

Neutral citation [2017] ECC Bla no 11

In the Consistory Court of the Diocese of Blackburn

In the Matter of Out Rawcliffe, St John, and

**In the Matter of an on-line petition by Peter Jones, churchwarden,
Application No 2016-005742**

Judgment

1. This is an on-line petition dated 12th October 2016, seeking approval for the introduction of a stained glass window in memory of Henry Thomas Pearson (1945 – 2016), into this Grade II church. The application was drawn to my attention as requiring attention on 9th May 2017. The moving force behind this request is his widow, Mrs Edith Pearson, who is the church organist, and also a Pastoral Assistant. She will be funding the installation. The petitioner is Mr Peter Jones, the sole churchwarden. When I queried why there was only one petitioner, Mr Jones put forward the name of Mrs Margaret Higginson, the PCC secretary, as a potential petitioner, but as more information has been forthcoming, I do not think she needs to be troubled in that regard. The incumbent is Rev Andrew James Shaw, who has apparently been fully involved with the application, as appears from information provided to me at a late stage, but whose role and involvement were not disclosed to me at the beginning.
2. Before dealing with the issues that arise, I need to refer briefly to the difficulties that have arisen. In July, Mr Jones sent a ‘chasing’ letter to the Registry on behalf of the PCC expressing dissatisfaction with the slow progress of the application. In response, I wrote a note about the many things that had gone wrong in the presentation of the petition, and the paucity of information I had been provided with in the earlier stages, which I could only attribute to Mr Jones, and I urged greater patience until matters could be clarified further. The basic problem appeared to me that Mr Jones was treating what I perceived as a difficult application as if it was straightforward, and essentially a ‘done-deal’, and had already allowed or encouraged the stained-glass designer to take steps towards the manufacture of the window. This was obviously before I had given the necessary approval to do the work. He was apparently acting in reliance on Recommendation in the DAC’s Notification of Advice, despite the clear statements on that document, that it did not in itself confer authority for the work - rather it recommended to me that I should give authority.
3. I had by that point already enlisted the help of the Archdeacon of Lancaster, the Venerable Michael Everitt, asking if he could make enquiries on my behalf with the parish priest, so a somewhat fuller picture could be gained. Through nobody’s fault, there was an initial failure of communication and the Archdeacon had to repeat his enquiry. In the result the thrust of Mr Shaw’s response was communicated to me

shortly after 12th July. It contains an amount of 'neutral' information that has been very helpful, and also a number of personal family details that are of a sensitive nature, and which I shall not spell out in greater detail in this judgment (although in all probability they are well known to Mr Jones himself). I ought to say that I am enormously grateful to the Archdeacon for his assistance, and also to Mr Shaw for the insights that he has provided. I know such requests for help impose further burdens on the already heavy workload that the Archdeacons carry, (and so I make them only when there appears to be no alternative), and I am always met with a ready response.

4. The essence of the information provided to me via the Archdeacon, is as follows: Mr Pearson was a local farmer. He did not hold any position in the church but he was the rock that supported Edith. He was the unsung hero/ backroom type. His family circumstances did not allow him and his wife to be away from the farm together. He looked after the farm, and undertook responsibilities round the house and with his daughter, to allow Edith to fulfil her calling in providing music, in worship-leading and in visiting. He is also described by his parish priest as 'a hardworking, honourable, loving Christian man', and that the PCC were enthusiastic to support this application, so he could be recognised in death in a way he would have shied away from in life.
5. A further procedural problem that emerged was that, in a case like this, where the introduction of an article of special artistic interest into the church was proposed, then under Rule 9.6 of the Faculty Jurisdiction Rules 2015, the advice of the **Church Buildings Council** ('CBC') has to be obtained by the chancellor, if not already available. There is no discretion about this – it has to be obtained. That took some time to arrive, and it was in somewhat critical terms. (I will deal with this below more fully.)
6. In the result, those criticisms remained outstanding, (and possibly that was bound to remain the position because of the unsatisfactory way things had developed), but I needed to have confirmed by the CBC whether it wished to become a formal party opponent (objector) or simply leave me to take the earlier comments into account when making my decision. Around 16th August I was provided with the CBC's response, in which they opted for the latter course. Until then, not all the pieces were in place to allow me to make a decision, although even now, I am conscious this is not straightforward.
7. **The Church:** Out Rawcliffe is a village on the north bank of the River Wyre in the Fylde. The civil parish at the time of the last census in 2011 had a population of somewhat over 600. The church was built in 1837/ 1838 in the Romanesque style by John Dewhurst, around the time he was designing Preston Prison. It was listed in 1967 under Grade II. It is of red brick with some sandstone dressings and a slate roof. Corner clasping buttresses are carried up as two square turrets at each end. It is of a rectangular shape, and the north and south walls are of 8 bays. Possibly

there were originally three galleries, but only the west one now remains. The listing description describes features of the roof construction, refers to the reredos and a three-decker pulpit with Romanesque details, but says nothing about the appearance or content of the windows. The windows on the sidewalls are set in two rows, upper and lower, possibly reflecting the earlier existence of the side galleries. Overall the building presents a solid and imposing appearance, and the recognition the architect was working around that time on one of the new Victorian radial design prisons, seems strangely fitting.

8. I have a photograph showing the eastern end of the interior space, which is, as I say, rectangular. There is a three light east window. Below that is a reredos formed by blank arcading with attached shafts and scalloped capitals. There is no chancel, but a small sanctuary area is marked off with a wooden communion rail; the pulpit stands to the north side, and a small organ with an array of pipes to the south, so orientated that the organist sits with her back to the congregation. In the nave area, there is a central aisle with open-backed pews on either side, and some choir stalls on the south. I also have photos of some of the nave windows. Although not all by the same artist, they all seem to portray single figures, of saints. Many are is strong attractive colours. As far as I can judge it, they appear to be about a metre high or possibly a little more, and quite narrow, with a rounded top.
9. **Design:** The new window is intended for the easternmost space on the south side of the nave beside the organ, which will be likely to impede its visibility, but as the donor is the organist of the church, the proximity of the window to that position will doubtless be a comfort. The design incorporates two doves and an owl, a small figure in silhouette, possibly sowing in a broadcast fashion, and a donkey and rabbit, with a tree in leaf and on the branches the words: *'Lord make me an instrument of your peace, where there is hatred let me sow love'*. The colours are softer than the stronger single figures in some of the other windows. The words *'In Loving Memory Of Henry Thomas Pearson 1945 -2016'* are set out in a bottom panel. It is to be supplied by Lancashire Stained Glass of Lancaster.
10. The **Statement of Needs** says nothing about Mr Pearson, but contends the new window will stop draughts and keep heat in, which are apparently current problems, but do not need to be solved by the introduction of a stained glass window.
11. **CBC:** Mr Guy Braithwaite responded on behalf of CBC. He apologised for the delay in replying to the March request. He pointed out the powerful and lasting effect of new stained glass on church interiors and referred to the CBC's Guidance Note on Stained Glass. I have a copy of this. He regretted the failure to provide clear Statements (of Significance and Need), and that there was no description of the other existing glass, or

anything about the glass to be replaced. His response raises the following issues, which I set out in a series of questions.

- How would the new window contribute to the worship and mission of the parish?
- What was the brief to which the artist was asked to work?
- How did the artist see the proposed design fulfil the brief?
- How will the window be made and installed?
- What will happen to the old glass?

He commented (rightly) that there was little information to work on.

12. He notes that the proposed window will replace the plain glass in what appears to be the only window without stained glass at ground floor level. Photos of six of the other nave windows depict *'a single full-length figure of a saint with their attribute or symbol, with a memorial dedication and (for some), additional text in a rectangular panel at the bottom. Whilst they do not appear to be all by the same hand, there is a consistency of scale and treatment that makes them work as a set as well as individually'*.
13. *'The CBC did not see a rationale as to how the proposed new window will fit into this context. The design incorporates a number of motifs and ideas and a quotation from the prayer of St Francis in a band which merges with the trunk and branches of a tree. Not all of the motifs clearly relate to the theme of the quotation (peace) or its chosen metaphor (sowing). With so many ideas, perhaps the result is not as strong and coherent as it might be. In terms of the overall treatment, the depiction of a scene rather than a single figure may create a disjunction with the other nave windows that could be avoided if the principal subject were, say, St Francis.'*
14. The **PCC Minutes** for 8th June 2016 record the following: *'Mrs Pearson wishes to have a memorial to her husband Henry, and is looking at the possibility of a stained glass window. All were in favour of her request'*. This can be nothing more than general support for a general proposal, that may or may not have been further pursued, but this was the only document purporting to support the proposal put before me. It is not clear, but I doubt, if the PCC had available even a sketch of the proposed design at the time the discussion took place. Mr Jones tells me however, and I accept, that the PCC has subsequently seen and discussed the detailed drawing on a number of occasions, and approves the design.
15. The **DAC Recommended** the proposals on 10th March 2017, but as they were thought likely to affect the character of the listed building, the Committee recommended consultation with the **Victorian Society** and **Heritage England**. In the result, neither wished to offer comments.
16. The **Public Notices** were exhibited from 17th March to 16th April 2017, and elicited no response.

17. **My initial approach:** At an early stage in correspondence with Mr Jones, I put forward the view that I would have to consider that the introduction of a memorial window would need to be approached in the same way as an application for the introduction of a memorial plaque to a particular individual, namely, that the individual in question had to have made some *outstanding* contribution to the life of the church, the community or the nation, before the privilege of being allowed a memorial could be permitted (relying on the Court of Arches decision in *Eartham, St Margaret* 1991 WLR 1129, and the discussion in *Mynors: Changing Churches* Bloomsbury 2016 at paragraphs 13.7.3 and 13.7.5).
18. At the time I first made this point, I knew nothing about Mr Pearson. I have now had the information summarised above that the parish priest has made available. It is clear that the test has as one of its primary objects, the wish to stop the interior of churches becoming covered with memorials – a feature of many 18th and early 19th Century churches, particularly in large towns and cities. The multiplication of such plaques or tablets, usually bearing extravagant tributes to the character of the deceased, does little to encourage worship, although they can provide distraction to those whose attention is wandering.
19. However, having given the matter more consideration, there does seem to me to be a significant difference between a memorial plaque, and a window given in memory of another. However fine the design and other features of a plaque, or its value as an example of the stonemason's art, it never ceases to be just that, and points clearly towards the person commemorated. A stained glass window should be an object of beauty in itself and should adorn the building, as well as evoking higher thoughts in the observer, as well, for some period at least, as stirring remembrance of the individual commemorated. Many of the stained glass windows in our churches on inspection, carry some modest mention of an individual in whose memory they were given, but most of the congregation are now only conscious of the content of the window itself, that is, the individual or scene depicted. The person now commemorated is just a name. It seems to me that Chancellor Mynors' comment at 13.7.3: '*Where as is not unusual a window is to be erected as a memorial the issues at stake will be those considered below*' (the *Eartham* considerations)' *in relation to new memorials generally*', goes too far, and ignores the significant questions that arise about the introduction of any artistic work.
20. Although it was difficult to bring Mr Pearson within the *Eartham* test, I had reached the conclusion that the overall impact of the information provided to me justified approval of the application in this regard. It appears to me there is something unattractively elitist about the test,

whatever its undoubted merits in limiting the number of applications for memorials, and that the vast number of Christian people who live out their lives quietly and faithfully are being devalued as a consequence. It is not a question of having a 'right' to a memorial; that will always be a privilege. It seems to me, there is something 'wrong' and rather 'unChristian' about measuring success, or memorability, only by what individuals are seen to have achieved outwardly, before their lives can be publicly remembered. There is after all, a good deal in the Gospels, about doing good in secret, and not parading it about (Matt. 6:1-6), and about doing good unselfconsciously (Matt. 25: 37ff). St Paul was anxious to encourage the recipients of his letters to '*consider their call*'. They were '*not many wise by human standards, not many powerful*', but should reflect on the position they were held in by God, and revalue themselves accordingly (1 Cor 1: 20ff).

21. I remain doubtful that there should be the same approach to a window in memory of another, and a memorial plaque or tablet, in the way Chancellor Mynors suggests. It seems to me appropriate that Mr Pearson is commemorated in this way.

22. **Discussion:** I am very conscious of the comments made by Mr Braithwaite on behalf of the CBC, which is the only considered evaluation of the design that I have. He rightly sets out the deficiencies in the way the design has come into being, and the fact there is no justification provided for its details, or how the designer sees it as filling the brief she had. There is no reference to the Guidance Note from the CBC on the commissioning of new stained glass. It is of little comfort to reflect that some of these failures are a common feature of the applications for stained glass that I receive. There is a clear need for applicants to 'up their game'. On the other hand, my experience indicates that the initiative for the introduction of a new stained glass window, generally arises in a similar way to this one. There are of course many exceptions, as the number of Millennium windows demonstrates, but there is very often a personal or family impetus to the proposal, as here. That can cause problems for the PCC and parish priest in itself, although I do not suggest it has done so in this case.

23. I agree with his assessment of the existing windows, that they 'work' as a set as well as individually, but I give less weight to the notion that that somehow dictates, or at least points towards, adding yet another single figure. Doubtless that could have been done - and Mr Braithwaite's suggestion of St Francis, would have been appropriate and worked well - but there is I believe the opportunity to do something different. The window has the clear support of the PCC, according to the information from the parish priest, as a tribute to Henry Pearson; it embodies themes to reflect his own work and contribution to the community as a farmer, and the contribution he also made to his own family, as has been shared with me, at home and through Edith to the parish, and the example he thereby set to those who knew him. The window design celebrates both

animals and birds as part of the created order, where his daily work took him; the theme of peace, and sowing peace, is an important part of the Gospel message, which he embodied. Perhaps other artists would have dealt with these themes differently, more 'strong(ly) and coherent(ly)'. But the DAC, recommends that I approve it. I should not intrude any personal evaluation; I am not trained or experienced in such matters.

24. Conclusion: In the result, I have come clearly to the view that the petition should be granted. The work should be done within 12 months.

25. I have said enough already about the difficulties that the presentation of this application has presented. Information that should have been seen as clearly necessary for me to be given, has had to be asked for. It seems to me unfortunate that the extent of the involvement of the parish priest has not been clearer. All applications for stained glass windows are in my view difficult, and often very sensitive; I believe the DAC has a similar view. The views of the PCC and why they hold them are very important. The help and experience available from the DAC, and from CBC, is often sought – if at all - far too late.

Order accordingly.

John W. Bullimore
Chancellor
3rd September 2017