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# Tutbury War Memorials Preservation Committee



## **Tutbury Parish Council's Objections to Wreath Holders TWMPC Response**

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### **This Document**

Tutbury Parish Council has raised two specific objections concerning the proposed installation of two Wreath Holders next to the War Memorial at St. Mary's Priory Church, Tutbury, which we believe we can address.

This document from the Tutbury War Memorials Preservation Committee (TWMPC) shows that there are no significant safety issues and that the appropriate authorities will determine the suitability or otherwise of the Wreath Holders in their setting.

### **Wreath Holders – Purpose**

The Wreath Holders were first mentioned to the Parish Council in May 2015 and then again on 20<sup>th</sup> June when TWMPC requested input into their design. The purpose of the Wreath Holders is set out in detail in the documents submitted by the TWMPC to the Parish Council on 17<sup>th</sup> September 2015.

In summary, the Wreath Holders enable Remembrance Wreaths (there were 18 Remembrance Wreaths in 2015) to be on public display without damaging the newly conserved War Memorial. Remembrance Wreaths left on a Memorial encourage the growth of lichen and moss, marking the stone; the condition of the Wreaths also

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deteriorates as they fill with rain and they are subsequently blown around the churchyard.

The War Memorials Trust (WMT) recommends the use of Wreath Holders and they are supportive of this project, planning to use it as an example to others conserving Memorials.

The TWMPC consider the installation of the Wreath Holders to be a visible and lasting sign of the village marking the WWI Centenary Commemoration.

A significant part of funding for the Wreath Holders will be from British Gypsum; of the 47 WWI Fallen listed on the War Memorial, 15 were connected with the plaster trade, working either in the mines at Fauld or in the plaster mill.

## Objection 1 - Safety

### Parish Council Objection

The Parish Council do object to the wreath holders that you propose, **this is based on concerns regarding the safety of the spikes** and that they may not be in keeping with the Grade 1 listed Church building. Tutbury Parish Council would like to invite you to the next parish meeting to discuss this further. This meeting will be held October 19th at Charity House 7.30pm.

### TWMPC Response

#### Risk

Railheads ("spikes") on the four Wreath Holder Panels (two panels per Wreath Holder).

The TWMPC presumes that the Parish Council believes there to be a Public Safety risk, in particular a risk to children climbing on the Wreath Holders and becoming impaled on the spikes (rather than a Health and Safety at Work risk).

#### Mitigation

1. The Wreath Holders are not in an area where children venture unsupervised, being approx. 10m from the East-West path through the churchyard. No member of the Committee can recollect ever seeing an unsupervised child in the area<sup>1</sup>.
2. It is reasonable to expect that the responsible adult would prohibit any supervised child in the area from climbing on the Wreath Holders, especially on something dedicated to Remembrance.

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<sup>1</sup> A greater risk (one that currently exists) to any unsupervised child in the area is the possibility of falling over the edge of the embankment onto the path from the Church to the Village Hall.

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3. For 11 months of the year, the Wreath Holders will have Remembrance Wreaths fastened to them and hence will not invite a child to climb on them and indeed will make it difficult for a child to climb on them.
4. The gap between the vertical bars on the bottom and middle horizontal rails is only 50mm (2"), making it difficult for a child to put their feet on the rails to start climbing. The gap between the bars above the middle rail is the industry standard 100mm (4")
5. The railheads ("spikes") are a safety version (as specified in the documentation) of the design on the church gates (i.e. topped with a safety ball).
6. The TWMPC will be taking safety advice on the final design from the selected contractor
7. All the railheads on the railings in Heritage Park (the Peveril estate) now being built in the village are of a similar safety design and hence must be considered safe by the regulatory authorities despite being on public pavements frequented by children.



*The TWMPC View:*

*The above mitigations show that there is no significant risk to public safety and indeed the risk is far less than other new installations in Tutbury.*

## **Objection 2 – Not in Keeping**

### **Parish Council Objection**

The Parish Council do object to the wreath holders that you propose, this is based on concerns regarding the safety of the spikes and that they **may not be in keeping with the Grade 1 listed Church building**. Tutbury Parish Council would like to invite you to the next parish meeting to discuss this further. This meeting will be held October 19th at Charity House 7.30pm.

### **TWMPC Response**

1. The TWMPC have created a design that is in keeping with the War Memorial and emblematic of Remembrance, a design that is visually subservient to the Memorial

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and placed behind the Memorial, in the opposite direction to the Grade I Listed Church building

2. Response from members of the public to the design has been entirely positive as were the majority of responses to the experimental Wreath Holder installed temporarily earlier in the year
3. The War Memorials Trust support the installation and will use it to show other conservationists what can be done (aesthetically) to improve the condition of War Memorials
4. As previously stated, the Parochial Church Council has unanimously passed a resolution in support of the Wreath Holders
5. The War Memorial is in the Conservation Area and the TWMP is in communication with East Staffordshire Borough Council on the subject
6. Alterations or repairs to a place of worship in the Church of England require prior, formal permission from an ecclesiastical court. Therefore, as was stated in the communication of 17<sup>th</sup> September 2015, the outline design documents provided to the Parish Council have also been seen by Kristina Williamson, Secretary to the Lichfield Diocesan Advisory Committee (DAC) and Church Buildings Officer. She responded as follows:

As you acknowledge, these holders will require faculty permission but I cannot see at the DAC members will object in principle. I would just encourage you to go for a high quality of metalwork as it is usually the detail and execution of such items that draws comment.

I have included Archdeacon Matthew Parker in this email for information.

This would indicate that we are likely to obtain approval from the DAC.

Following DAC approval, there would be a 28-day period for public comment or objection prior to the DAC's recommendation (and any objections) being sent to the Consistory Court for review by the Chancellor of the Diocese of Lichfield.

7. Historic England (formerly the legislative part of English Heritage) will be consulted (as they were on the conservation of the War Memorial) because the War Memorial is in the curtilage of a Grade I Listed Building. A copy of the Faculty application will be provided to Historic England for comment; they will send their comments to the DAC as input to the DAC decision-making process.
8. The planned build quality should ensure that no maintenance is required for many years, hopefully decades, to come. Maintenance responsibility will reside with the TWMP; when the TWMP is eventually dissolved, new owners will be found.

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*The TWMP View:*

*At the completion of this process, we will have obtained all necessary approvals and permissions for the installation of the Wreath Holders in the setting of a Grade I Listed Church building.*

*We are in the process of applying to Historic England for Listing of the Memorial itself, as part of the War Memorial Trust and Historic England campaign 2018, to get 2,018 War Memorials Listed by 2018*

## **Appendix – Post Meeting Email**

The following text was sent to the Tutbury Parish Council Clerk on 6<sup>th</sup> December 2015 as a supplement to the meeting:

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Dear Ms Duffill

Following on from the discussion at the meeting about the Parish Council's objections to the proposal for the installation of Wreath Holders in the Closed Churchyard, there has been further research and developments and I did say at the meeting that I would keep the Parish Council informed of our progress.

At the meeting Cllr W Crossley challenged our assertion that 100mm inter-rail gap in the panels was the standard, saying it was 90mm. Regarding permission for the installation of the Wreath Holders, he originally said that we would need Parish Council permission (although he appeared less convinced of that by the end of the meeting) and also said that we would need planning permission and building regulations approval.

I can now offer the following updates:

- The standard for inter-rail gaps is not 90mm:
  - The British Standard for inter-rail gap is BS5395-1:2010 – this actually specifies that a 100mm diameter balloon should not be able to pass between the rails i.e. the gap should be no greater than 99mm. Given the tolerances in manufacturing of these kinds of railings, we consider that the advice we were given by the fabricators, that they build to a typical 100mm gap, valid.
  - The railings in Heritage Park are typically 100mm inter-rail gap, although gaps up to 135mm can be found
  - The railings on Ludgate Street outside the Trent & Dove housing are typically 107mm
- Building Regulations Approval will not be required:
  - BS5395-1:2010 is referenced by Building Regulations Part K – Protection from Falling, Collision and Impact. Part K in this context references stairs and landings **in** a building that are likely to be used by a child aged 5 or less – it does not refer to outdoor fencing in any way that I can find
  - ESBC Planning department have confirmed that we do not need Building Regulations Approval

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- Planning Permission (ESBC) will not be required:
  - ESBC Planning have confirmed that we do not need Planning Approval from them as they consider the ecclesiastical Faculty Process, including the Lichfield Diocesan Advisory Committee (with input from Historic England), to be a sufficient authorisation process

Adding the above information to our original response to the Council, we think that we have responded fully to both the Council's "Safety" and "Not in Keeping" objections.

Based on these findings and our previous research on the control of Closed Churchyards, we do not think that there is anything arising from the TWMP's meeting with Tutbury Parish Council on 19<sup>th</sup> October that is an impediment to our proceeding as originally planned.

Therefore, it is our intention to:

1. Select a fabricator (we have a shortlist of two) and produce finalised designs and costings
2. Submit a request for a Faculty to the Lichfield DAC (Diocesan Advisory Committee) - the pre-requisite of a Parochial Church Council Resolution has already been obtained.
3. Should the DAC approve our submission, there will be a 28 day period where any member of the public or interested organisation such as the Parish Council can register an objection. Details of the Faculty process, including how to object (containing instructions on being a participant at the Consistory Court if desired), can be found at:

[www.churchofengland.org/media/1783199/gs%201887%20-%20faculty%20jurisdiction%20rules%202013.pdf](http://www.churchofengland.org/media/1783199/gs%201887%20-%20faculty%20jurisdiction%20rules%202013.pdf)

4. The Consistory Court will then consider the DAC recommendation and any objections received and make a decision on whether to award a Faculty or not.
5. Should we receive a Faculty, we will then place an order for the Wreath Holders and have them installed.

In our opinion, this installation will not have a cost impact on the Parish Council's maintenance operation:

- a) The Wreath Holders themselves will be owned by and maintained by the TWMP and in the event of the dissolution of the TWMP, ownership (and hence maintenance) will be passed on to a willing recipient.
- b) The installation will be such as to minimise the impact on the grass cutting operation with no close up strimming of the area required

If you think otherwise please let us know. Also, as we have stated in previous communications, please advise us if there is anything we should consider to ensure there is minimum impact on your maintenance contractor.

As we said at the meeting, we will continue to keep the Parish Council informed of our progress.

Best Regards

Rick Nuth

Chairman - **Tutbury War Memorials Preservation Committee**

Patron - the Bishop of Stafford - the Rt Revd Geoffrey Annas

[www.tutburywarmemorials.org.uk](http://www.tutburywarmemorials.org.uk)

2015 – 100<sup>th</sup> Anniversary of the 2<sup>nd</sup> Battle Ypres

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2015 – 75<sup>th</sup> Anniversary of the Battle of Britain

2015 – 50<sup>th</sup> Anniversary of the death of Winston Churchill

Tutbury  
War Memorials  
Preservation  
Committee



“Those who cannot remember the past are condemned to repeat it.”

George Santayana - The Life of Reason (1905-1906) Vol. I, Reason in Common Sense

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\*\*\* Document Ends \*\*\*