

Neutral citation [2017] ECC Bla No 10

In the Consistory Court of the Diocese of Blackburn

In the Matter of Ashton-on-Ribble, St Michael and All Angels, with Preston, St Mark, and

In the matter of a petition dated 2nd January 2017 presented by Stephen Davies, Churchwarden

Judgment

- 1) St Michael and All Angels is a Grade II* building built around 1906 in a suburb to the west of Preston to designs by Austin and Paley, and it was consecrated in July 1908 by the Bishop of Manchester. It is not necessary to say anything more about the church itself. The parish is in vacancy. This petition, dated 2nd January 2017, is from Mr Stephen Davies, one of the wardens or, possibly, the sole warden, and seeks permission to dispose of a wooden lectern that is no longer required for worship, and is 'occupying space in a transept'. The original idea was to dispose of it to a reputable dealer in ecclesiastical furnishings. The most interesting aspect of the lectern is that it bears on the supporting face the following inscription:

IN LOVING MEMORY OF
REV JOHN PARK HASLAM M. A. OXON:
OBIIT AUG: 13: 1925
FROM HIS SISTER MARY HASLAM

NB the name is HASLAM, not HASLEM, as it appears in one place on the petition.

- 2) Unfortunately, the inscription, or even the name of the deceased, was not mentioned on the Public Notice, otherwise it might have aroused some greater attention. The lectern itself seems quite a handsome carved wooden item, but the inscription marks it out as being of some greater interest. I do understand that the church may not have any use for it, and it may not have been used for its intended purpose for many years, but the names give it a strong connection with the church and the City of Preston.
- 3) Mary Haslam, who was born to a wealthy local manufacturing family in 1860, was a significant benefactor of the people of the town and area in the period just before the First World War, when she gave a very considerable area of land, and many thousands of pounds, to enable a public park to be established in Preston. Details about Haslam Park are available on the net, where information about the family is given. Mary had a sister, Margaret, some 8 years older than her, but oddly there is no mention of her brother John.

- 4) I am told that Mary was also a benefactor of St Michael's, and she obviously presented the lectern to the church in memory of her brother, although he never served any part of his ministry there. It had occurred to me that the item had come to St Michael's from St Mark's, which was an imposing building dating from 1862-63 designed by E G Paley. A very tall and imposing tower was added a few years later. It was closed on 1st December 1982, remained empty for over 10 years and was then converted into flats. A search on Wikipedia states that '*the altar and other furnishings were moved to St Michael's.*' I note that the PCC minute of 24th July 2016, which records that Mr Davies proposed that the process of disposing of the lectern be put in hand (which was seconded though no vote is recorded as being taken), refers to it as '*the carved wooden lectern from St Mark's church*' (my emphasis). Mr Davies tells me that the lectern was mentioned in the terrier prior to the relevant time of transfer, so that mistaken description of its origin, is just one of those puzzling features that one comes across.
- 5) Mr Davies tells me that John Haslam never served in the Blackburn diocese, which must be right as the diocese was only established in 1926, the year after he died. He does not seem to have any direct connection with St Michael's, other than through his sister's memorial gift. I have not found his name in the 1861 or 1871 census records, which tends to suggest to me he was younger than Mary. Haslam however does not seem to be an uncommon name in the north-west and I may not have done the search carefully enough.
- 6) However a further search on the net reveals that **from 1894 he held the parochial chapelry of Thwaites in the civil parish of Millom**, which is further north in Cumberland, presumably in Carlisle diocese. I have made enquiries with the churchwarden there, but she has been unable to find any mention of him locally. I think the easiest way to track his ministerial career would be by getting access to a copy of *Crockford's Clerical Directory* for a year shortly before 1925, but these are thin on the ground, and enquiries are best made with Lambeth Palace Library (see below).
- 7) All this may be of no interest to Mr Davies or the congregation of St Michael's but it does show there is some (perhaps limited), historical interest in the item, and it has obviously had a long connection with the church, when it will have been in regular use, and it has some artistic merit as well. All very tedious if you find no interest in local history! Although an enquiry was made of the Victorian Society, (which elicited no reply), this is because Mr Davies thought the lectern appeared Victorian. There is no real evidence this is a Victorian item adapted to be a memorial to John Haslam 25 years after the Victorian age finished. I think it more likely it was made after his death in 1925. Mary Haslam was plainly a woman of considerable wealth, and I do not easily imagine her acquiring a piece of ecclesiastical furniture at least a quarter of a century old, and

having it carved to record brief details of her brother's life, education and death.

- 8) Historic England declined to offer any comments when consulted.
- 9) The disposal of certain items from churches is not entirely straightforward as a matter of law, and the disposal of communion plate, pictures, items associated with tombs (eg bits of armour of various kinds) and so on, by those who see no use for them and rather favour their being turned into cash, have all fallen foul of the strict requirements of the faculty jurisdiction. Whether something is '*a church treasure*' or not, and whether it can be disposed of, is a decision requiring careful consideration. I am not suggesting there is any real likelihood of the lectern having significant monetary value and Mr Davies does not suggest there is any financial aim behind the petition; the item is not used, and simply takes up space.
- 10) If it were to fall in the category of '*church treasure*', then the Court of Arches' decision in *Wootton St Lawrence* in 2014 mandates that a decision about disposal should be taken following a hearing in open court.
- 11) Rule 9.6 of the *Faculty Jurisdiction Rules 2015* **requires**, and I stress that word, that proposals for the disposal of an item of *special* historic or artistic interest be referred to the *Church Buildings Council*, ('CBC'), by the chancellor, for its advice. I realise this may not be an item of *special interest*, but when I first saw this petition and the accompanying documents in June, I did not think that could simply be asserted or assumed, and I asked that the CBC consider the question and offer any advice it thinks fit.
- 12) In the result, the CBC's Church Buildings Officer, Lisa McIntyre, responded to the request in an email dated 30 June. (She has subsequently been appointed as DAC Secretary for the Diocese of Leeds, I believe). She took the view the lectern's '*level of significance..... is below the grade of "church treasure" but is nevertheless of interest*'. I agree with that opinion; not every item that it is proposed should be removed from a church, is to be reckoned a '*church treasure*', a category not defined in *Wootton* or elsewhere. Chancellor Hill QC has made this distinction in a number of cases, for example, in *Flockton, St James the Great* [2016] ECC Lee 4. I am of the view therefore that there is no need for any hearing in this case.
- 13) From her email, it also appears that the CBC was previously asked in 2007 to consider the lectern, along with a number of other items, when it was proposed they should be sold. It advised the lectern should be omitted from the list of those to be sold, stating '*as a good furnishing that has a long association with the church, this should be retained. The Council recognised it was redundant in terms of use but deemed it to be a high quality item and of interest as a memorial.*' The CBC considered the petitioners had not given credit to the artistic or historic interest of the

lectern in the current application and not made any serious attempt to explain the need to remove the item. The petitioner simply asserted it was not considered to have any design interest, but had not shown any basis for this assessment or tried to establish the designer or craftsman.

14) Mr Davies was invited to respond to the CBC advice, which he did briefly towards the end of July. He reiterates that the lectern is not being used and will not be used again. It has a very limited link with the parish. He says that if the craftsman or designer were of significance their identity would be known already. I have to say this part of the difference between CBC and the parish seems unlikely to be productive of any resolution. Unless initials or a name or other marks of identity actually appear on the item, how can the maker be traced in a case like this where it is known to have been donated about 90 years ago? No one has suggested that there is some significant feature of the design that might indicate its origin.

15) However Mr Davies then came up with a new idea. *He says St Michael's would like the lectern to go somewhere where it would mark a real connection with Rev John Haslam.* The parish would be willing to let it go free of charge.

16) Discussion.

i) The parish apparently accepted the advice of CBC several years ago, and did not press for a sale. Nothing, as far as I can tell, has changed since then, so although that previous decision does not preclude an application for disposal now, there is no new factor to be considered.

ii) The lectern was given to St Michael's over 90 years ago, and has been in the church since then. It must have been in regular use for many years, until practice changed, and it was no longer needed. Although Mr Haslam never served in the parish, the donor was a generous benefactor to the town and to this church. *That seems to me to be the strongest connection, , not with the man commemorated, but with the donor.*

iii) I have no dimensions for the item, but being generous, it can hardly take up a square metre of space. Although it is said to be taking up room, its removal is not going to release a significant area for any other purpose.

17) Conclusion

There is little to be gained by a disposal, and if it were to be taken out of the church at the moment, there is no indication that it would ever be linked up with a parish where Mr Haslam served during his ministry. It does have a real link with the donor, who was an important person in the town before the First World War, and was connected with this church. Although if the item were plain and bore no inscription, the petition would be granted almost as a matter of course, in the present circumstances I am not prepared to allow its disposal. The link there is, ought to be preserved.

The petition is refused (with liberty to apply for re-consideration until 31st May 2018).

18) Proviso for re-consideration

However I do recognise that there is little link between the priest who is commemorated, and St Michael's. Even if John Haslam were younger than his sister, who was born in 1860, he must still have had a significant number of years in ministry before his death in 1925, and in all likelihood served in a number of parishes. Some of the churches where he worked are likely to still be in existence, although nobody in the various congregations, who could have known him, will still be alive. Although an item like this may have generally fallen out of favour, as a necessary and useful adjunct to services, the inscription may awaken some interest in one of those parishes. Somebody will be interested in the history of that church and the clergy who served there. If Mr Davies were able to establish that one of those parishes would like to receive the lectern as a gift, something that commemorates one of their former clergy, and would be willing to obtain a faculty authorising its introduction into that church, I would be willing to authorise its removal there. However I would want to be assured that the parish priest and PCC would like to receive it; this is not something simply to be agreed with a warden, perhaps during a vacancy. This possibility should be open for exploration for say nine months, until the end of May 2018.

19) In order to help with that process, if Mr Davies would like to explore it, Lambeth Palace Library has provided me with the following information from its stock of past copies of Crockford's Clerical Directory (1925 edition).

HASLAM, John Park, Old Brathay, Ambleside ----- University College Oxford. B.A. 1884, M.A. 1888.
Deacon 1884, Priest 1886 Manchester.
Curate of Bolton-le-Sands 1884-87; Haslingden 1887-94;
Perpetual Curate of Thwaite 1894 - 1912;
Vicar of Crosby-Ravensworth 1912-1919;
Rural Dean of Lowther 1917 - 1919.

The last two parishes are in the Carlisle diocese. There is no longer a Deanery of Lowther, but St Lawrence's Crosby-Ravensworth, is some 5 miles south-west of Appleby, and has been described as a 'cathedral in miniature'. It is part of the North Westmoreland Group, within the Appleby Deanery within that diocese.

This information from the Library does amplify what we already knew. I suspect John was born a year or so either side of 1864, so he was 3 or 4 years younger than Mary. He was obviously not in a parish for the last 6 years of his life. Having been an incumbent during the war years and for the last two years, also serving as Rural Dean, perhaps he had not been able to continue with parochial ministry, having doubtless ministered to too many grieving families and injured and maimed soldiers. Perhaps he had simply suffered some form of ill-health.

20) If Mr Davies does not wish to follow up this possibility, would he please inform the Registrar of his decision.

John W. Bullimore
Chancellor
24th August 2017.