

In the Diocese of York

In the Consistory Court

The Parish of Acomb

The Church of St Aidan

1. The Petitioners in this matter are the vicar, the Reverend Peter Henry Vivash, and the churchwardens, Mr Lyndon Ashley Parker and Mrs Julie Parker.
2. By a petition dated 23rd March 2018 they have sought a faculty to permit them to
 - (i) install an audio-visual system,
 - (ii) replace existing lighting to the church and entrance lobby with LED light fittings
 - (iii) refurbish and insulate external and internal entrance doors and
 - (iv) install etched safety glass panels between the main entrance lobby and the church,

All as per the Specification and Drawings Nos 3327/001, 002, 200, 210 and 211 by PPIY Architects dated March 2018, the Specifications by Lumenpulse dated 20th March 2018 and the Specification by Audioworks dated 22nd March 2018.

3. The matter was considered by the DAC at a meeting on the 10th April 2018. The DAC recommended the works for approval by the court subject to a proviso that the church surveyor should satisfy himself with the adequacy of the lux diagram (which should meet CIBSE standards).
4. Public Notice was then given of the proposals and letters of objection were sent to the Diocesan Registrar from both Mr John Parker and Mrs Rachel Parker which letters were received on 18th May 2018.
5. On the 18th May 2018 the Registrar wrote to Mrs Parker and on the 22nd May to Mr Parker explaining the options facing them, namely whether to formally object by filing a Form 5 document, or to allow me to take their letters of objection into account when coming to my decision, without them becoming a party to contested proceedings.
6. Mr Parker replied by email on the 30th May 2018 and Mrs Parker by letter on the 2nd June 2018. Each indicated that they wished me to take their letter of objection into account and did not wish to become a party opponent in the proceedings.
7. The Registrar had also written to the Petitioners to inform them of the objections received. They responded in a letter dated 6th June 2018.
8. The matter has therefore been referred back to me for a final decision on the matter.

9. In her letter Mrs Parker says that she is concerned about the proposal to glaze the end panels which, whilst unglazed as now, give privacy to people entering the church before the service but more importantly give privacy to people taken ill during a service and who may need to sit on a chair or have counselling and also enhances child safety.

10. In his letter Mr Parker makes the same point in that changing a solid wood panelled door to a pair of glazed doors will result in people who become upset or distressed during the service and who naturally go out through the door they came in by, losing the high degree of privacy they have at the moment which would cause them to be highly embarrassed and upset. He regards the response to his raising this concern, namely "they can always go into one of the vestries or other rooms" as being insufficiently thought through. In his view people who are upset do not act in logical ways but react to their emotions, whatever the cost.

11. In response the petitioners say that one of their concerns is that currently there is little light into the main lobby/corridor which is a concern for safety and security as it means that people can enter the church lobby area without being observed by those in the church. The petitioners are very conscious that the area in which the church is situated makes this a risk that they have to deal with.

12. They further say, as anticipated by Mr John Parker, that in the event of someone becoming very ill or collapsing, the medical advice they have received is that the person should not be moved, other than being placed into the recovery position if appropriate. If someone is distressed or needing counselling then they consider that alternative private areas such as the stage room (in which a Sunday School group may meet on some occasions), a Vestry (which is normally free), and a similar second Vestry area, are appropriate places for the person to be taken to have genuine and complete privacy.

13. Further, the glazed panels will have some etching upon them which will to an extent obscure vision.

14. In my judgement, the petitioners have made out their case. It is clear to me that they were conscious of a number of issues they had to balance in relation to safety when making a decision about whether or not to glaze the door from the church into the lobby. I understand the reasons why they chose to do what they did. In my judgement they did not err in principle in so deciding. I understand the points made by Mr and Mrs Parker who are clearly people with proper sensitivities to the needs of others. However, I am satisfied that the issues underlying their concerns are ones that will be properly dealt with as and when the situations arise if this proposal is permitted to go ahead. I am not persuaded that their objections are sufficiently weighty to stand in the way of this part of the proposal which is the only part to which they raise objection.

15. I therefore direct that a faculty will pass the seal until further order.

16. I will allow 24 months for the completion of the proposals.

17. This being an opposed petition the petitioners will have to pay the additional costs created by this being an opposed petition.

Canon Peter Collier QC
Chancellor

A handwritten signature in blue ink, appearing to read 'Peter Collier', with a horizontal line extending to the right.

12th June 2018