

Neutral Citation Number: [2018] ECC Yor 6

IN THE CONSISTORY COURT OF YORK

PARISH OF GUISBOROUGH

THE CHURCH OF ST NICHOLAS

IN THE MATTER OF A PETITION REQUESTING PERMISSION TO INSTALL ON A PERMANENT BASIS A HAUPTWERK DIGITAL ORGAN

**Petitioners**

The Revd Alison Phillipson	Rector
Alwyn Joan Jones	Churchwarden
John Leonard Douglas	Churchwarden

1. The proposal at this Grade II\* listed church is to introduce permanently a Hauptwerk digital organ (presently owned by Wakefield Cathedral) and which was introduced into this church under an Archdeacon's Licence for temporary minor re-ordering dated 1<sup>st</sup> September 2017 and which will not expire until 31<sup>st</sup> December 2018.
2. The proposal has been considered by the DAC which has "Not Recommended" the proposal.
3. I need to set out the background to this proposal, the role and advice of the DAC's organs' adviser and the petitioners' response to the same.
4. According to the petitioners, in a document prepared by the petitioner Mr Jones on behalf of the petitioners, and entitled 'Request for permission to purchase the Hauptwerk electronic organ which is at present on hire in St Nicholas Church Guisborough', the background to the application lies in the attendance of a number of the church leaders at a LYCiG (Leading Your Church into Growth) Conference in September 2016. The church is the only Anglican church in the large market town of Guisborough. There are 400 people on the electoral roll and the congregation attending services is growing. Mr Jones describes recent changes in this way: "The makeup of the church has changed somewhat in the past two years, moving from a very formal choral tradition to a much more relaxed setting, though still with a great heart for music in worship, but now with mission and welcome at the heart of the liturgy. Our large and improving choir supported now by four organists, two junior organists and an orchestra, bringing our total number of choir and musicians to over 50 on a weekly basis." He says that many people have noticed that change has taken place and pass favourable comments such as "what is happening at St Nicholas, it is so friendly and welcoming?"

5. A significant part of the planning for the future has involved thinking about the reordering of the church. Discussions have taken place with the church architect and with the DAC liturgical adviser. Mr Jones' 'Request' note accompanying the petition, which is effectively the Statement of Need, says "however, all these plans hinge on the removal of the current pipe organ which is in a bad state of repair. We already have a faculty in place for its removal and disposal with the proviso of having a suitable replacement option."

6. That is a reference to a faculty which I authorised in December 2017. The proposal to remove the current pipe organ was recommended by the DAC. The minute of the meeting held on 28 November 2017 in which the DAC recommended the removal of the present pipe organ (Harrison and Harrison, 1876; rebuilt Laycock and Bannister, 1982) reads as follows:

This extension organ was a poor instrument (too loud in the chancel and unintelligible in the nave) and the Organ Adviser was of the opinion that it was not worth preserving. Members wondered whether it could be rebuilt, keeping the console and using a solid state digital action as had proved successful at Selby Abbey, but P Thomas advised that the cost of doing so would be in the region of £500,000 and that was simply not a viable option. The organ was not attached to the building and as it had no proper casework either there would be no visual loss as a result of its removal. It was noted that this church had previously enjoyed a long choral tradition, but this would be unlikely to be recovered without a decent pipe organ. Unfortunately there was nothing suitable available within the Diocese at the present time (the organ coming out of York St Michael le Belfrey was too tall and would not fit, that at Holgate St Paul had already found another home, and that being removed from Drax SS Peter and Paul would be too small). Members could find no good reason to oppose this petition but would want the parish to find a suitable replacement instrument before removing this one.

7. The faculty which I granted was subject to a condition, namely "that the pipe organ should not be removed from the building until a faculty for a suitable replacement instrument has been issued".

8. Whilst considering the way forward, the church discovered that the Hauptwerk Organ which had been used in Wakefield Cathedral during the course of the restoration works there would be available for them. They obtained the Archdeacon's licence to permit the temporary installation and use of that organ and it was installed and has now been in use for several months.

9. The petitioners have decided that rather than replace their current organ with another pipe organ, they wish to install the digital organ as the replacement organ on a permanent basis. They say that they came to this decision after considering the possibilities of rebuilding the present organ and also of obtaining a new pipe organ. They consulted Nicholson & Co Ltd and Principal Pipe Organs. Each firm provided verbal estimates of "over 100k" for rebuilding the present organ and advised that no grants would be available for the work. They also considered the possibility of obtaining a redundant organ from elsewhere, but again on the advice they were given as to the potential costs they considered it to be a financially non-viable option.

10. They report that the experience over several months of the Hauptwerk Organ has been very positive. They have held an open day for the congregation and community to come and hear the organ being played. They have consulted experienced organists who know the church and the area. The verdict of all those they have consulted in this way has been positive with people saying they would like to see it installed permanently.
11. The DAC Organ Adviser is John Scott Whiteley (“JSW”), who is a former organist at York Minster and a very accomplished and respected organist. It was his advice that the former pipe organ was not worth preserving that led to the faculty being granted for its removal.
12. When the petitioners indicated that they proposed to apply for the digital organ to become the replacement organ he was asked to report again to the DAC. That involved him making a further visit to the church on 3<sup>rd</sup> December 2017 when he met the rector, Alison Phillipson and the organist, Christopher Nixon. The petitioners have since provided a note from “DHM” whom I understand to be Douglas Henn-McRae who is connected with the supply of the organ. In that note DHM indicates that the visit had originally been planned for November and specifically for JSW “to discuss this installation” with him, but it had to be rearranged and was so rearranged without him being told of the new date until after the visit had taken place. With hindsight it is clearly unfortunate that that visit took place without someone being present who could deal authoritatively with the questions that JSW has now raised as a result of his observations on that visit.
13. The report that JSW presented to the DAC begins by saying that “the primary recommendation of my previous report – that the pipe organ be rebuilt – is not being followed. This is most unfortunate.” It is unfortunate that he had not been present at the meeting of the DAC on 28 November, the minutes of which record his apologies for absence. It would seem that by the time of his visit on 3<sup>rd</sup> December he was not aware of what had been said in that meeting about the unreality of rebuilding the organ from the point of view of the costs that would need to be incurred. Consequently his report is critical of the parish for not going down the route he preferred but which the DAC had said was not viable. It is difficult to avoid the conclusion from the way his report is phrased that he is still of the mind that that is the route down which the parish should be directed. He speaks of the reference in his earlier report to his worries on two counts if an electronic organ is installed permanently, namely “the burden of the ongoing associated costs that the church will have to bear in the future, and the solving of the acoustic problems.”.
14. He then goes on to speak of a number of discrete issues about the Hauptwerk organ that he had observed on his visit. In short, the headlines in relation to those are: the failure of the right hand touchscreen; the costly need for regular software upgrades; the touchscreens not fitting harmoniously with the traditional church architecture; the speakers having not yet been properly installed (in his view they needed hiding from view); the balance of the stops not yet being correct and the console not being in perfect condition.

15. He reports his discussion with the vicar about the potential legacy of a well-rebuilt pipe-organ and her response being that a future generation may not want it. He points out that the same could be said about the legacy of an electronic reproduction.
16. He concluded his report by saying that he was “disinclined to suggest a faculty be granted for the permanent installation of the electronic system at Guisborough. In my opinion, a serious-minded campaign would manage eventually to raise money for a pipe organ rebuild”. He concluded by acknowledging that “although the scheme I proposed was quite extensive, less expensive options for a pipe organ ought to be considered, including obtaining a pipe-organ from a redundant church. (There are a number of churches getting rid of perfectly good organs in Yorkshire alone.) I recommend that the next step should be to consult with pipe-organ builders so that my primary recommendation can be followed.”
17. Unfortunately not only had his primary recommendation been rejected by the DAC, but they had also considered his secondary proposal and not been able to identify a suitable Yorkshire organ for potential purchase.
18. At the next meeting of the DAC on 9 January 2018 the committee had a copy of the report to which I have just referred. Again the minutes indicate that JSW was not present at the meeting. The committee came to the conclusion that in the light of his report they could not recommend the proposal before them to permanently introduce the Hauptwerk organ. The minute concludes by saying “The parish should carry out a proper options appraisal, fully costed, and seek advice from their architect regarding the physical space available for any replacement instrument.”
19. The matter was again before the DAC on 10 April 2018 as the parish had informed the Secretary that they wished to proceed with their original proposal. On this occasion JSW was present. The minute of the meeting records that JSW reported on his involvement remarking that following his first visit he had advised that torgan “was not completely unsalvageable and there were parts which could be amalgamated with another redundant organ to provide a decent instrument .... if there were no other option then a Hauptwerk could be considered, in which case the parish should revert to him, but the parish had not sought further advice from him and had proceeded with the acquisition of the Hauptwerk instrument regardless.” He referred to its “huge” size and location in “a prominent position essentially replacing one eyesore with another. It was not working properly and the speakers had not been located correctly.”
20. The Liturgical Ordering Adviser, the Revd Canon Peter Bristow had also visited the church and he reported that he had been told the “the speakers had been installed temporarily and would be located correctly if and when permission was granted for the Hauptwerk’s introduction to be made permanent”. The parish was reported as being concerned at the cost of constructing an amalgamated pipe organ.

21. JSW confirmed that the cost “could start at £100,000, less than the parish might have anticipated”. I imagine that that last phrase would be of little comfort to the parish. Replacement with another organ was another possibility and the committee considered that if a good second hand one could be found that would be a good option. This was to be looked into and it was also understood that the parish were consulting Geoffrey Coffin the reputed organ builder.
22. The petitioners have now submitted the petition with the original proposal. They say that they have consulted not only Gefofrey Coffin of Principal Pipe Organs of York but also Andrew Caskie of Nicholson & Co Ltd Malvern, Worcestershire. They each advised slightly different methods of rebuilding the present organ. Coffin recommended rebuilding the present organ and raising the whole workings into a space built above the vestries. Caskie recommended rebuilding the organ in a new case outside the vestries, requiring the font and a stained glass window to be moved. Although each promised a written report, nothing has yet been received, despite reminders being sent. Each advised that the cost would be “over 100K” and advised that no grants would be available for such work. Each also advised that if a redundant organ was to be deployed in this church there would again be significant cost involved in a casing for the organ and the likely need to move the font and the window.
23. The petitioners have also submitted the note from DHM to which I have already made reference. In that note he deals with the various criticisms and “faults” that JSW mentions in his reports. I don’t propose to go through those in detail because it is the overall thrust of what he says that is important. In short, he says that the criticisms are either misconceived or premature. He says about one of JSW’s overriding concerns namely the cost of updating software, that minor upgrades are free and that by way of example the cost of the major upgrade from v3 to v4 is £199. In relation to the other overriding problem, namely acoustic problems in the church, he says that if the installation were to be made permanent then they would carry out further extensive on-site voicing to balance the instrument to the building. He would expect to bring in an experienced person such as David Butcher, the creator of the Hereford Willis organ sample-set, or Scott Farrell who voiced an almost identical organ when it was used for two years in Rochester Cathedral. He also says that the ‘resonance’ issue that JSW refers to is one that would be addressed as it has been in other contexts. Whereas at Rochester and Wakefield the acoustic was truncated to 750ms to everyone’s satisfaction, at Guisborough where the reverberation is considerably less than at Rochester or Wakefield, although they began with 750ms, that was found to be too ‘dry’ and after further experimentation 2 seconds was agreed by all to be satisfactory. Some of the specific issues such as touchscreen faults and pedal notes not working are matters that can and will be resolved. The touchscreen problem he says is nothing to do with the Hauptwerk. The pedal contacts are wireless and use magnets which need to be positioned in exactly the correct position. He understands that a plinth has now been built on which the console rests and that new and much stronger magnets have been supplied and so the pedal contacts should be working correctly. As to the fact that touchscreens are used rather than drawstops he says that this is a significant advantage, particularly if

the machine is used for teaching, as the stops do not have to be re-labelled if more than one sample-set is used. He then asks rhetorically why if organ pipes are not hidden but exposed it is necessary to hide the speakers for a digital organ.

24. My starting point in considering this petition is that the DAC advised that the current organ is not fit for purpose and should be replaced. It was on that basis that I granted a faculty for its removal, subject to the condition that it should not be removed from the building until a faculty for a suitable replacement instrument had been issued.
25. The issue for me to decide on the basis of all the information before me is whether the Hauptwerk organ is a suitable replacement or not. The primary question I must therefore deal with is whether I should say that the only suitable replacement would be a pipe organ, whether a rebuilt organ utilizing some of the pipes from the current organ or a second hand organ, almost certainly taken from some other church where it is now redundant. The secondary question that will follow if the answer to the primary question is "no I should not insist on a pipe organ" is whether the petitioners have made out a case for keeping the Hauptwerk organ on a permanent basis. If I answer the primary question saying that only a pipe organ will do, then there is no need to concern myself with the adequacy of the Hauptwerk.
26. Canon B20 is the canon that deals with "the musicians and music of the Church". It provides for the appointment and termination of appointment of any organist, choirmaster (by whatever name called) or director of music; for the minister paying heed to their advice whilst having final responsibility for the choice of music; and for the appropriateness of all music chosen and performed. However there is no canonical requirement either that there be an organ in each church or more particularly that there be a pipe organ.
27. Customarily pipe organs have been the usual means of providing a lead and accompaniment to choral and congregational singing in church. But at some times and in some places other means have been used.
28. Newsom's Faculty Jurisdiction of the Church of England has this warning at page 114:

"Chancellors who happen to know about organs or music should be aware of the insidious temptation to substitute their own opinions for those of the witnesses. Thus in *Re Saint Mary's Balham* Garth More Ch. said "Even though I am not completely ignorant of such matters, I know enough to know my own limitations." As in any other case, the decision should be made upon the evidence adduced. Conversely, a Chancellor who is not, of his own knowledge, equipped to form a personal opinion, should remember that it is not he, but the congregation, who will have to live with the organ in question, whether it be a new instrument or an old one undergoing repairs. It is not for the court, as such, to have a policy about organs, save to ensure that the best is done for the church and for the congregation.

For a good many years there has been an unresolved issue on which expert opinions have differed, as to the use of what are generically called electronic or electrostatic organs as against pipe organs. The former class produces sound by means of electrical impulses and devices; the latter produces sounds made by the passage of currents of air through pipes, whether or not the currents are produced with the aid of electrical motors."

29. Things have moved on in the world of music since 1993 when the second edition of Newsom was published. Digital organs have become the next development in music technology.
30. Newsom went on to commend the then practice of the diocese of London DAC of having an organs subcommittee, presided over by an Archdeacon and including all the committee's experts on organs, which he said "ensures that advice in cases about organs is tendered by the collective expertise of organ specialists tempered by the practical wisdom of the Archdeacon.
31. In York there is no such subcommittee. However, given the issues to which Newsom refers, I consider that it is worth my making some observations at this point about the relationship of DACs and their advisers. The role of the DAC is set out in the Ecclesiastical Jurisdiction and Care of Churches Measure 2018. Section 37 (1) provides that it must give advice when requested by a relevant person on matters relating to (a) the grant of faculties ... (d) the use or care of the contents of a place of worship. The relevant persons include among others the chancellor and the PCC for each parish in the diocese.
32. 'Experts' on DACs are co-opted members from "highly specialised fields". The experts are able to advise the committee about issues that arise within their particular fields of expertise. However the advice that the committee provides, whether to a PCC or to the Chancellor, will be the result of the committee having listened to any specialist advice and having assessed all other relevant issues and having borne in mind s.35 of the Measure which provides that "A person carrying out functions of care and conservation under this Measure, or under any other enactment or any rule of law relating to churches, must have due regard to the role of a church as a local centre of worship and mission." This gives the committee a wide ranging remit to consider many different issues that may bear on the formulation of its advice whether that advice be to a PCC or to a Chancellor. It means that sometimes a DAC will not follow the proposal that an expert makes. There are times when the DAC would be justified in doing that so long as they had considered the advice and had evidence for based reasons for following some other route. It is that context that Newsom referred to "expertise" being tempered by the "practical wisdom" of the Archdeacon. Any suggestion that a specialist adviser's view is determinative of the outcome of a DAC discussion is entirely misplaced.
33. A recent analysis of the issues involved in relation to faculties concerning the replacing of organs is to be found in *Warwick, St Nicholas* [20 April 2010] in which Eyre Ch. dealt with a situation not dissimilar to that which I face at Guisborough. At paras 7-8 of his judgment he summarised 'the dispute in essence'
- "7. It was common ground that the existing organ should be removed. In his report of 14th September 2004 Ian Bell analysed its failings at some length and said that repair was not practicable. Rachel Jefferies, the current organist, described the organ thus "it is a dreadful instrument; very little of it functions; and that which does function is ugly in terms of sound". The Church Buildings Council's letter of 26th October 2009 saw "no reason to retain any of this ensemble in the building" and said of the current organ that it is "not reliable, is tonally bland, ...[it] is no longer a meaningful example of any builder's work".
8. It was also common ground that with unlimited resources a replacement pipe organ would be the best solution in terms both of durability and of musical quality. The dispute turned on the questions of whether

that ideal was achievable and of what should be done if it were not. The Petitioners say that the acquisition of a new pipe organ (whether by new construction or a purchase from elsewhere) would not be practicable and would not necessarily be the best use of the Parish's limited funds. They say that the proposed combination organ is the best alternative in the particular circumstances. The contrary view is that the proposed course is risky, expensive, and musically unsound. It is suggested that for the Parish to take the course advocated by the Petitioners could be a costly blunder which it would be difficult to remedy."

34. At paragraph 19 the Chancellor, having summarised the case law, including the two decisions of Lomas Ch. referred to in Newsom which were said to be the only two cases reported between the 1950s and 1993, namely *Re St Mary's Lancaster* 1980 1 W.L.R. 657 and *Re St Martin's Ashton-upon-Mersey* [1981] 1 W.L.R. 1288, concluded:

"I have concluded that in petitions seeking to replace an admittedly inadequate pipe organ account must still be taken of the musical quality and potential longevity of such instruments. Accordingly, the expectation amounting to a presumption will be that the appropriate replacement for a pipe organ is another pipe organ and the burden lies on those seeking to say that some other instrument is an appropriate and adequate replacement. It will be possible in a suitable case for that burden to be discharged but the lasting benefits of a pipe organ are not lightly to be disregarded. In deciding whether the burden has been discharged account will have to be taken of the wishes, needs, and resources of the parish in question; of the comparative costs involved; of the merits and demerits of the proposed alternative; the scope for other solutions; and of the steps taken to consider potential alternatives. The last of these is likely to be a significant factor. The presumption in favour of a further pipe organ is more likely to be rebutted by those who can show that the preference for an alternative results from careful and reasoned consideration after detailed and informed research. Those whose preference for an alternative is based on a consideration which does not take proper account of the merits of pipe organs are unlikely to persuade the court that their preference can displace the presumption in favour of replacing a pipe organ with another pipe organ."

35. In the end he permitted the introduction of the combination organ, saying at paragraph 40:

"I must emphasise the very particular circumstances of this case in that all involved were agreed that it was appropriate to replace the current organ rather than to attempt its restoration and where the parish had reached its conclusion as to the preferred course after a lengthy balanced and detailed investigation. It is those particular circumstances which have enabled me on balance to conclude that the presumption against removal of a pipe organ has been displaced and that the expectation that a pipe organ will be replaced by a pipe organ has also been displaced."

36. In this matter the starting point has to be that the current organ is not fit for purpose, indeed in JSW's original report (14 January 2017) "selling the extant pipe-organ en bloc is simply not a realistic prospect. Extension organs are not wanted, especially ones with the problems outlined above. Its scrap value would be the best it could command." A faculty has already been granted for its disposal.

37. The next step is that there is no principle of law requiring that it be replaced like for like with a pipe-organ. However, there is a presumption that the starting point should be to replace a pipe-organ with a pipe-organ but that that is a presumption that can be rebutted.

38. If they are to rebut the presumption the petitioners will need not only to give an account of the "wishes, needs, and resources of the parish in question" but will also need to show that they have considered the merits and demerits of any alternative proposals, including those suggested by the DAC, and taking account of the comparative costs involved. In particular they will need to show that their preference for an alternative to a traditional pipe-organ follows careful and reasoned consideration after detailed and informed research. In just the same way



the Chancellor must give regard to the advice of the DAC but is not bound to accept it if there are good reasons for not doing so.

39. In this case the Petitioners have set out their wishes and needs. I have set out where that journey began at paragraph 4 above. The report of the site visit by the DAC liturgical adviser describes the vision which the parish has for its future. The petitioners want to carry out some reordering. It is clear that the nature of this church has been changing over the last two years. They now want to develop the narthex to improve their welcome, to remove the pews to make the church more comfortable, to bring forward the currently east facing altar, to introduce a server area with toilets and to create a separate meeting room and storage. They hope to achieve those things within a 5 year period. It will clearly be costly and a priority for fundraising. They have confidence that with the developments they have already seen they will see that vision realised. Part of that development could make use of the space liberated by the removal of the organ for storage and/or a meeting room. There is also the potential for using the space on two levels. However it is clear to me that it is not avoiding having a pipe-organ that drives the current petition but the fact that they have found a replacement that will best fulfil their needs in the foreseeable future.
40. However they have nevertheless considered the options suggested of undertaking a rebuild and of purchasing a redundant organ. The cost of a rebuild is over £100,000. As to redundant organs there are a number of churches in the diocese which are considering what to do about their organs. I have been supplied with a list by the Secretary to the DAC. In some cases the matter is under consideration and the parish is looking to see if it can raise the funds to restore the organ. In other cases there is still uncertainty as to whether or not they wish to dispose of their organ, and if they do whether in whole or in part. There are organs that are available if a suitable location can be found, but not all organs suit all spaces. The size of the space and the size of the organ need to be considered, some organs are small and the sound they produce will not fill the space. So, the organ at Sculcoates, St Stephen is too small for Guisborough, as is the organ at Drax, St Peter and St Paul. In short there is no clear match either for a purchase or for use of parts in a rebuild.
41. The argument in favour of requiring them to invest that sort of money in times of austerity is that the cost is to be seen as a long term investment and will not require a further expenditure of perhaps the same amount again in 20 or so years as may well be the case with an electronic or digital organ. Their answer to that is that this is not a case where there is currently any grant aid available and that the parish would have to raise that money now when they have any other demands on them for money which they see as being greater priorities in terms of mission.
42. It is also said that they have a responsibility to provide an instrument on which new organists can be trained. In the case of *Re St Nicholas Radford Semelle* [6 February 2012] another organ case decided by Eyre Ch, he said at para 16
- “I must say in the plainest of terms that the answer to other petitioners who sought to remove a pipe organ because they believed that they had no future young organists would be that they should be taking steps to find, to nurture, and to encourage such organists.”

43. However that is a point that has to be considered in its context. In this case it is not said that there are no pupils nor that they cannot have some training on the proposed instrument. Additionally, Canon Bristow reported that “there are plenty of other local churches where traditional organ training can be given.”
44. I note that when they came across the possibility of installing the Hauptwerk, they carried out widespread consultations including giving people the opportunity to see and hear it in operation. One particular open meeting was attended amongst others by Robert Webb a former organ scholar from the Church and by Steve Maltby the RSCM Area Officer. I am told and have no reason to doubt that “the verdict from these people as well as all who attended and those who have subsequently heard the organ both in regular worship and also during the many church funerals and weddings we hold, has been that the sound is vastly superior to our current pipe organ and they would like to see it installed permanently.”
45. Of course that is not the test, but it is indicative that both the public and some locals with significant and relevant experience support the proposal.
46. Having weighed all these matters up I am satisfied that the petitioners have discharged the burden on them of displacing the presumption that the Harrison and Harrison organ should be replaced with a pipe-organ. I am satisfied that they have considered the merits and demerits of alternatives to their preferred Hauptwerk solution, particularly the relative costs, and that their proposal is in all the circumstances a reasonable one in terms of their wishes, needs and resources. I am satisfied that they have made out their case.
47. That is however not quite the end of the matter. There are some matters that are outstanding in relation to the acoustic and to balancing the sound, and the related matter of the positioning of the speakers and also of the positioning of the console.
48. As I understand the position, the first two matters will be undertaken by professional sound experts, the suggestions were David Butcher of Lavender Audio, a BBC sound engineer or Scott Farrell the, organist and director of music from Rochester Cathedral who voiced an identical organ for use in Rochester Cathedral. It seems to me that this is essentially an acoustic issue. Whether it would be helpful for those involved to take as a bench mark the sound levels as experienced in similar-sized churches with good pipe organs in the diocese such as Northallerton or St Hilda’s Whitby I will leave to them, although I would commend such an exercise. I am satisfied that it will be possible even with the particular issues in this church identified by JSW in relation to sound problems for a satisfactory a solution as would be possible with a pipe organ can be found for this instrument.
49. There is however a different issue in relation to the positioning of the console. To an extent this will depend on the future plans for the reordering. In my judgment it is important that the console is discreetly positioned. I understand that the console is to an extent moveable. However it clearly needs to have a usual position. This needs

to be agreed. But the petitioners shall consult with the DAC buildings adviser and their architect about the positioning issue before coming forward with a proposal as to the usual position.

50. I therefore propose to allow the petition and grant a faculty subject to two matters which I reserve for approval by myself. The first is that a precise proposal for dealing with acoustic issue is put forward for my approval. The second is that a proposal is also put forward for my approval as to the usual position for the console to be positioned.

His Honour Canon Peter Collier QC  
Chancellor

The Commemoration of Cedd of Lastingham 2018