

In the matter of St Mary, Ingleton

Judgment

1. On 27 March 2023, a faculty was issued out of this Court for a modest suite of works at the parish church of St Mary, Ingleton, a grade II* listed building, on the basis that the petition was unopposed.
2. It subsequently transpired that a letter of objection (dated 20 December 2022) had been sent to the Reverend Nick Trenholme, team vicar of the parish. It was received by him within the time prescribed in the public notice for lodging an objection but it was not sent to the registry as the notice required. I do not consider it necessary or appropriate for me to identify the author of that letter in this short judgment.
3. As I understand the position, Mr Trenholme sought to find a means of accommodating the writer's concerns. This was entirely proper, albeit ultimately fruitless. The writer declined to withdraw her objection, for which I make no criticism, and the matter was brought to my attention.
4. In the circumstances and in order to ensure both procedural and substantive justice to all concerned, on 11 May 2023 I directed that the faculty be set aside pursuant to r 20.3(1)(a) of the Faculty Jurisdiction Rules 2015 (as amended). I further directed that the letter be treated as if it had been received at the registry within the time prescribed, and I ordered that the matter proceed by following the process under r 10.3.
5. There has been no response to the r 10.3 letter, and the writer has not elected to become a party opponent. It therefore falls to the Court to determine the matter, taking the letter into account. Having solicited the views of the petitioners, I consider that it is expedient to determine the matter on written representations and I so order. No further directions are necessary as Mr Trenholme has comprehensively responded to the letter of objection in a letter of 25 May 2023.
6. The letter of objection suggested an insufficiency of public consultation, and argued that the expense of the works was inappropriate in what it described as a cost of living crisis. It did not consider that sacred space should be used for bazaars, which was one additional use to which the church might be put following the reordering.
7. Mr Trenholme's letter in reply is measured, gracious and compelling. I am satisfied that the consultation process has been adequate and that the parish has more than sufficiently explored and explained the reasoning behind the need for flexibility with the church interior. I need not rehearse the detail here. I have no hesitation in accepting the expansive summary in Mr Trenholme's letter. There is something of a contradiction in the objection which criticises the expense of the proposal, but suggests instead the installation of a stained glass window to celebrate the reign of her late Majesty which, however worthy, would be equally, if not more, costly.

8. Applying the Duffield framework, I consider that the likely harm to this building, were the works to be implemented, would be minimal, that the justification is considerable and compelling, and any minor harm will be wholly outweighed in the benefit to this small but faithful and vibrant community, ably served by its gifted priest.

9. I have no hesitation in directing that a faculty pass the seal. The works are not to be implemented until the faculty fees have been paid in full, they being the responsibility of the petitioners.

The Worshipful Mark Hill QC
Chancellor of the Diocese of Leeds

9 June 2023