents, including a note of the public meeting.
19. It is clear from the witness statements, particularly that of Mr Hollingsworth, that the parish formed a Mission Action Plan in 2008 as part of an initiative fostered by the Bishop of Lewes. That plan included two main focuses: greater engagement with those in their late teens and early twenties, and a process of Listening to God in Prayer. The proposals are the outcome of reflective

consideration on the most effective realization of those legitimate and laudable objectives. I accept without question the powerful evidence of Miss Caitlin Yapp, the head teacher of Barcombe Church of England School, of the benefits which would accrue for her pupils' use of the building at formal gatherings at Christmas, Easter and harvest were the proposals to be implemented, as well as for *ad hoc* visits by smaller groups on other occasions. I also have regard to all that is said by Mr Graham Tomsett concerning the music group and the audio visual facilities, which is enhanced and corroborated in the detailed evidence of Mr Andrew Lamont in his statement.

### **Objections**

20. In every application of a faculty, the burden of proof lies on the petitioners throughout, and I shall return to this later. For the present, it is helpful to outline in summary form, and without attributing them to any particular individual, the various matters which have been raised in opposition to the proposals.

#### *Wishes of donor*

21. Both the choir stalls and the altar in the south aisle were given to the church by members of the Monk Bretton family. The built heritage of the Church of England owes much to the patronage and munificence of its past and present members, and items given to worshipping communities are deserving of due respect. However a gift is a gift. In the absence of a trust deed, the donor does not retain title nor a right of reverter. Neither the donor nor his successors can dictate in perpetuity what is to happen with the particular item. Writing to Mr Hollingsworth as long ago as 10 December 2003, Lord Monk Bretton said this:

‘If it does become the wish of the PCC that the choir stalls should be removed from the chancel, I would not wish to stand in the way, provided every effort is made to re-use them elsewhere in the church ...’

I shall return to the latter proviso later in this judgment, but I have regard to the commendably realistic generosity of spirit evinced by Lord Monk Bretton. It may be that this comment was slightly overstated in later communications which caused some unease in the parish, and this is very regrettable.

22. The wishes of the Monk Bretton family are significant, but cannot be considered to be determinative. The family has been kept informed although it may be that the Honourable Christopher Dodson unfortunately missed the notice of the public meeting. What it comes down to is this: first, the petitioners have responded to the concerns of the Monk Bretton family as regards the loss of the altar in the south aisle and have revisited their proposals to provide for its retention; secondly, Lord Monk Bretton and the Honourable Christopher Dodson, through their solicitors, have reached a position which I categorise as resigned acquiescence to the removal of the choir stalls from the chancel. Thus, in reality, there is no real substance to this discrete ground of opposition.

- Re-establishment of choir*
23. Several letters comment on the demise of the choral tradition in Anglican parishes, which is a sad reality. Many express a hope, possibly forlorn, that there will be a recovery of the tradition. It is undisputed that there has been no robed choir in St Mary's since the 1970s or 1980s and the likelihood of its re-establishment in the immediate future is remote. However, there is no plan to dispose of the choir stalls. Whatever I determine as to their destination, were they to be removed from the chancel, they will remain in the custody of the PCC to be reintroduced if and when they are required by a future generation with a more traditional choral or liturgical taste. The total reversibility of the proposal renders this objection hollow.

- Poor stewardship*
24. In his statement, the treasurer of the PCC, Mr Ian Pounce indicates an incremental increase in the payment of the parish share such that in the present year it stands at 95.8%. I remind the parish of paragraph 6.5 of the Chancellor's General Directions, and the reason why the parish share needs to be up to date when works are proposed. From my consideration of the parish accounts, I can see no reason why a 100% contribution should not be made in 2009 and in subsequent years and I require the PCC to use its best endeavours to do so. That apart, the PCC is the elected organ of governance for the church locally, empowered (amongst other things) to determine the use to be made of its funds. This court cannot arrogate to itself the statutory function of the PCC and, absent bad faith or illegality, it will not interfere in the exercise of the PCC's discretion.

25. One letter of objection, in particular, suggests that the parish caused or permitted a wooden pulpit to be removed from the church without authority, which was subsequently destroyed by burning. I am satisfied that after enquiry there is no evidence of wrongdoing in relation to a matter upon which hard facts are few and far between. In any event, even if this were suggestive of an incident of poor stewardship in the past, the current petition and the evidence filed in support reveals an exemplary approach by both the incumbent and the PCC. Likewise, comments from another interested party on the substitution of a brass cross and candlesticks with wooden replacements and the changing of curtains, have no bearing upon the matter which I am required to determine. Nor is it relevant that certain free standing items of furniture may have been stolen in the past. Most churches have to face a regrettable twenty-first century tension between locking the house of God or running the risk of theft.

- Sufficiency of storage*
26. It is said that there is already sufficient storage space within the church both at the rear of the south aisle and in the newly-constructed Conker Room. My visit to the church suggests otherwise: storage is clearly at a premium. But the proposal here is not storage for its own sake, but something far more holistic. Few things are more unattractive in sacred space than piles of stacked chairs. They are a distracting eyesore. What is envisaged here is custom built enclosed recessed

space which can accommodate ecclesiastical furniture when it is not in use. The inspecting architect, an experienced professional with a number of highly successful projects of varying scales to his credit, has designed bespoke cupboards which will envelop the altar in a horseshoe combining utility and æsthetic dignity in equal measure. He has revised his design in response to comments by the CBC and others as to the overuse of trefoil and, to my mind, has succeeded in producing a prayerful space which elegantly retains the altar within its design and allows the safe and discreet storage of chairs when they are not needed thereby prolonging their useful life.

*Unrepresentative minority*

27. It is suggested that the management of the church and its affairs has passed to the control of a small minority of parishioners, or (as one letter writer puts it) to ‘two or three evangelical families’ who are obsessed by modern forms of worship and change for change’s sake. The documentation does not bear this out. Successive minutes of the PCC (democratically elected, I remind myself) demonstrate thoughtful consideration of the rôle of St Mary’s as a local centre of worship and mission, to which all persons concerned with the care and conservation of sacred buildings must have due regard by way of a mandatory statutory duty under section 1 of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991. There is no evidence to support the assertion, as I read between the lines, that an evangelical cabal is running the church.

**The balancing exercise**

28. This petition, in common with all petitions, is to be evaluated in the context of the presumption against change which is the governing principle where, as here, changes to a listed church are proposed. The onus of proof lies with the proponents of change. The prevailing practice of the consistory court is to follow the so-called *Bishopsgate* questions as expressly approved by the Court of Arches in *Re St Luke the Evangelist, Maidstone* [1995] Fam 1.

*(1) Have the petitioners proved a necessity for some or all of the proposed works either because they are necessary for the pastoral well-being of the parish or for some other compelling reason*

29. The existence of other community halls and meeting places where secular functions can take place has no bearing upon whether minor changes to the interior of the church should be permitted - changes designed to enhance worship and mission, to preach the Gospel, and to make the Lord known in Barcombe. The sacred space in St Mary’s is unique and is not an alternative to other provision in the village. The case for opening up the chancel for more flexible use, such as by the music group to lead the worship, by the local church school, and by others is overwhelming. Guitars, drums and keyboards may not be to everyone’s taste but they are a widespread feature of the worship and mission of many parts of the Church of England today. Cameras, screens, power-point and video can all be utilised in the proclamation of the Gospel, and the fact that attendance figures at



St Mary's reveal discernible growth cannot be ignored. The proposed works in the south aisle will meet the need for focused prayer and meditation in a tailor made setting.

*(2) Will some or all of the works adversely affect the character of the church as a building of special architectural and historical interest?*

30. In the circumstances of this case, I consider the answer to the question to be 'no'. I have regard to the contents of the DAC certificate, as set out in paragraph 10 above. There is considerable expertise amongst the membership of the DAC and its professional assessment deserves deference. However, at the specific invitation of those acting for the objectors, I visited the church so that I could see for myself both the individual church furnishings under discussion and their setting. In my judgment, informed by viewing the interior, as well as considering the papers, the particular proposals would not adversely affect the character of the church as a building of special architectural and historical interest. I reject as hyperbolic and inappropriate the statement that an individual might find 'the whole ambience despoiled' or that the proposals can be classified as 'radical'. Emotive language suggesting that former members of the congregation would be 'outraged' or 'turning in their graves' seems out of proportion to what is proposed and terms such as 'desecration' strike me as an exaggerated reaction some way removed from the more modest reality of what is actually proposed.

31. In any event, no structural alterations to the fabric of the church are proposed. Each and every component element is reversible. Nothing is to be disposed of. The screens, cameras and projection equipment have been designed to be as unobtrusive as possible, and if they do not find favour with a future generation, a faculty can be sought to secure their removal without any damage to the fabric of the church.

*(3) Is the necessity proved by the petitioners such that in the exercise of the court's discretion a faculty should be granted for some or all of the works?*

32. The answer to question (2) above renders it unnecessary for me to consider this third question. However, for reasons which will be implicit from elsewhere in this judgment, it is clear and obvious that the necessity here proved is such that the court's discretion should be exercised in favour of the grant of a faculty. The reversibility of the proposals is a significant, and arguably determinative, feature in this regard.

#### **The destination of the choir stalls**

33. What is to become of the choir stalls? This self-contained issue has exercised me somewhat. In their letter of 6 November 2009, those acting for the petitioners wrote as follows:

'Whereas in the original petition it was proposed that the choir pews, once removed from their site in the chancel, should be placed in storage out of the church building, it is now proposed that the pews themselves shall

remain in the church, and that only the frontals to them should be stored

...

In practical terms the intended uses of the church [*sic*] do not require the retention of these pews but the Petitioners are happy to make this arrangement to satisfy the objection that they should remain in the church.'

34. In his oral submissions to the court, Mr Johnson appeared to depart from this somewhat, as he clarified that it was the petitioners' preferred position that the choir stalls be put in storage but that, if the court required, their fall-back position would be that the choir stalls should be adjusted by craftsmen and placed in the rear of the south aisle with the pews that they replaced put into storage. I questioned Mr Johnson very carefully as to whether he or the petitioners may have given to the objectors an assurance (whether innocently or by design) that were they to abandon their objection, the petitioners would not seek the removal of the choir stalls, but would ask that they be accommodated elsewhere in the church. Mr Johnson informed me that no such assurance had been given. He told me that there had been certain correspondence with the objectors and their representatives but this has been expressly designated 'without prejudice' by the objectors and, quite properly, Mr Johnson did not reveal anything of the content of those letters. It is clear from the letter from the objectors' solicitors dated 10 November 2009 in which their formal objection was unconditionally withdrawn that they had not at that stage seen Mr Johnson's letter to the registry of 6 November 2009 since a copy is asked for. However, reference is made to the petitioners having 'suggested a number of concessions, not least in relation to relocating the choir stalls'. The petitioners' responses to my Directions of 12 November 2009, are slightly ambiguous but, on one reading at least, seem to suggest that the petitioners may have conceded that the choir stalls should be retained *en bloc* in the south aisle.
35. The situation presented to me is illustrative of the inherent unsuitability of faculty cases being settled between the parties. Despite Mr Johnson's assurance, I consider it arguable (and no more) that, however innocently, the petitioners may have encouraged in the objectors a legitimate expectation that the petition would proceed solely on the basis that the choir stalls be relocated, and not that their removal would still be sought. It would be pastorally insensitive of this court wholly to disregard that possibility.
36. Had I decided this case simply on the papers, I anticipate that I would have sanctioned the repositioning of the choir stalls to the rear of the south aisle. However, having visited the church and seen its interior for myself, I am inclined to the view that the choir stalls should be placed in storage. My reasons are as follows:
  - i. the body of the church is filled with pews of the same simple design which gives a pleasing homogeneity. Were the choir stalls to replace the four

pews to be placed in the south west corner of this small church it would break the symmetry and look somewhat incongruous;

- ii. the choir stalls are not as comfortable as the congregational pews in that they are straight backed and, as concerns the front pew on each side, crafted to accommodate boy trebles (as was the case in 1905) and thus unsuitable for adults;
  - iii. of necessity, the stalls would need to be cannibalized, by shortening all four of them since the objectors' suggestion that only one be cut down is not practical. Thus the prospect of reversibility (which is regarded as considerably important to some) would be irretrievably lost;
  - iv. further, the frontals could not be accommodated in the proposed location and these would have to be placed in storage in any event;
  - v. the inherent value of the well crafted choir stalls is that they form an ensemble. The compromise solution would destroy the set, shortening the pews and separating them from their frontals. I cannot help thinking, mindful of the written representations of Lord Monk Bretton in particular, that it would be preferable for a use to be found for the choir stalls in another church where they could be enjoyed as originally intended. One or more possibilities are floated in the documentation and I consider that it is possible, with diligence and commitment, for a recipient church to be found which would welcome and value the entire ensemble.
37. In the light of my primary findings and conclusions, I propose to deal with the matter as follows. The petitioners will be authorized to place the choir stalls and frontals in storage unaltered. In addition they are to maintain a designated fund sufficient, in the assessment of the inspecting architect, to pay for craftsmen to shorten the pews and install them in the rear of the south aisle as suggested. The petitioners and the objectors (notwithstanding the unconditional withdrawal of their objection) shall each be at liberty for a period of twelve months from the completion of the works to apply to me to adjudicate upon whether the choir stalls are to remain in storage, to be installed in another church, or to be altered and installed in the south aisle at St Mary's. An application will not be entertained until the re-ordering has otherwise been completed and I shall undertake a further site visit in the course of my deliberations. In the absence of an application from either party within the twelve months specified, the choir stalls are to remain in storage and the designated fund reassigned to the PCC's general reserves.

### **Conclusion**

38. It follows that a faculty will pass the seal for the works summarised at paragraph 8 of this judgment. I should add that the front two congregational pews in the main body of the church were removed pursuant to an archdeacon's licence for temporary reordering. If their permanent removal still needs to be sanctioned, I am content for this to form part of the current faculty. The faculty will be subject to the following conditions:
- i. that before the works are commenced, full details of the design and manufacturer of the chairs to be introduced into the chancel and south

- aisle are submitted to the chancellor for approval. Unless a cogent argument can be made otherwise, the same style of chair is to be used for both areas;
- ii. that the following items are put into safe and secure storage to the satisfaction of the inspecting architect:
    - a. the priest's stall and desk;
    - b. the choir stalls (together with frontal) from either side of the chancel;
    - c. the riddell posts and curtains from the altar in the south aisle;
  - iii. that the petitioners and the objectors shall each be at liberty for a period of twelve months from the completion of the works to apply to the chancellor to adjudicate further as to the long-term future of the choir stalls;
  - iv. that the PCC is to maintain a designated fund sufficient, in the assessment of the inspecting architect, to pay for craftsmen to shorten the choir stalls, install them in the rear of the south aisle of the church and replace the existing pews which are there, and to abide by any direction the chancellor may make under condition iii. above;
  - v. that the stands for the two Royal British Legion standards are to be safely kept within the church for occasions when either or both standards are taken from the wall and used ceremonially;
  - vi. that there be liberty to the petitioners to apply to the court for further directions concerning either of the brass plaques concerning the Monk Bretton family, which the family may wish to have positioned elsewhere in the church;
  - vii. that the PCC is to use its best endeavours to pay 100% of its parish share for 2009 and consistently thereafter;
  - viii. that the works are to be supervised by the inspecting architect and completed within twelve months of the grant of the faculty.