

**DIOCESE OF SHEFFIELD**  
**In the Consistory Court**

Her Honour Judge Sarah Singleton QC  
*Chancellor*

**In the matter of Hexthorpe St Jude – Refurbishment of War Memorial**

**Judgment**

1. By a petition dated 17<sup>th</sup> November 2017, received at the Sheffield Diocesan Registry in April of this year, the incumbent and churchwardens of St Jude’s in the parish of Hexthorpe seek a faculty to permit the refurbishment of the war memorial situated in the churchyard. The PCC’s original resolution that these works be undertaken was made in November 2016. The PCC has sought and will receive a grant from the War Memorials Trust for a large proportion of the cost of the renovations proposed. They have also consulted and worked with the Diocesan Advisory Committee during the process.
2. The building of the church at St Jude’s was completed in 1894 and it was consecrated in 1900. The church building is not listed. The village was no more than a small hamlet until the 1800s when, in the middle years of that century, rapid expansion occurred with the coming of the railway and railway works. More recently the decline of the railway works and the loss of local employment as a result has caused the demographic of the community to change. The statement of significance does not expressly say but it is clear that this parish is not a wealthy one by any means.
3. The war memorial was designed and built in 1920/1921 and dedicated in May 1921. The costs of its design and construction were raised from public donations. The organising committee had consisted of members representing a number of different local bodies including other Christian denominations, the local council and the British Legion. The names of the fallen of the First World War from the local area were engraved on the memorial. In 1949, the names of those from the area who had given their lives in the Second World War were added to the memorial after funds had again been raised from public donations. The petition under consideration is fascinatingly accompanied by a copy of the faculty granted in 1920 by Aubrey Trevor Lawrence Ch. and of that granted in 1949 by Leslie Stannard Ch. In addition, I have been provided with a poignant photograph of the dedication ceremony in May 1921 in the churchyard, which shows a movingly large number of people in attendance. The evidence establishes that the war memorial was a heartfelt local response to honour those lost from the community and to offer local bereaved families a focused location to mark their loss.
4. **The works**  
The Petitioners sought permission for:-

- the cleaning of the memorial by the Doff process except where the fragility of stone requires manual bristle brushing with natural or nylon brushes;
- the re-lettering of the names on the inscriptions with gold leaf;
- the digging out of stone flags at the front of the memorial and the laying of new York stone flags.
- pointing as required.

The DAC advised the PCC to seek two further quotations for the works in addition to those already submitted to the War Memorials Trust. The Petitioners wish to use one of the local stonemasons originally asked to quote for the work. One of the DAC suggested additional quotations comes from Skillingtons, which includes advice that any crumbling stone should be consolidated by the use of a silane based material and repointing with a hydraulic lime mortar. Skillingtons also advise that the original stone slabs in front of the memorial do not need to be replaced.

##### 5. **The DAC determination**

The DAC have recorded their decision as a “do not object”, although I infer that they do object to the re-gilding of the engraved names on the memorial. The DAC have helpfully added narrative reasons to the standard form of their decision which explain that, whilst they understand the desire of the parish to have this work done so as to make the monument legible for the 100 year commemoration event(s) later this year, their overall recommended approach would be one of minimal intervention. Such minimal intervention would enable the memorial to retain the patina of age it has acquired since 1921.

In support of their overall approach the DAC cite passages from Joy Russell from an article published at [buildingconservation.com](http://buildingconservation.com) in June 2014 entitled The Conservation of War Memorials which states:-

“The primary purpose of a war memorial repair project should be to restrain the process of decay without damaging the character of the memorial, altering the features which give it its historic or architectural interest, or unnecessarily disturbing or destroying historic fabric. The use of inappropriate materials and techniques can cause further problems and long term damage to the fabric of the memorial, so repairs should never be carried out without first analysing the physical characteristics of the memorial and identifying the causes of any defects. Similarly, lack of attention to the detail of the names inscribed on the memorial can inadvertently result in changes to the roll of honour so an accurate record should always be made, supplemented if necessary by archival research, before any repairs to the lettering are carried out.”

The DAC narrative passage also says:-

“It is questionable that the lettering was gilded and repainting letters in white could now appear over-bearing”

The DAC’s conclusion in respect of the engraved lettering is this:-

“Lettering to be cleaned but not painted or gilded”

The list of works not objected to by the DAC includes:-

“consolidation of damaged stonework described by Skillingtons in their quote of 16<sup>th</sup> January 2018”

6. The parish response to the DAC is contained in the letter of Mr Steven Berry to the Registrar of 25<sup>th</sup> June 2018. Mr. Berry is the Secretary of the PCC. He says this of the DAC approach to the proposal to gild or re-gild the names on the memorial:-

*The PCC believes that one of the main purposes of going to the trouble of cleaning and renovating the memorial is so that at the end of the process the memorial will reflect well the names of all who died in the wars with which the memorial is associated so that they can be seen more fully and be read by those families who remain of the names of those who gave their lives so that we might live, which really is one of the main purposes of renovating the memorial.*

*If the names do stand out and look good then we will have served our purpose in trying to preserve their names for the next 50 years or so until it needs refurbishing again, not in our lifetime. I have spoken to the approved contractor who WMT have approved and he is refurbishing another memorial elsewhere and all the names on that memorial are being re-gilded, so there is no real precedent set for not doing this. We are also supported by the War Memorial Trust to have the memorial names re-gilded as they have approved it in their grant to us. This is the express wish of the Parochial Church Council and they do hope that you will support this request, after a lot of hard work has gone on over nearly 2 years trying to get this work done hopefully before November 2018, 100 years of the end of World War 1.*

I have included this part of the response in full because it shows the strength of feeling on the part of the Petitioners and their key reasoning for wanting the names on the memorial to be made to stand out in this centenary memorial year. They feel that the whole purpose of doing the work would be undermined unless the names of the fallen were renewed in this way.

7. So far as the DAC response to the replacement of the base stones at the front and the preservation/repointing of the stone work is concerned, I fear that the PCC has misunderstood the DAC determination to be requiring the mandatory use of Skillingtons as the contractors to do the work. This is not how I read the DAC determination, which simply limits their recommendation for this work to that which Skillingtons advised. The work therefore could be done by another contractor but to that specification and not including the replacement of the base stones. Thus I assume an acceptance on the part of the Petitioners to this uncontroversial aspect of the DAC advice, which constitutes simply an acceptance of the expert advice contained in the Skillington’s quotation for the work.

### **The issue and my decision**

8. Therefore the issue which I must decide is as to the gilding or re-gilding of the engraved names on the war memorial. I have come to a clear view that, unusually, I should reject the advice of the DAC and permit the Petitioners to have the names on the war memorial re-gilded.

My reasons are as follows:-

- a) The DAC's reservations as to the value and the risks of cleaning and renovating the stone on the war memorial are sourced from a proper approach to conservation good practice. By contrast, the objection to re-emphasising the lettering of the names on the memorial arises from an aesthetic evaluation of the likely appearance of the memorial if the lettering is gilded or re-gilded. Given the strength of feeling and the reasoning of the Petitioners on this issue, it seems to me to be neither necessary nor appropriate to overrule them on this by reason of an aesthetic evaluation.
- b) The disapproval of the DAC might appear to be supported by the words of the panel of experts including Sir Edward Lutyens set up in 1919 to advise the War Graves Commission as follows:-

"Inscriptions may be carved in stone for many uses but the monumental inscription is usually designed to be a record for those who care to search for it rather than an announcement to the world – not so much an advertisement as a confidence."

It is hard to know how that reasoning should be played into this decision. The photographs of the memorial from 1921 show that the names clearly stood out. It is hard to tell from a black and white image whether they were white or gold at the time. The Petitioners are not seeking to go further in terms of the legibility and visibility of the names on the memorial than was the case when they were first engraved and they have firmly explained why they wish to do that.

- c) The DAC reasoning is also influenced by a perception of the possible contrast between the appearance of the church and the memorial in terms of age and patina. I note however that the actual age difference is only 30 years and that, over the nearly 100 years since the memorial was installed, the relative difference has varied. At first the memorial looked starkly new compared to the church. Now it looks older; that may be because the masonry of the church has been cleaned. I cannot see that the inclusion of gold lettering on the memorial will affect the ongoing see sawing of which looks more aged. It may be that the cleaning of the memorial will once again make the memorial seem less aged. The DAC, however, do not object to the cleaning. My conclusion is that this factor is not a good reason to refuse the permission sought. I very much hope that the ongoing graceful aging of both the church and the memorial will continue and that the passage of time will allow that to become synchronised.
- d) This memorial was the embodiment of the local community's grief and respect for the dead in the wake of the devastating losses of the First World War. It was created and installed by the local community for the local community. The present day community believes that the memorial should once again incorporate the names of the fallen from both wars so that they

are clearly legible for at least the next couple of generations. It is my determination that the strongly and sincerely held beliefs of the PCC in this regard can be and should be respected. Strong feelings about matters are not always decisive or even influential, any more than an evidenced argument that what is sought has happened elsewhere. It is the particular nature of the memorial here and the fact that the Petitioners acting on behalf of the PCC present a collective and not an individual view that are decisively influential.

9. The DAC of the Diocese of Sheffield are a body of people of great collective expertise and wisdom. It is right that I mark my disagreement with their view on this occasion with full reasons, which I hope I have set out in this short judgment. For those reasons, I propose to direct that a faculty be granted which permits the cleaning of the memorial, the renovation of its stonework in accordance with the Skillington specification from their quotation of 18<sup>th</sup> January 2018 and permits the gilding or re-gilding of the engraved names on the memorial in accordance with the permission sought in the Petition.

Sarah L Singleton QC  
Chancellor of the Diocese of Sheffield  
15<sup>th</sup> July 2018