

vague and inaccurate information and it was impossible to assess whether they accurately represented the views of the signatories.

The chancellor held that there was no financial emergency within the parish that necessitated the sale of the cup. Nevertheless, insurance and security costs were such that the cup could not be returned, rendering the cup redundant liturgically speaking and this amounted to a special reason for disposal of the cup. The connection between Lacock and the cup had been unknown to most of the village until the petition but would be maintained through records kept at the church and by the museum. The faculty was granted on condition that the sale was to the British Museum, that a replica chalice be made and kept in the parish and that the proceeds of sale be held in a charitable trust for repair and maintenance of the church. [Catherine Shelley]

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Holy Trinity, Sutton Coldfield

Birmingham Consistory Court: Powell Ch, 11 December 2012

Re-ordering

The petition concerned the major re-ordering of a thirteenth-century Grade I listed church with a significant civic role. The proposed works were intended to improve disabled access, the visibility and audibility of liturgy, seating, toilets and meeting space for community use, Sunday school and quiet prayer. The Diocesan Advisory Committee, the amenity societies and English Heritage had all opposed the original petition. However, negotiation over two years and two amended petitions reduced the disagreements. Changes included re-siting the pulpit steps rather than removing the pulpit and removing one rather than three galleries. Disputes remained over removing the west end porch and re-ordering the chancel and choir vestry.

The chancellor held that the petitioners' openness to negotiation added weight to their views. He applied the guidance given by the Court of Arches in *Re St Alkmund, Duffield* (noted above). The chancellor stated that the significance of the building when assessing harm was found to lie in its overall continuum of architectural styles and history, following *Re St John the Evangelist, Blackheath* (reported at (1998) 5 Ecc LJ 217) that churches should keep meritorious additions rather than seeking architectural purity of particular periods. A faculty was granted as the consequential improvements created public benefits that outweighed and justified any harm that might ensue from the re-ordering. However, the application for the creation of a glass-structured inner lobby was refused in order to

retain the woodwork and architectural interest in that part of the church.
[Catherine Shelley]

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Mba v Merton Borough Council

Employment Appeal Tribunal: Langstaff J, 13 December 2012

UKEAT/0332/12/SM

Discrimination – Sunday working

The appellant was a care worker in a children's home who was employed under a contract under which she could be required to work on Sundays. After accommodating her wish as a Christian not to do so for some two years, her employer required her to work as contractually obliged. She appealed against the Employment Tribunal's rejection of her claim that she had been unlawfully discriminated against on grounds of her religion and belief under the Employment Equality (Religion or Belief) Regulations 2003.

The Employment Appeal Tribunal (EAT) upheld the decision of the Employment Tribunal that the employer's aim in seeking to ensure that all full-time staff worked on Sundays in rotation was legitimate and was objectively justified, so that she could lawfully be required to do so. The appellant argued that the Employment Tribunal had impermissibly taken into account a view of what was 'core' to Christian belief, which was not part of its proper function. The EAT held that by using the expression 'core' the Employment Tribunal had intended to reflect the evidence put before it from an Anglican bishop that only some Christians felt obliged to abstain from Sunday work. On that basis it was permissible commenting on the degree to which Christians numerically would be affected, and was not attempting to tell Christians what was important in their faith. The appeal was dismissed. [RA]

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R (Hodkin) and another v Registrar General of Births, Deaths and Marriages

Administrative Court: Ouseley J, 19 December 2012

[2012] EWHC 3635 (Admin)

Scientology chapel – registration of marriages

Ms Hodkin and her fiancé, both Scientologists, wished to marry in a Church of Scientology chapel that was not registered under section 2 of the Places of