

Neutral Citation Number: [2021] ECC Bri 2

In re Dauntsey, St James the Great

In the Consistory Court of the Diocese of Bristol

JUDGMENT

1. This is a petition for the repair and reinstallation of stained and plain glass windows. I am going to grant the petition, but feel that I need to give a little background to this matter.
2. In June 2019 a petition was received from the incumbent who identified that serious breaches of the faculty process had occurred. It appears that several windows in this grade I listed church were in need of repair. This had been clear since at least 2018. PCC minutes of April 2019 indicate that there was a discussion about this. The minutes are so spare however as to provide no detail to speak of. It was proposed by the incumbent that a more comprehensive proposal be made at the PCC meeting on the 18th June 2019.
3. On June 11th 2019 the incumbent visited the church to discover that the glass (dating from 1520) from one window had been removed already and the site was being boarded up. It was hoped that the window would be replaced in time for a wedding on 29th June. A decision had been made to install external protective glazing to protect the medieval glass. None of this had been made the subject of a proper PCC decision and no petition had been drafted or sent to the Registry, so no advice had been received from the relevant authorities and there had been no scrutiny of this decision by the DAC.
4. The incumbent made inquiries and discovered that Christopher Jerram (described as ‘until recently a churchwarden of many years standing’) had seen the window bulging and had decided that there needed to be an immediate repair. Apparently it did not occur to him to contact the Registry to obtain an emergency faculty.
5. On 3rd July 2019 the incumbent, as petitioner, petitioned for the repair and reinstallation of the window unlawfully removed, and the repair of all other windows as necessary.

6. Having read the history outlined to me I inquired if this was also a petition for a confirmatory faculty to allow for the removal of the original window. The incumbent replied almost immediately stating that he didn't 'really mind!' The effect will be the same'. It appears that my irritation at the serious breaches that had occurred had not been passed on either to him or to his erstwhile churchwarden. In short, medieval stained glass from a grade I listed church had been removed without permission and without the possibility of the application being analysed. The possible consequences of this do not need to be set out here, but I am extremely concerned that such behaviour has occurred.
7. Fortunately for the petitioner the petition disappeared into the ether and it was only towards the end March of this year that that his response was sent to me. It is only this delay that has lead me not to order a full consistory court to investigate what has happened in this case, with the attendant costs.
8. I am going, as I said, to grant a confirmatory faculty for the removal, restoration and repair of the windows already removed and also grant a faculty for all the windows that are identified as being in need of repair and restoration to be so repaired and restored. The petitioners have asked for 3-5 years for the faculty to be completed. They may give me an update on progress in 18 months time.

Good Friday 2021

(15th April 2021)

The Reverend and Worshipful Justin Gau,
Chancellor