

IN THE CONSISTORY COURT  
OF THE DIOCESE OF SODOR AND MAN

RE CHRIST CHURCH LAXEY

JUDGMENT  
delivered on 6 August 2018

*Introduction*

1. By their Petition dated 10 June 2018 Revd Josephine Dudley, the Team Vicar, and Derek Osborn and Hazel Smith, the churchwardens [‘the Petitioners’] seek a confirmatory faculty to use the current nave altar. A confirmatory faculty is needed because the altar was brought into use some years ago without a faculty first being obtained.
2. When the re-ordering of Christ Church took place in 2013/2014 the old choir stalls were removed and from such wood Mr Osborn made a table at no cost which has served as a nave altar from such time. My predecessor expressed the view that the table was ‘lacking in refinement for such a holy purpose’. However, a new altar could not be purchased in time for Easter Sunday 2014 when Bishop Robert was visiting and on such occasion he consecrated such nave altar, albeit that it is conceded that it had not been the intention of the Vicar, Wardens and Parochial Church Council [‘PCC’] that he should do so. It has since remained in situ and in regular use. It is described by the Petitioners as ‘totally moveable, is open and not too large and does not detract from the simple beauty of the village church’. The Petitioners ask for a faculty so that they can continue to use it.
3. The application was accompanied by various photographs, one of which showed the altar covered with a full Laudian frontal.
4. The altar is undeniably small. It is 33 inches high, 29 inches deep and 43 inches wide [although it is described as 44 inches wide in the request for advice to the Diocesan Advisory Committee [‘DAC’]].

5. The application for a faculty has the unanimous support of the PCC. This was first discussed at a meeting of the PCC on 28 January 2018 at which the Archdeacon of Man, the Chair of the DAC attended, when the application was unanimously supported. But because of a possible ambiguity in the minutes of such meeting, it was discussed again at a further meeting on 29 May 2018 which again resolved unanimously to support the application.

6. There is obviously no cost to the PCC of retaining the existing nave altar.

7. Although I have not seen the Public Notice I am advised by the Diocesan Registry that it had received the Public Notice back from the Petitioners and that there were no objections to the proposed retention of the nave altar.

8. However, at its meeting on 7 March 2018 the DAC resolved not to recommend the continuing use of the altar for the following reasons:

8.1. it is too low;

8.2. it is not wide/deep enough for all liturgical materials required under common usage, eg service and hymn book, and is out of proportion eg size of candles;

8.3. it is not a small church and not a small or cramped sanctuary area therefore a larger table could be installed; and

8.4. the current table is not felt to be of suitable quality to be a holy table.

9. Because of the different views expressed by the Petitioners and the DAC I took the opportunity to visit the Christ Church Laxey on 4 July 2018 and was able to see the nave altar in situ.

### *The Church*

10. This is a small church built in 1856 in the centre of Laxey. It was originally built for the miners who lived and worked in the Laxey mines. I agree with the Petitioners that 'it is a beautiful peaceful church with little ornamentation save for the soaring roof timbers, the intricate windows behind the altar and the beautifully but simply decorated organ'.

11. Until the church was re-ordered in 2013/2014 it had a very old-fashioned layout with wooden pews throughout and a curtain at the back of church hiding various items. There was no clear space, no drinks preparation area and no toilet

facilities and in the summer the parish relied upon the facilities provided by the nearby Manx Electric Railway's café.

12. The re-ordering retained the original altar at the east end of the church. It is more ornate, heavy, cumbersome to move and stands on the original stone floor. It could be used as a nave altar but it would need to be lifted over the communion rail and moving it might cause damage to the floor. It has been thought more appropriate to leave it in its original position. I do not believe that such is an unreasonable conclusion.

13. As explained above, Mr Osborn, a skilled craftsman, made a new nave altar from discarded wood from the removed choir stall. This allowed services to be conducted from the nave altar where the priest was much closer to the congregation.

14. Although the new nave altar as constructed was not heavy, it was set on castors to facilitate its movement. However, the Archdeacon objected to the addition of the castors which were immediately removed. That had the unfortunate disadvantage of reducing the height of the nave altar.

*The Petitioners response to the observations made by the DAC*

15. In their Response to the DAC's decision not to recommend the proposed retention of the nave altar, the Petitioners deal with each of the matters referred to in paragraph 8 above. In doing so they refer to the dimensions of altars provided by *Kevin Mayhew*, a church furnishing supplier and they observe that it will supply altars which are only 30 inches high and 46 inches wide. Before writing this judgment, I have also had regard to the sizes of altars provided by other suppliers, namely *Hayes & Finch*, *Vanpoules* and *Grace Supplies*.

*The height of the altar.*

16. Although the height of the nave altar is 35 inches and altars supplied by *Kevin Mayhew* are only 30 inches and I can find them at *Vanpoules* [at 32 inches] and *Grace Supplies* [at 30 inches], I am bound to say that this nave altar does seem to be low. Although the current incumbent may find it a convenient height, I can readily understand that taller priests might believe it to be too low. Indeed, it was never intended to be so low: hence it was originally fitted with castors. At the time of my visit it was agreed that 2-3 inch blocks could easily be added to the bottom of each of the legs to raise it to a more appropriate height.

*The width of the altar*

17. The width of the altar, at either 43 or 44 inches, is undeniably modest. The minimum width of altars made by *Kevin Mayhew* are 46 inches and I know from *Hayes & Finch* and *Vanpoules* that they are usually no smaller than 48 inches although one can be found at *Grace Supplies* which is only 45 inches wide.

18. However, this altar has now been in regular use for almost 4 years and has been consecrated. If it was too small for regular use I believe that the incumbent would have said so and she has not. To the contrary she unreservedly supports its retention. Moreover, it has the support of the parish and no one has come forward to support the view expressed by the DAC. In such circumstances, whilst recognising the undoubted expertise of the DAC, on this occasion I feel that I must defer to the views of the parish and of my own assessment of the width, namely that is not very wide but not sufficiently lacking in width so as to justify the refusal of a faculty.

19. Moreover, I accept that since the depth of the altar is 29 inches, which, by comparison with other altars available from church furnishing suppliers, is very generous [the usual depth being about 24 inches] the surface area of the altar is more generous than its width would initially suggest.

20. It may well be the case that the Petitioners will conclude that the retention of the nave altar would be enhanced by the continued use on it of the Christ Church candlesticks which are smaller rather than those from the now redundant All Saints Lonan.

21. I note that in one of the photographs produced the altar had a Laudian fall. I am satisfied that on the facts of this case it is appropriate that the altar should at all times be covered with a Laudian fall.

*Larger table could be installed*

22. The Petitioners state that a larger altar might be out of keeping with the nave and that immediately after the nave altar the aisle between the organ and the pulpit becomes narrow. Whilst not wholly convinced by the former, I accept the latter. However, the Petitioners also say that a new altar would cost at least £ 799 at a time when the PCC is struggling to pay its shared ministry costs [and that in such circumstances the PCC would be reluctant to spend monies on another altar when funds are so scarce], that the quality of the wood is sturdy and that the wood in other commercially available altars looks inferior, and that the altar will in any event be covered. In my judgment each of these points has some merit.

23. Whilst I accept that theoretically a wider altar could be purchased I am not persuaded by what the DAC say that it is either necessary or appropriate, on the particular facts of this case, that a wider altar should be purchased.

*Not of suitable quality*

24. I agree with the Petitioners that since the altar was constructed from the choir stalls which must have been adjudged to have been of appropriate quality when they were installed, it cannot fairly be said that this altar is not of suitable quality.

*Conclusion*

25. This nave altar has been in situ for 4 years. It has been regularly used by the Team Vicar and other celebrants without giving rise to any problems. I am told, and accept, that no one has complained about the lack of the altar's height, although as I have already observed it was originally intended to be higher than it actually is, or about a lack of space on the altar. In such circumstances I can understand the strength of feeling among the Petitioners and the PCC that a faculty should be granted for it to remain and that the congregation has universally accepted its presence.

26. Although the Petitioners sought an oral hearing of their application if I was not minded to grant a faculty such is unnecessary.

27. I am thus persuaded that, notwithstanding the decision of the DAC not to recommend the retention of the nave altar, that I should grant a faculty for the retention of the nave altar on condition [1] that 2-3 inch blocks are added to the bottom of each of the legs to raise it to a more appropriate height and [2] that at all times it is covered with a Laudian fall.

28. In accordance with the practice of this court the Petitioners must pay the costs of the determination of his Petition.

**GEOFFREY TATTERSALL QC**

Vicar General of the Diocese of Sodor and Man