

Neutral Citation Number: [2021] ECC S&N 3

IN THE CONSISTORY COURT OF THE DIOCESE OF SOUTHWELL AND NOTTINGHAM

Before: the Chancellor

IN THE MATTER OF
ALL SAINTS CHURCH HAWTON

JUDGMENT

The Petition

1. Following a recent successful restoration, rehang and augmentation project, the tower of the splendid church of All Saints, Hawton, holds a ring of eight bells, tenor 14 cwt in F. The unringable four was remodelled by the addition of three second-hand bells and two new ones; the old treble now acts outside the ring as a sanctus and clock bell. The result is that the old bells, including three seventeenth-century bells and one probably coeval with the tower (1482) ring out again over the village, with the benefit of modern fittings; there is a keen band of ringers who ring from a new ringers' gallery and who are anxious to train more young ringers.
2. The parish now petitions to augment the ring to ten. There is space in the tower, and indeed the new bell frame was designed to accommodate a ring of ten. A further second-hand bell has been offered by the Keltek trust, and the parish proposes to order a new treble. A ring of ten offers a light six, easier for young ringers to handle than the back six of the eight; and will attract visiting ringers as the only ten in the area besides the heavy and quite challenging bells at Newark.
3. The work will cost about £17,000 and will be funded through the use of money still available from that collected through the fund-raising campaign for the restoration. The church is listed grade 1, but there will be no impact on its significance. The project is supported by the PCC (by a resolution passed by four votes in favour and three against) and by the DAC; and there are no objections from Historic England. There is a letter of support for the project, signed by or on behalf of 26 parishioners, some of whom are not churchgoers but nevertheless think of All Saints' as their church and an essential part of the fabric of the village. They express their appreciation for the work done so far and say that the new bells have played a part in developing community within the village. They express a hope that some of them may be able to visit the foundry to see the new bell being cast.
4. The proposal is not, however, unopposed. There are four letters raising objections. Each of the authors of the letters has been sent the notice required by rule 10.3 of the Faculty Jurisdiction Rules 2015 and none has sought to become a formal party opponent. There has been a response by Dr Britton, one of the churchwardens, on behalf of the petitioners, and there are comments from the vicar, the Revd Liz Murray. In accordance with rule 10.5 I take

account of the letters, and the comments on them, in making my decision. All the relevant material is before me and this case is suitable for determination without a hearing.

The Objections

5. Ms James' letter raises a number of issues. She thinks that eight bells is enough for Hawton. In her view the decisions about the bells have not been taken by a sufficient proportion of the parish or of the church community, to show that there is real support for them. She is concerned that other important work required for the safety, stability and preservation of the church seems to be being side-lined, and that it may be difficult to raise money for this if so much is being spent on the bells and if the expenditure of money is being determined by too small a group of people.
6. Mrs Latham raises similar issues. She says that the PCC meeting at which the proposal was approved was one at which 'members unable to use zoom were barred from voting', and that members of the congregation were not told about the proposal until after that meeting. She also expresses concern about the need for other work to be done on the tower.
7. Ms Robertson expresses her concern that the bell committee did not even keep the vicar informed about their plans, and says that the parishioners also were not informed. She says that 'we' do not approve of the 'secrecy' and considers that the '£30,000' would be better spent on repairs to the tower itself.
8. Mrs Griffiths, a member of the PCC and a former churchwarden, writes to express her concern. She considers that neither the calculation of the money available from the restoration fund, nor the unavailability of the funds for other church work, nor the benefits of the augmentation, have been properly justified. In addition, she notes that the augmentation may increase stress on the tower structure and asks why there has been no report on this aspect of the proposed work.
9. Dr Britton's response provides explanations about how the money raised for the restoration work was underspent, by volunteer work and extra donations in kind such as free transport. He refers to the engineering survey at the beginning of the restoration project, which made it clear that the tower was suitable for the proposed ring of ten. He draws attention to the work already done on the tower as part of the bells project, as well as to other projects completed in the church, including heating and information technology; he further points out that the money available in the restricted fund even after the augmentation will enable further work to be undertaken in and on the tower. He denies Mrs Robertson's assertion that the vicar was unaware of the proposal: she was a member of the restoration group and attended its meetings and was fully aware of it. He points out that those who have written letters of objection do not live within the sound of the bells and may be unaware of the pleasure they have given in the village "and the generation of a feeling of belonging that was not present before".
10. Ms Murray's comments explain the context of the vote at the PCC meeting. She does not support Mrs Robertson's claim that she was not kept informed; nor does she make any comment on the various irregularities suggested by Mrs Latham and Ms Robertson about

the publication of the PCC agenda or in the conduct of the meeting. She deals with some of the financial aspects of the petition. The surplus from the restoration project would substantially, but probably not fully, cover the cost of both the refurbishment of the ground floor area and the augmentation: there is other expensive work to be done on the tower, which the existing restricted funds would probably not be enough to pay for anyway. She cites information she has had from the Heritage Lottery Fund, which gave a grant for the restoration, saying that the surplus from that grant is not restricted in its expenditure.

Discussion and Decision

11. Evidently there are various aspects of the project that need decisions. So far as technical matters are concerned, there is in my judgment simply no basis for saying that the proposed augmentation will materially increase the stress on the tower. So far as legal matters are concerned, nothing in the material before me gives any sufficient reason to consider that there was any failure properly to communicate either the proposal itself, or the PCC agenda, nor that the meeting itself was in any way defective: the decision was clearly one for the PCC itself, not for some wider or more general meeting. So far as financial matters are concerned, there is evidently a view expressed by some of those who wrote letters that the money raised for the restoration is available for other work on the tower, and a view of the petitioners that it is not. The view of a grant-giving body is valuable only insofar as money currently available can be traced to that body's grant rather than to any other grants or donations that may have been made subject to different conditions.
12. The project appears to me to be in principle desirable: the proposed work will add to the church's assets and attractions and will cause no diminution of them. There is nothing in the papers before me that would give any proper ground for refusing the faculty sought, which will accordingly issue. That will mean that the augmentation can take place.
13. Whether it should take place is not a decision for this court, but for the parish. A faculty permits: it does not compel. With the exception of the matters to which I have referred in paragraph [11] above, the objectors' comments are all about parish policy in mission, and about the availability and use of funds. Decisions about how money should be spent, and the assignment of priorities, whether financial or not, are for the PCC: any member of the congregation who wishes to have a part in such decisions can seek election to the PCC. The process of this petition has enabled all those who were concerned about it to express their views. Those who have expressed such views include some members of the congregation who do not live in the parish, and a larger number of people who do live in the parish. The parish itself needs to decide whether to reconsider the matter or to proceed on the basis of the decision already taken by the PCC.

The Worshipful C M G Ockelton MA BD

Chancellor

19 April 2021