

This aspect of the petition would therefore be deferred, to afford the petitioners an opportunity to provide that compelling case or, on reflection, to suggest alternatives. The present pews were not to be removed until a determination in relation to the chairs had been made. [DW]

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### **Re St Philip and St Jacob, Bristol**

Bristol Consistory Court: Gau Ch, 27 April 2019

[2019] ECC Bri 1

*Licence agreement – churchyard – gates – church furnishings*

The petitioners sought a faculty to enter into a licence agreement to rent out part of the churchyard for construction site offices and car parking. In order to allow access for construction the gates of the churchyard would be widened and replaced with automated access gates with an intercom system, which would remain after the licence terminated.

Historic England and the Society for the Protection of Ancient Buildings raised concerns about the archaeological impact of the proposed use of the leased land, the risk to mature trees and the replacement of the gates. The court was provided with a mitigation strategy to help protect any archaeology, and the Parks Department had already contributed to the design of the offices and walkways to protect the trees. The replacement of the existing gates – entirely undistinguished and set in a 1970s wall – was designed to make access to the secure car park easier and safer; the churchyard was already used commercially for commuter parking, raising considerable sums for the church each year. The court was content with the proposal for an archaeological watching brief and granted the faculty sought, subject to the condition that the area would be returned to its current appearance after the works had concluded.

In addition to these works, the petitioners sought permission to sell some unused church furnishings, including safes, a brass lectern and various chairs and prayer desks, as they had no use for them in their new style of worship. The court granted a faculty for their disposal. In doing so, it emphasised that it was doing so not because they were not used by the church as it was currently ordered but because it was satisfied that they were not of such quality or of such significance within the church that they should be retained. [DW]

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