

DIOCESE OF ST ALBANS

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Ms H Sanders

By email to: hcsanders@yahoo.co.uk

Faculty No 1129

8 March 2021

Dear Ms Sanders

St Mary, Wootton

Installation of broadband connection to the church by overhead phone line from the existing pole to the chancel

I write further to the email of 27 April wherein the Deputy Chancellor gave permission for the above works:

I enclose a duplicate of this letter for your signature on the reverse. Once duly signed, please return it to me as an undertaking to do the following:

1. To commence the works authorised in the email of 27 April as soon as possible if this has not already been done. The Deputy Chancellor granted an Interim Faculty on the basis that the works are urgent and important and expects them to be carried out. If circumstances change and there is no longer any need to undertake the proposed works, please provide a written explanation without delay so that I may keep the Chancellor informed of material developments.
2. To comply with the conditions set by the Chancellor, namely:
 - a. The PCC should agree with BT Openreach on site whether (a) to use the proposed overhead route, in which case the company should be more specific about how they will install an overhead line through all the churchyard trees - apart from the hazard of storm damage, it looks as though it will make it more difficult to maintain and prune the trees; or (b) to run a cable underground alongside the churchyard path (the DAC's suggested option), in which case any disarticulated remains disturbed by the work should be gathered up for reburial under the direction of the incumbent; in the unlikely case of articulated remains being found, work should cease pending directions from the Diocesan Archaeological Adviser.
 - b. The Petitioners are to supply the contractors with a copy of the interim faculty [the signed letter] before any work is commenced.
 - c. The works shall be executed under the direction of the incumbent.
 - d. The PCC should consider and document its policy on matters arising from the live streaming or recording of services, including safeguarding, data protection and copyright licensing.
 - e. The Petitioners are to set out in writing a protocol, endorsed by the PCC, on the content and use of material to be streamed from the church. The protocol is to set out fully who and what will be seen and heard in the streamed and/or recorded material; identify all potential legal constraints on such streaming and/or recording (such as licensing/copyright, safeguarding and data protection); identify the steps to be taken to address those constraints; and set out a timetable by which those steps will be taken.
 - f. The Petitioners are to submit a petition for a faculty for the proposed works by 31 August 2021. The documents accompanying the petition must include a copy of the protocol.

DIOCESE OF ST ALBANS

- g. Pursuant to FJR Rule 15.3(2)(c), the Petitioners are to give undertakings, before any work is commenced, that they will comply with any directions of the court, including any direction for reinstatement (that is, removal) if, following the substantive petition, a faculty is not granted.
- h. The Petitioners have permission to apply to vary these directions.

The consideration at points 2d and e above will clearly depend on the nature of the live streaming or recording facility. If a camera is to be used in a fixed position which will only have, for example, the Incumbent in view (and no-one else) and no music or texts other than those of authorised Church of England liturgies are being used then the consideration should be a relatively straightforward matter. Where members of the congregation are visible (especially if there are children present), some hymns or worship songs are used or where recorded music is played, or where information is given out for example in the notices which may relate to identifiable individuals a rather wider set of considerations come into play. Please see the attached Diocesan guidance for more information. If you have any concerns about this please contact your Archdeacon or the Registry.

Please note that it is the responsibility of the Petitioners to comply with the directions set out above, unless the Court has previously authorised a variation to them. This includes the condition at point g, whereby, if a Faculty is not granted following submission of the petition for confirmatory faculty, the line is to be removed and the building restored to its former state. By signing and returning the copy of the letter you are undertaking to abide by this and all other conditions.

At point h, the Deputy Chancellor grants permission for you to request a variation of these conditions. Should you wish to do so, please email me or write to me setting out what it is you wish to vary and why.

Please quote the Faculty number shown above in any future correspondence regarding this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Owen Carew-Jones', with a long horizontal flourish extending to the right.

OWEN CAREW-JONES

Cc: Emma Critchley, DAC Secretary