

**PETITION FOR FACULTY**

(proceedings started pursuant to resolution of parochial church council)

**To the Consistory Court of the Diocese of Lichfield****Church of Tutbury S.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
JOYCELYN HICKMAN	37 PORTWAY CLOSE TUTBURY BURTON-ON-TRENT DE13 9HU	CHURCHWARDEN
RICK NUTH	26, HILLCREST, TUTBURY BURTON-ON-TRENT STAFFS DE13 9JD	CHAIRMAN, TUTBURY WAR MEMORIALS PRESERVATION COMMITTEE

*Please indicate here which of the above should be regarded as the contact address. A telephone number and email address should also be provided where possible*

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

e-mail address: [rick@nuth.me.uk](mailto:rick@nuth.me.uk)

Telephone number: 01283 810 166

*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. Having successfully completed the preservation of the War Memorial at St. Mary's we now propose to have manufactured and installed two Wreath Holders to enable St. Mary's policy on Remembrance Wreaths (to be left on display until October) to be implemented without contravening the recommendations of the War Memorials Trust not to leave Wreaths on the Memorial.

**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. If it is proposed to dispose of any item details must be given.*

*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 – if any modifications have been made they also must be described here).*

Installation of two wreath holders near to the War memorial (in the churchyard).

This Faculty petition is for the installation of two Wreath Holders in the closed churchyard at St. Mary's Priory Church, Tutbury. The Wreath Holders will enable the policy of St. Mary's for the display of Remembrance Wreaths to be carried out whilst not damaging the War Memorial, following the recommendation of the War Memorials Trust.

Full details of the proposal and the index of supporting documents can be read in:

*WH-PE-041 Faculty Request - Tutbury St. Mary's Priory Church - Wreath Holders*

The proposal has received overwhelming support from the Parochial Church Council, the congregation, members of the public and local organisations with one exception – Tutbury Parish Council.

For clarity we have included their objections and our response as an appendix; we believe that reading this application will make clear why the Parish Council objected and why their objections are misguided, based as they are on a mistaken assessment of risk and an erroneous understanding of their authority.

*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*

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

1. (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 are his/her name and address?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) why is he/she being instructed in relation to the proposed works?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(B) CHANGES TO THE INTERIOR AND/OR EXTERIOR OF THE CHURCH**

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

3. (a) If such changes to the interior and exterior of the church are proposed, has the PCC prepared a prepared a Statement of Significance and a Statement of Needs? Yes  No

*(Prepared by the TWMPCC on behalf of the PCC)*

(b) If the answer to (a) is yes, please supply copies of the Statements with this petition  
[see documents](#)

*[WH-PE-041 Faculty Request - Tutbury St. Mary's Priory Church - Wreath Holders](#)  
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 if required*

## **(C) FINANCIAL INFORMATION**

Please answer this section in every case.

4. (a) What is the estimated cost of the proposed works?
- (b) Who has estimated this cost?  
[Dragon Forge Artistic Ironworks](#)
- (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?  
Yes  No
- (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 fundraising? - already available   
- being sought

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

## **(D) PERMISSIONS FROM OTHER BODIES**

Please answer this section in every case.

5. (a) Are any external works to the building proposed? Yes  No
- (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 planning authority  
[See document](#)  
[\[RD-10\] Planning Enquiry Ref QU2015ENQ0620 - Installation of Wreath Holder - St. Mary's Priory Church Tutbury](#)
6. (a) If required, has outline or full planning permission or advertisement consent been granted? Yes  No   
[Not required](#)
- (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 the section F.*

8. (a) Have you been advised that the proposals may have archaeological significance? Yes  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? Yes  No

### **(F) CONSULTATIONS FOR WORKS OF ALTERATIONS TO THE EXTERIOR OR INTERIOR OF A LISTED CHURCH**

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

9. Have you consulted any of the following bodies?
- |   | Yes                                 | No                                  |
|---|-------------------------------------|-------------------------------------|
| The Church Buildings Council  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Historic England<br><a href="#">See [RD-11] Historic England Communications</a> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| The Council for British Archaeology   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| The Ancient Monuments Society   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Society for the Protection of Ancient Buildings                                 | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| The Georgian Group  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| The Victorian Society   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| The Twentieth Century Society   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

If the answer to any of the above is yes, please includes 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   
(b) If yes, please include correspondence giving its views and your reply  
[See answer to question D5 above](#)

### **(G) CHURCH INSURANCE**

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

11. Do the proposals involve external scaffolding Yes  No
12. a). Is the work or part of the work to be carried out by voluntary labour? Yes  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  No
14. If the answer to question 13 is yes, please supply a copy of the insurer's approval or letter in reply

### **(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.).

#### Contractor

[D McNeil D & Sons](#)  
[Dragon Forge Artistic Ironworks](#)  
[Archway 2 Little Burton West,](#)  
[Burton-on-Trent,](#)  
[Staffordshire](#)  
[DE14 1PP](#)

## **(I) TIME FOR WORK**

*Please answer this section in every case.*

16. (a) How soon will work start after the faculty is granted?  
[Within two months](#)
- (b) How long is it expected that it will take for the work to be completed? [Four weeks offsite fabrication, two weeks onsite](#)
17. (a) Will it be necessary to hold public worship in another building whilst the work is being carried out? Yes  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 the 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.*

19. The Parochial Church Council at its meeting on [5 Oct 2015](#) passed [unanimously](#) 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 [14](#) members of the Council.

## **(L) THE DIOCESAN ADVISORY COMMITTEE**

20. Is a Notification of advice from the Diocesan Advisory Committee included with this petition? Yes  No   
[See: Form 2A \(39\) Tutbury Wreath Holder 2016 \[DAC Advice\]](#)

## **(M) FURTHER INFORMATION**

*Please answer this section in every case*

21. Will the work affect any graves? Yes  No
22. Are any private rights (including rights in seats in the church) affected by the works or proposals? Yes  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.

**Signature**

**Name/Role**

---



Rev Ian Whitehead

---



Joycelyn Hickman (Church Warden)

---



Rick Nuth (Chairman, Tutbury War  
Memorials Preservation Committee)

---

Date: 17 April 2016  
(Signature(s) of petitioners or person acting on behalf of petitioners)



### **CHECKLIST OF SUPPORTING DOCUMENTATION**

Have you attached the following documents? Please tick those that are relevant to your proposal:

<b><u>Question</u></b>	<b><u>Details</u></b>	<b><u>Yes</u></b>	<b><u>To Follow</u></b>	<b><u>N/A</u></b>
Schedule	Details of proposals and copies of drawings, plans, specifications or other documents.	Y		
Schedule	Form 1A: Standard Information Form	Y		
Q.3	Statement of Significance	Y		
Q.3	Statement of Needs	Y		
Q.4	Historic England, Heritage Lottery Fund etc. grant letter.			<b>N/A</b>
Q.5 & 6	Planning Permission/Advertisement consent or reply from Local Planning Authority	Y		
Q.7	Scheduled Monument Consent.			<b>N/A</b>
	Letter from English Nature. (Refer to DAC Notification of Advice)			<b>N/A</b>
Q.9	Correspondence with Historic England and/or Amenity Societies.	Y		
Q.10	Correspondence with Local Planning Authority.	Y		
Q.14	Approval letter from Insurers.			<b>N/A</b>
	Professional valuation and good quality photograph of item for disposal.			<b>N/A</b>
Q.18	Archdeacon's licence authorising temporary re-ordering			<b>N/A</b>
Q.19	PCC Resolution[s]	Y		
Q.20	DAC Notification of Advice	Y		
Q.21 & Form 1A	Letter of consent from the Commonwealth War Graves Commission			<b>N/A</b>
Q.22	Letter [s] of consent regarding private rights in seats in the church			<b>N/A</b>

**Note:** Although not referred to in the petition please remember to include a copy of the public notice in respect of the work or other proposals in this petition.

## **FOR USE BY CHANCELLOR/ARCHDEACON ONLY**

Let the Public Notice be displayed (if not previously displayed in accordance with the Faculty Jurisdiction Rules 2013).

Subject to the receipt of the Public Notice with completed Certificate of Publication and if no objection has been received, let a Faculty be issued [until further Order][on condition that:]

[and] subject to the works or proposals being completed within \_\_\_\_\_ months of the issue of the Faculty [ \_\_\_\_\_ months of the commencement of the works or proposals] or within such extended time as may be allowed.