

**Neutral Citation Number: [2021] ECC Gui 2**

**IN THE CONSISTORY COURT OF  
THE DIOCESE OF GUILDFORD**

Date: 17 October 2021

**IN THE PARISH OF CLAYGATE  
THE CHURCH OF THE HOLY TRINITY**

**JUDGMENT**

1. Holy Trinity Church in Claygate is listed Grade II. It was extensively remodelled in 1999 during the incumbency of the present Bishop of Blackburn, the Rt Revd Julian Henderson before he became one of the Archdeacons in the diocese of Guildford. The interior of the church is simple and largely undecorated. Almost the entire interior of the nave is painted in white. However, a dominant feature of the existing interior is the current seating. This consists of conventional light-coloured wooden chairs with shelf at the rear to house Bible, hymnbook and service papers. The chairs are upholstered in red, both seat and back, which contribute the most significant element of colour to the interior. Whilst there is nothing in the existing chairs that is overtly 'ecclesiastical', they share a similarity with many other churches into which chairs have been introduced to replace pews and which, over the years, has developed its own sense of a traditional but vaguely modern, church interior. There is a certain sense of familiarity about this.
2. Inevitably, some of the chairs are showing their age but are not uniformly beyond their useful life.
3. The petitioners seek to remove the chairs by their replacement with tubular steel, more contemporary chairs, some with arms, which they propose will be upholstered in what is described as a grey 'graphite' colour. Both the design and the colour has been approved by the PCC and the DAC. There has been a process of consultation amongst the congregation (which numbers about 500) and the petition is a culmination of this.
4. The significant difference between the proposed new chairs and their predecessor is not, as one might expect, the difference in weight, although it is true that the proposed chairs will be about one half a kilo lighter. Rather, the difference arises from the relative bulk of the wooden chairs, which can be stacked only in a stack of five, and the new chairs which can be stacked as many as 25 at a time and can be manoeuvred using a purpose-built 'dolley'. The inevitable impact of this is to permit greater manoeuvrability and to occupy perhaps 20% less space when stacked.

5. The petitioners rely upon this as the driving factor behind the PCC's decision to replace the existing chairs. The church is used for a number of activities, some of which require the seating to be configured to suit the activity. Some of the volunteers in moving the chairs are elderly and, for all those involved in moving the chairs, the present task is plainly physical work.
6. There have been, however, two letters of objection received about this proposal, both couched in similar terms. Each accepts that the chairs which have been chosen are lighter and easier to stack.
7. The principal objection is in relation to the aesthetic appearance of the proposed chairs. It is said that the effect of the introduction of tubular steel, grey-upholstered, chairs will reduce the church to an appearance of a conference centre or waiting room, draining the interior of colour.
8. The second objection is in relation to a failure on the part of the PCC to seek the views of the membership on the design or colour of the new chairs, the task having been conducted by a small committee presenting the congregation with a fait accompli.
9. Had this been the case, I would have unquestionably returned the petition to the petitioners to enable them to canvass the views of a wider section of the congregation than themselves or the PCC. Such decisions are not, in broad terms, a matter of technical knowledge and one man's view of a suitable chair might well be as good as another's. However, for the reasons that I have been given, I do not think that, notwithstanding the pandemic, there has been a general failure to consult although it may be, in the cases of some individuals, that the process of consultation has not engaged them in the same way as it would have been if churches had not been subject to a lockdown.
10. The final area of objection relates to the fact that, unlike the existing chairs, the proposed ones do not have a place to lodge Bibles, hymn books or papers. Neither of the objectors has expressed the wish to become a party opponent but I have taken their views into account in reaching my decision.
11. The petitioners, in their response, have said that the process of decision-making commenced in the last quarter of 2020 followed in January 2021 by an announcement by the vicar. The central feature of this annual review was to make better use of the church building as a community space, open for use during the course of the week rather than simply as a place of Sunday worship. Past experience of having to reconfigure the church for different groups had proved time-consuming and arduous. The petitioners accept that, during the pandemic, communications had been made more difficult but the proposal was presented during an online church service and backed up by a letter to every

church member. In addition, the vicar participated in several online home group meetings and online surgeries in the course of February in which, amongst other things, the replacement of chairs was raised. The vicar also extended an offer to speak individually to anyone who had questions or concerns. Both of the objectors, so it is said, were part of a relevant home group. The vicar himself offered to attend, online, one of these home groups but this was not taken up. There then followed a video, emailed to every church member, that restated what the church termed its vision for the use of the buildings and why the chairs were an essential part of that vision. Samples of the chairs proposed to be used were made available.

12. Each of the members of the church was notified by letter of the intended petition for a faculty and, of the 500 so notified, only the two present objectors raised objections.
13. The proposed chair is half a kilo lighter than the existing chairs and the petitioners concede this is not a large difference in itself but when replicated 300 times makes a significant difference. The petitioners also concede that none of the chairs has a shelf to hold books or papers but, it is said, such a shelf would prevent chairs being placed in stacks as many as 25 at a time. The existing chairs cannot be manoeuvred by a trolley and have to be taken by hand to the place where they will be stacked. In contrast, the custom-built trolley moves to where the chairs are located in order to stack them and move them on.
14. The grey or graphite colour of the proposed chairs is an obvious bone of contention, particularly when compared with the existing red upholstery. A sample chair was made available and, although it did not exactly match the proposed colour, it was very similar and a sample swatch was provided.
15. I am familiar with this church and aware of the appearance of warmth that the current chairs generate. I also appreciate how familiarity is itself an important principle. However, it is not possible to gainsay the fact that the existing wooden upholstered chairs are ungainly to move and require much greater human effort than chairs that are much easier to manoeuvre and can stack in larger numbers. As a chair-mover and stacker myself for many years, I am aware of how time-consuming this can be, often at inconvenient times of the evening and not without considerable effort, sometimes with little assistance.
16. I can well understand the objectors' resistance to the introduction of grey chairs which are, frankly, dull and practical. There is certainly nothing 'churchy' about their appearance although similar ones are being introduced in increasing numbers into churches across the diocese for the same reasons put forward by the petitioners. In due course, doubtless, they will develop their own sense of familiarity in the context of churches, just as these wooden upholstered chairs have done. However, as Chancellor, I must avoid exercising my own subjective view about style or colour. That is a matter for the PCC to

determine acting as the democratically elected body entrusted with the task of making such decisions. It would only be in very extreme cases that the court might not defer to the choice of the parish as expressed by the PCC.

17. Furthermore, the parish has had the advice of the DAC, which as part of the process of decision-making, has been able to consider not only the style and colour of the proposed chair but also the impact of its introduction into a listed building.

18. The CBC has provided advice on removal of pews and chairs. It is to be found at

[https://www.churchofengland.org/sites/default/files/2019-01/ccb\\_seating\\_guidance\\_2018.pdf](https://www.churchofengland.org/sites/default/files/2019-01/ccb_seating_guidance_2018.pdf)

However, it has very little bearing in a situation such as the present in a Grade II listed building where the congregation has been used to using upholstered chairs for many years. Whether or not a properly designed wooden chair would provide as great a level of comfort as an upholstered chair is, perhaps, beside the point. I do not consider that it would be a realistic prospect in a case such as this where comfort is perceived by many as being dependent upon an upholstered chair. Whilst the proposed grey chair will provide a more sombre atmosphere to the interior, it will be off-set by the white walls and light carpeting. In essence, that is a matter of taste but should not properly be subject of a refusal.

I grant the petition.

ANDREW JORDAN  
CHANCELLOR