

Re St Peter, West Blatchington

Chichester Consistory Court: Hill Ch, 15 August 2019

[2019] ECC Chi 4

Tree felling – risk assessment

The petitioners sought a faculty for the felling of a mature Scots pine tree. It stood, 18 metres tall and 8 metres in spread, at the junction of two paths in the churchyard and spread over an area used as an entrance to a pre-school. An assessment had identified that the cones, which are sizeable and take two years to mature, posed a significant risk of injury; two adults had been struck by cones in the recent past. One letter of objection was received.

The court considered that it should not lightly interfere where a parish had carried out a careful assessment of risk in good faith. It accepted that the size and weight of the cones were such as to potentially cause serious injury to a child or an elderly person; their number (estimated at 130) was such that the risk was significant rather than speculative or fanciful. A faculty was granted, on condition that a replacement should be planted, of a species and in a location to be approved by the archdeacon. [DW]

doi:10.1017/S0956618X20000204

Re St Nicholas and All Saints, Worcester

Worcester Consistory Court: Mynors Ch, 7 September 2019

[2019] ECC Wor 1

Re-ordering – chairs – relocation of font

The petitioners sought a faculty for phase one of the re-ordering of this large, Georgian city-centre church. The two areas of controversy were the proposal to replace the Victorian pews with upholstered chairs and the proposal to relocate the font from near the south door to the east end of the south aisle.

In relation to the pews, the court concluded that their removal and replacement with modern chairs would not be harmful to the overall significance of the church. The petitioners had selected their chosen chair from a range of options, by reference to identified criteria. The preferred chair was the Alpha SB2M, an upholstered chair; the next choice, the non-upholstered Howe 40/4, was three and a half times as expensive. Against the views of the amenity societies, the court was not convinced that wooden chairs were always intrinsically more suitable than upholstered chairs and the chosen chair was suitable for the more modern style of worship practised in the church. As to concerns regarding longevity, the court noted that, if the church was purchasing 320 chairs, it could afford to lose one or two to damage; and it could replace its entire stock twice while still