

Neutral Citation Number: [2023] ECC Liv 2

**IN THE CONSISTORY COURT**

**of the DIOCESE OF LIVERPOOL**

**Re St Mark's Church, Haydock**

**JUDGMENT**

1. St Marks Haydock is an unlisted early Edwardian traditionally built church with an ageing, inefficient and un-environmentally friendly heating system which the PCC wishes to replace. A quote has been obtained of just over £33,000 and a faculty is sought for the installation of a new condensing boiler and wall mounted fan convectors and radiators for the main church, the chapel, and the youth office.

2. Whilst this is an unopposed petition fully supported by the DAC, I provide this short judgment in granting the faculty in the light of the requirements which are now imposed upon churches to comply with the Church of England's target of achieving net carbon neutrality by the year 2030 and associated guidance. Further, insofar as the DAC was first consulted after 1<sup>st</sup> July 2022, there was a requirement imposed upon the petitioner to submit any advice or material relating to the environmental implications of the proposed boiler replacement including an explanation of how the applicants, in formulating the proposals and had due regard to the guidance in relation to carbon net zero. (See Faculty Jurisdiction Rules 2015 as amended, rule 4.2 (2)(b).)

3. Following the first consultation, the DAC and the net zero carbon team asked the petitioner to complete a heating checklist. This was undertaken, and further the petitioner commissioned an energy optioneering review in October 2022 which considered all the options for church heating, including the following: underfloor heating from a gas boiler, underfloor heating from an electric boiler, underfloor heating from a biomass boiler, electric heating using electric panel heaters, conventional radiator heating from a gas boiler, conventional radiator heating from an electric boiler, and conventional radiator heating from a biomass boiler. This was

an extremely thorough report (although it is not entirely clear from whom it was provided) which weighed all the options and considered the criteria of safety, cost including running cost, disruption to the church organisation, the environmental impact, visual impact, technical maturity and maintainability. Further, before any consultation of the DAC had been undertaken, on 30 May 2022 the Diocese of Liverpool had commissioned a building decarbonisation report which made a number of recommendations, and which was considered at its PCC meeting by the church in September 2022. This is a highly technical document which I have not considered in any great detail.

4. It is clear that to me that although the PCC would have wished to pursue a greater drive to carbon neutrality by utilising air source heating, the excessive cost of such an option made it unachievable. Accordingly it was resolved that a faculty application should be made for the installation an energy efficient system which was cost-effective and affordable.

5. This was considered by the DAC who provided supporting advice on 25<sup>th</sup> May, and expressed the opinion that the petitioner, in formulating its proposals, had had a due regard to the net zero guidance.

6. In the circumstances. I am quite satisfied that in addressing the issue of church heating the petitioner has approached the ecological and net zero factors extremely thoroughly. The PCC minutes record an intelligent and informed discussion and great care has been taken in arriving at a solution which whilst not perfect in terms of carbon emission was nevertheless a significant stride forward compared to the current system.

7. I do not regard this as an application which requires any further consultation. There is a potential concern in respect of the use of fixed wall heaters which are white against a background of historic brickwork and stonework, but this is an unlisted building and in my judgment whilst this is an impressive interior space, doubtless designed with a view to enhancing majesty and splendour as integral to collective worship, the impact is relatively small, and clearly outweighed by the benefit of an efficient heating system.

8. Accordingly I grant the faculty that is sought, with the only condition related to the completion of the works within six months. It is clearly sensible that the petitioner proceeds quickly to ensure that the system is up and running when the colder autumn and winter weather arrives.

His Honour Judge Graham Wood KC

Chancellor of the Diocese of Liverpool

28.7.2023