

unwelcome. The following morning he entered the servicemen's bedroom and masturbated as they were engaged in sexual activity. While noting that the appellant did not pose a risk to vulnerable individuals, the court dismissed the appeal. The court observed the lack of contrition and remorse but acknowledged the brevity of the period over which the misconduct had taken place. The penalty of removal from office and a prohibition for two years was upheld. The transcript of the determination of the Court of Arches, dated May 2011, together with that of the first instance tribunal may be found at <<http://www.ecclaw.co.uk/clergydiscipline.php>>, accessed 16 June 2011. [RA]

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Re Holy Trinity, Horwich

Manchester Consistory Court: Tattersall Ch, May 2011

Re-ordering – pews – necessity

The petitioners sought a faculty to re-order the balcony of a nineteenth-century Grade II listed church. The nave had been re-ordered, reducing its seating area. The petitioners sought to replace nineteenth-century box pews with eight bench pews from the nave and to alter the floor levels so as to provide more flexible space in the balcony area. It was argued that the pews were in poor repair, uncomfortable and incongruous with the newly ordered nave. Growth in attendance and special events meant that the balcony was used occasionally. The petition was recommended by the diocesan advisory committee but not unanimously. The Georgian Group opposed the petition. The Church Buildings Council also opposed the application, arguing that the pews were rare and important survivals illustrating four types of socially graded seating, from 'backless benches presumably for paupers, backed benches for slightly better off people, wide seats and small arm-rests for the wealthier and a range of pews with narrow seats and no arm rests for those in-between'. They were rare examples of such pews in their original church setting. The court held that, although there was some incongruity between the re-ordered nave and the balcony, this was not visible from the nave and could be at least partially rectified by tidying up the balcony and re-staining the pews. The changes sought by removal of the pews were not a matter of necessity but merely of taste and comfort in relation to a balcony that was used infrequently. The faculty was refused. [Catherine Shelley]

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