

EXETER CONSISTORY COURT

ST PETER, SHALDON

DECISION

1. On 13 October 2001 Mr O.M.G. O'Connell, churchwarden, and Mr G.J. Cook, secretary of the Parochial Church Council, petitioned this court for a Faculty in these terms:

“Introduce new silver chalice and paten to be made by Patrick Hawkley of Chagford, with an inscription on the base of the chalice ‘In memory of Mary Rowe 1938-2001’ “.

2. In response to the public notice, several letters of objection were received in the Registry. Upon enquiry, one of the objectors indicated that he was content that I should take his letter into account in making my decision, but without his becoming a party in the proceedings, and that I am fully prepared to do. None of the other objectors have responded further; and accordingly I also take their letters into account.
3. St. Peter, Shaldon, possesses an EPNS chalice (and paten), but does not possess a silver chalice (although there is a disused silver chalice at the chapel-of-ease of St. Nicholas). When Rev. Ashley Manhire was at St. Peter's, he allowed the parish the use of his own silver chalice; but this was own personal property. When Mr Manhire retired, he naturally took his own silver chalice with him.

Thereafter the parish had the use of the EPNS chalice (but not of a silver one), but this was done without apparent dissatisfaction.

4. In 2001 Mrs Mary Rowe, who was then in her 60s, died. The Rowe family have long been regular worshippers at St. Peter's. Mary Rowe was well-loved in the community.
5. Rev. Michael Glare, who had retired to live in Shaldon and who helped the church after the departure of Mr Manhire, comforted the bereaved Rowe family. In the course of so doing, I am told that the family asked if they could give something to the church in memory of Mary Rowe. Mr Glare, considering that a silver chalice would be most appropriate, suggested this to the family. They were apparently delighted with the choice. There would be an inscription on the base of the chalice "In memory of Mary Rowe 1938-2001".
6. In discussions between Mr Glare and Mr O-Connell, it was thought that friends of the Rowe family would like to contribute towards the cost of a silver chalice. Accordingly, the project was duly mentioned in The Fisherman and in the parish magazine. Further, the local newspaper carried this item, including it under "News from the Villages". Adequate funding for the purchase was raised.
7. Up until this time, the matter had not come before the PCC. When the matter did come before the PCC, on 24 July 2000, some anxieties were expressed. The PCC was, in effect, being presented with a fait accompli. Was it right to commemorate Mary Rowe in this way, when others, in a similar position to

Mary Rowe, went uncommemorated? Was it right that the chalice should bear an inscription naming Mary Rowe? Why was it desirable to have a silver chalice? What was wrong with the EPNS chalice? If the church needed a silver chalice, the PCC and the congregation, if asked, could and would have so provided. Was it appropriate for persons outside the parish to be involved in funding this particular project?

8. The PCC, however, having considered the matter, took the view that the feelings of the Rowe family and Mr Glare were of prime concern, and voted (by 15 votes to 3) to present a petition for the authorisation of the introduction of the new silver chalice and paten.
9. On 29 October 2001 the Diocesan Advisory Committee recommended the proposed introduction.
10. Various points were made, by way of objection, in the following letters:

26 November 2001	Major/Mr A.T. Robertson
26 November 2001	Mr R.R. Monk
27 November 2001	Mr Jack Shephard
26 November 2001	Ms Connie Monk
27 November 2001	Mr and Mrs J.F.W. Sims.

I have summarised the various points made in paragraph 7 above.

11. In my view the PCC reached a perfectly reasonable decision. It is probably correct that when this matter first came before the PCC, there was little that it could then do, in practical terms, other than to accept the gift which had been proposed. But it was not, in my view, reasonably to be anticipated that failure to consult the PCC at an earlier stage was likely to give rise to dissent. Of course, with hindsight, it might have been preferable if the matter had been brought before the PCC at an earlier stage; but that is with the benefit of hindsight. It was, in my view, reasonably to be anticipated that the introduction of a silver chalice would generally be acceptable, and that it would be preferable to an EPNS one; that a gift made in commemoration of Mary Rowe would generally be acceptable and that an inscription, recording this fact, on the base of the chalice, would also be acceptable
12. In my view, it was very much a matter for the PCC to decide whether or not to accept the gift. Sensitivities were plainly involved, and the PCC was probably in the best position to decide what was to be done for the best. I see no reason to take a different view from the majority view of the PCC.
13. Accordingly, in these circumstances, a Faculty will issue for the proposed introduction of the new silver chalice and paten.

D. Calcutt

1 February 2002

SIR DAVID CALCUTT Q.C.

Chancellor