

**Form 3A  
(Rule 4.3)  
Petition for Faculty**

(Proceedings started pursuant to resolution of Parochial Church Council)

**To the Consistory Court of the Diocese of Lichfield**

**Church of PRIORY CHURCH OF ST MARY THE VIRGIN**

**In the Parish of TUTBURY**

**Petitioners:**

FULL NAME*	RESIDENTIAL ADDRESS (including postcode)	OFFICE HELD*
REV IAN WHITEHEAD	ROLLESTON RECTORY, CHURCH ROAD, ROLLESTON ON DOVE, BURTON UPON TRENT STAFFS DE13 9BE	MINISTER IN CHARGE
JUDITH COLLISON	163 STATION ROAD, HATTON, DERBY. DE65 5EJ	CHURCHWARDEN
RICK NUTH	26, HILLCREST, TUTBURY BURTON-ON-TRENT STAFFS DE13 9JD	CHAIRMAN, TUTBURY WAR MEMORIALS PRESERVATION COMMITTEE

*\*Please use capital letters.*

Please indicate here which of the above (or other person) should be regarded as the contact address. A telephone number and email address should also be provided where possible.

Title and Name: *Rick Nuth, Chairman, Tutbury War Memorials Preservation Committee*

Address (Inc. postcode): *26 Hillcrest, Tutbury, Burton-on-Trent, Staffs, DE13 9JD*

Tel: *01283 810 166*, Email: *rick@nuth.me.uk*, Website *www.twmpc.org.uk*

*Usually the minister and churchwardens should be the petitioners. Where that is not the case, please provide an explanation here (including details of the interest which it is said that a person who is not the minister or a churchwarden has in the matter)*

*The Tutbury War Memorials Preservation Committee is acting as the agent of the Parochial Church Council of Tutbury St. Mary's Priory Church to plan and execute the preservation of the War Memorial at St. Mary's.*

## SCHEDULE OF WORKS OR PROPOSALS

We petition the Court for a faculty to authorise the following:

*Please fully and accurately state the works or other proposals for which a faculty is sought. Where relevant, include the number and date on the architect's or surveyor's drawings or other specifications.*

The works for which the faculty is requested are to conserve and preserve the existing Stone Cross War Memorial near the South Door of St. Mary's Priory Church, Tutbury.

Full details of the Memorial and the requirements are given in the *Statement of Significance* and the *Statement of Needs*. The work will consist of dismantling the leaning Memorial down to the base plinth and then re-erecting the repaired Memorial so that it is vertical.

All work will be undertaken under the management of Smith & Roper, Conservation Architects of Bakewell, whose outline recommendations are listed below:

- Dismantle cross, main shaft and upper plinth complete.
- Clean stonework of lower plinth, redress and renew stone indent and repoint.
- Rebuild upper plinth to level, allowing for limited grinding of underside of stones and packing as necessary.
- Allow for incorporating stainless steel cramps to hold base and plinth together and provision of additional dowels between base and plinth.
- Cut out defective stonework within foot of shaft base and provide new stone indent.
- Provide minimum 3 non ferrous dowels between base and plinth.
- Re-erect main shaft.
- Renew moulded upper section of shaft cap and refix cap and cross centrally set and correctly aligned incorporating non ferrous dowels.
- Lift perimeter paving and stone flag path, adjust levels to fall away from monument.
- Relay paving incorporating additional line of pavers to path around monument.
- Replace damaged stones to east side of steps.
- Reduce size of planted border, infilling and turfing as necessary.

The full list of supporting documents is provided in the document

*"[03] TWMP-PE-011 Faculty Document Index"*

which is supplied with this Petition.

*The works or proposals must be the same as those in respect of which the Diocesan Advisory Committee has given any advice (subject to any modifications that have been made to take account of advice received).*

*Copies of the Standard Information Form and any drawings, plans, specifications, photographs or other documents showing the proposals must be provided with this petition.*

## A. PROFESSIONAL ADVICE

Please answer this section in every case

1. Has the architect or surveyor appointed under the Inspection of Churches Measure 1955 been:

a. engaged in connection with the proposals? Yes  No

b. asked for general advice in relation to these proposals? Yes  No

2. If another architect or surveyor is being engaged

a. what is his or her name and address?

Richard Smith RIBA AABC  
Smith and Roper  
Architects and Surveyors  
Buxton Road  
Bakewell  
Derbyshire  
DE45 1BZ

b. why is he or she being instructed in relation to the proposed works?

Because of the condition of the Memorial (leaning with possible subsidence, no mortar, etc.), a survey and assessment by a Conservation Architect was required. Seven companies were asked to quote for the work; five submitted quotes, including St. Mary's Quinquennial Architect

Smith and Roper were chosen by the *Tutbury War Memorials Preservation Committee* from the respondents as the preferred quote; the church architect's proposal failed to address the brief issued by the committee and the costs were impossible to determine. The Smith and Roper quote at £3,852 was the 2<sup>nd</sup> cheapest quote.

## B. CHANGES TO THE INTERIOR AND/OR EXTERIOR OF THE CHURCH

Please answer this section if applicable. Otherwise proceed to section C

3. a. If changes to the interior and/or exterior of the church are proposed, has the PCC prepared a statement of significance and a statement of needs?

(Prepared by the TWMP on behalf of the PCC)

Yes

b. If the answer to a. is yes, please supply copies of the statements with this petition see documents

[11] TWMP-016 Statement of Significance – Tutbury St. Mary's War Memorial

[12] TWMP-021 Statement of Need – Tutbury St. Mary's War Memorial Preservation

included with this Petition.

c. If the answer to a. is no, what are the reasons for asking for permission for the proposals?

Please supply separate explanatory statement if more space is required

## C. FINANCIAL INFORMATION

Please answer this section in every case

4. a. What is the estimated cost of the proposed works?  
£15,000 plus architect's management fees
- b. Who has estimated this cost?  
Richard Smith of Smith & Roper, Conservation Architects
- c. Are the proposals wholly to be paid for by someone other than the parochial church council or wholly from funds which have been given to the PCC for the purpose of the proposals? No  Yes
- d. If the answer to c. is no, how are the proposals to be paid for? (Please give figures in the boxes below)

From:

- i. the PCC's current balance of funds that are available for the purpose £
- ii. gifts/legacies £
- iii. grants or fund raising: – already available £  
– being sought £

If you are preparing a statement of needs or providing an explanatory statement under section 3c, please include details of any fund raising strategy there.

## D. PERMISSIONS FROM OTHER BODIES

Please answer this section in every case

5. a. Are any external works to the building proposed? Yes
- b. If yes, have you consulted the local planning authority as to whether planning permission or advertisement consent is required? Yes  No
- c. Please include a copy of any reply from the local planning authority.  
See documents  
[43] 2014 07 11-1 ESBC Planning Response  
[44] 2014 07 11-2 ESBC Planning Conservation Response  
included with this Petition
6. a. If required, has outline or full planning permission or advertisement consent been granted?  
Not required Yes  No
- b. Please include a copy of the planning permission or advertisement consent, if any, with this petition.
7. a. If any of the proposals affect a scheduled ancient monument, has scheduled monument consent been obtained? Not applicable Yes  No
- b. If yes, please include a copy of the consent with this petition.

## E. ARCHAEOLOGICAL MATTERS

Please answer this section if applicable. Otherwise proceed to section F

8. a. Have you been advised that the proposals may have archaeological significance? No
- b. If yes, please include any advice received.
- c. Is an archaeologist to be involved and to be given facilities for inspection and recording during the course of the works of excavation or works to the fabric? No

## F. CONSULTATION FOR WORKS OF ALTERATION TO THE EXTERIOR OR INTERIOR OF A LISTED CHURCH

Please answer this section if applicable. Otherwise proceed to section G

9. Have you consulted any of the following bodies?

The Church Buildings Council

No

English Heritage

Yes  EH requested to see a copy of this Petition, therefore they are being consulted at the same time as the Petition is being assessed. EH have said that they will send a copy of their response to the DAC. See

[\[42\] 2013 08 27 English Heritage Consultation Query submitted with this Petition](#)

The Council for British Archaeology

No

The Ancient Monument Society

No

Society for the Protection of Ancient Buildings

No

The Georgian Group

No

The Victorian Society

No

The Twentieth Century Society

No

If the answer to any of the above is yes, please include copies of any correspondence giving the views of the body concerned and your replies.

10. a. Have you consulted the local planning authority?

Yes  No

c. If yes, please include correspondence giving its views and your reply.

[See answer to question D5 above](#)

11. Please consult the following DAC adviser; you do not have to wait for their report before submitting your faculty application. The DAC adviser will report to the DAC and you will be sent a copy of the report after it has been considered by the DAC:

## G. CHURCH INSURANCE

Please answer this section for any work to or in the church

11. Do the proposals involve external scaffolding?

No  Yes

[Around the War Memorial only](#)

12. a. Is the work or part of the work to be carried out by voluntary labour?

No

b. If yes, has the PCC taken out insurance to protect voluntary labour against the risk of injury during the course of the work?

Yes  No

13. Have you informed the church's insurance company that work is to be carried out in the church or churchyard?

Yes

14. If the answer to question 13 is yes, please supply a copy of the insurer's approval or letter in reply.

[Insurance cannot be finalised until the contracts for the work are defined and this will not happen until 2Q 2015 – insurance will be finalised then](#)

## H. DETAILS OF CONTRACTORS

*Please answer this section when you wish to carry out work of any kind*

15. Please give the name and address of each contractor to be employed for the different aspects of the works (e.g. builder, electrician, stained glass artist, organ builder etc.).

Permission to perform the work is being sought before contractors have been appointed and grants sought because quotes and grants cost money to acquire and time expire. The Contractors (2) to (6) below are those who will be asked to tender.

Contractor 1: Smith & Roper, Conservation Architects, both to manage the contractor selection process and to manage the works.

Contractor 2: Croft Building and Conservation Ltd., Staffs

Contractor 3: RSM Stonemasonry, Southwell, Notts

Contractor 4: RMH Eaton, Birchover, Derbyshire

Contractor 5: Skillingtons, Lincolnshire

Contractor 6: Bonsers Restoration, Kirklington, Notts

Contractor 6: Julian Jeffrey, Stone Mason & Sculptor Ltd, Stafford

## I. TIME FOR WORK

*Please answer this section in every case*

16. a. How soon will the work start after the faculty is granted?  
Work is planned to take place 2Q/3Q 2015
- b. How long is it expected that it will take for the work to be completed?  
Approximately 2 months
17. a. Will it be necessary to hold public worship in another building while the work is being carried out? No
- b. If yes, has the Bishop consented to alternative arrangements for public worship?  
Yes  No

## J. ARCHDEACON'S LICENCE

*Please answer this section if applicable. Otherwise proceed to section K*

18. a. Has the archdeacon granted a licence authorising temporary minor re-ordering?  
Yes  No
- b. If yes, please include a copy with this petition.

## K. PCC RESOLUTION

*Please answer this section, deleting words as appropriate, in every case*

Q19 – the PCC resolution will be voted on at the 6th October PCC Meeting and the result forwarded to the DAC shortly afterwards.

19. The parochial church council at its meeting on [date] passed [unanimously] [without dissent] [by a majority of to ] among those present and voting a resolution relating to the works or proposals. A copy of the resolution signed by the [Chair] [Secretary] is included with this petition. There are members of the council.

## **L. DIOCESAN ADVISORY COMMITTEE**

~~Please answer this section in every case.~~ This question is not applicable to the way the FJ system operates in Lichfield Diocese so please ignore it. The DAC will respond with a notification of advice *after* your application has been considered at DAC.

~~20. Is a notification of advice from the Diocesan Advisory Committee included with this petition?~~

## **M. FURTHER INFORMATION**

*Please answer this section in every case*

21. Will the work affect any graves?

No

22. Are any private rights (including rights in seats in the church) affected by the works or proposals?

No

23. If the answer to question 21 or 22 is yes, please provide details in the schedule of works or proposals.

24. Is the information about the church and churchyard included in the most recent quinquennial inspection report still accurate?

Yes  No

25. If there is any further information that the petitioners would like the court to take into account, details should be set out in a letter or statement included with this petition.

We believe that the facts stated in this petition are true.

Date: 12 September 2014

Signed:

**Signature**

**Name/Role**

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Rev Ian Whitehead

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Judith Collison (Church Warden)

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Rick Nuth (Chairman, Tutbury War Memorials Preservation Committee)

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(Signatures of Petitioners)