

IN THE CONSISTORY COURT AT LINCOLN

In the matter of St Nicholas, Haxey

Judgment

1. By their Petition dated 25/3/18 the Petitioners seek a faculty to augment the bells at St Nicholas, Haxey from the existing peal of 6 bells to a peal of 10 bells. The application is not recommended by the DAC. There is a conflict in assessments between the diocesan bells adviser, Mr Heppenstall, and the Petitioners who are supported by other persons with a specialist knowledge of bells and ringing. There are objectors who have not sought to become party opponents who have concerns about the effect of any augmentation on the unique and historic carillon that sits in a clock chamber beneath the bells. I will take into account their objections, as I will all the opinions that have been expressed on this matter.

The Petitioners' case.

2. The Statement of Significance/Needs revised 28/2/15 describes St Nicholas, Haxey as sitting on a low hill in the Isle of Axholme. It is over 900 years old and was mentioned in the Domesday Book. The church has a late Norman nave and with Victorian decoration in the chancel. The church, churchyard and hall cover approximately 3 acres and according to the SoS/SoN is known as the 'Cathedral of the Isle'. It is Grade 1 listed.
3. A notable feature of the church includes 6 bells and a rare carillon which plays 3 hymn tunes. The 6 bells are:
 - (i) Treble or 1st: 1937: founder John Taylor and Co Loughborough
 - (ii) 2nd: 1652: founder George Old 1, Nottingham
 - (iii) 3rd: 1902: founder John Taylor and Co
 - (iv) 4th: C1515: Robert Mellours, Nottingham
 - (v) 5th: C1515: Robert Mellours
 - (vi) 6th: C1515: Robert Mellours

4. The weight of the bells ranges from 8 cwt for the lightest treble bell to 11-18 cwt for the 3 oldest bells. They are approximately twice the weight of an average ring of bells. Because they are 'tall' for their weight, (ie the bells handle like bells that are even heavier), the handling of the bells is made more difficult by being hung on arched cast iron headstocks, which makes the bells even taller. The bells are hung for full circle ringing (i.e. rung from a 'mouth up' position through 360 degrees). There is no other church in the diocese with bells of this weight hung and rung in this way.
5. The essence of the Petition is that the heaviest bells can only be rung by experienced and strong ringers: the SoS/SoN states that an additional necessary attribute is that the ringer is male, no doubt because experience has informed the writer of the SoS/SoN that strong and experienced ringers are, generally, male. Even the lighter 3 bells (weights range from 8-9 cwt) present 'serious handling challenges'.
6. The re-establishment of the Haxey tower bell ringing team in recent years has meant that the bells are rung every Sunday morning for service. However, the weight of the bells is providing a constraint on the growth of the team. Three learners (who are women) can only be taught on the lightest treble bell and will progress only onto the second bell. There are also children who would like to learn to ring and this is impossible given the weight of the bells: the children are taught elsewhere on lighter bells.
7. The writer of the SoS/SoN explains that no one should be excluded from ringing just because of age, gender or physique and that no church-based activity should be exclusive, a sentiment with which I respectfully agree.
8. The proposal is that there should be an addition of 4 treble bells added (weight around 5 cwt) to the existing 6 bells, making a total of 10 bells. The lighter bells would suit the ringing team at the moment and into the future. It is explained that there would be a 'light front six' (as I understand it 4 new trebles + 1 existing treble + 1 existing tenor) which could be rung more often by the local team.
9. How is it proposed that this is to be achieved? Three options set out at Section 3 of the SoN (p2/4) are:
 - (i) Recast the bells into lighter more manageable bells: given the age of the bells (particularly the 16th century bells) this would not be permitted
 - (ii) Rehang the existing 6 bells on modern headstocks: this would allow the bells to 'go' better. However, it is submitted, this would still mean the heaviest bells would still handle heavily and would only assist stronger (male) ringers.

- (iii) Add treble bells in front of the existing treble. The proposal is to add 'possibly two, but ideally four'. The bells would be renumbered, and all the bells would be rehung on modern cast iron headstocks.

10. It is clear that the Petition originally saw augmentation as an alternative to rehanging the 6 bells on modern headstocks, but this option was rejected because it would mean that the heavier older bells would still handle heavily and be capable of being rung by only a small number of stronger ringers. This approach lies at the centre of the difference of opinion between the Petitioners and the DAC that has been running for the many years that this proposal has been under consideration. The DAC favour rehanging, new headstocks and work on the existing bell frame to make the existing 6 bells easy to ring, rather than augmentation of the bells, which they believe would lead to the heavy bells being rarely rung.

11. John Taylor, bellfounders, have been consulted and provided

- (i) written advice and a quotation to augment the bells to 8 (ie the '+2 option'), to augment to 10 (ie the '+4 option') and to rehang the 6 existing bells on new headstocks and provide 2 new wheels, dated 23/12/13
- (ii) advice as to the required weights of the new trebles dated 6/1/14 (also included in this document for comparison purposes are the weights of the bells at Epworth and Belton)
- (iii) drawings showing the re-arrangement of the bell frame to carry 10 bells dated 13/3/14
- (iv) following my requests for further information made through the Registrar on 1/6/18, Taylors have provided further written advice dated 22/11/18.

12. Taylors first advice (document 3/22) explains that the majority of the present fittings were part of a restoration scheme in 1937 and a new bell frame was installed in 1981/2. All fittings are in a generally satisfactory condition. Technical explanations are provided about the shortcomings of 4 headstocks which cause the bells to turn slower than desirable for change ringing bells. There are shortcomings in the bell frame notwithstanding its recent fitting in the 1980's. The metal work of the bell fittings and bell frame need cleaning and repainting.

13. There is a 2-train clock which operates a hammer to strike the hours on the tenor bell and there are 2 further hammers on each bell for use with the chime barrel which plays tunes at 3 hourly intervals. The main clock machinery (the carillon) is in the clock chamber above the ringing chamber. The bells hang above the clock chamber and the ropes to the bells are encased in rope chutes to prevent contact with the clock mechanism. The clock mechanism partially sits

over the hoisting hatch which would have to be used to hoist or remove bells from the tower: the clock mechanism would have to be moved against the south wall to achieve this. Clock squares (which redirect wires from the clock mechanism and the hammers) are fixed on the underside of the hoisting hatch in the bell chamber floor. I note from Taylor's report dated 22/11/18 and their drawing 4622/B with the helpful drawings prepared by Mr Smith in September 2018 that if 10 bells were in the tower the rope chutes for bells 1 and 2 would be boxed in through the chiming mechanism of the carillon although Mr Smith states that these rope positions would not interfere with the carillon.

14. Taylor's advice on 23/12/13 was that the hangings needed to be changed if there was any augmentation whether + 2 option or +4 option.

(i) if '+2 option', then 8 bells could be housed on the existing level but bells 2 and 3 would have to be transposed with alteration in the roping of the 3 largest bells.

(ii) If '+4 option', then bells 2 and 3 would have to be transposed (as above) but also the tenor would have to be moved into the position currently occupied by bell 1 (the treble). Bell 7 would have to be hung above the other bells. (If the existing headstocks were retained then bells 2 and 4 would have to be hung above the other bells).

15. I note that Whitechapel Bell Foundry were also asked to advise and quote: their quotations were higher than Taylors and are set out in document 6/22.They have since ceased to trade.

16. An issue that arose when these proposals were first considered was whether any augmentation would have an adverse effect upon the structure of the tower. A structural report from Mr Dempster BSc C Eng MStructE MICE was obtained dated June 2014 (document 10/22). The engineer was present when the 6 bells were rung full circle for several minutes in rounds. He advised that a very minor tower sway could be perceived at belfry and tower roof level but there was no evidence of differential movement across the joints with bells ringing. He considered the +4 option: given that the 4 new bells would be lighter than the existing bells and the bells when rung do not impose maximum horizontal forces in the same direction at the same time, he considered that the +4 option would not cause any adverse effect on the tower fabric. He adds:

"it is of paramount importance that no differential movement should be allowed to occur between the ends of the new foundation beams to the upper bell frame and the tower walls. The ends of the beams should be inserted into the pockets formed in the tower walls and surrounded by compacted good quality ordinary Portland cement concrete...under no circumstances should lime base concrete or mortared masonry be used to form this

surround, since this may cause problems in the future” (para 6.06).

The concerns of the diocesan bell adviser and the DAC

17. Document 7/22 is the first report from Mr Heppenstall. His opinion is that whilst he agrees that the bells are difficult to ring, this is more to do with the way they are hung than their weight. He is concerned that the ‘+4 option’ would mean that the heaviest 4 bells would not be used. He considers that if the 6 bells were rehung then they could all be rung more easily than now.
18. He accepts that the ‘+2 option’ would mean 2 additional trebles would provide bells of sufficient weight that learners and those with a slighter physique could manage them. However, he notes the Whitechapel Foundry report following their visit in January 2014 in which they question the sense in the ‘+2 option’. He explains:

“any additional weight increases the deflection of the main frame support beams with a resultant increase in any bell control difficulties. With the increase to 8 bells the advantages outlined above [ie 2 additional trebles provide lighter bells to use] outweigh the disadvantages; with a further increase to 10 this is not so”
19. Mr Heppenstall also refers to the disadvantages of a low ceiling in the ringing room. These issues are touched upon in both the Taylor and Whitechapel reports in suggestions of modifying parts of the ceiling or forming a ringing gallery lower in the tower. It is suggested that opening up such a gallery lower down would also open up the west window and display the skills of the ringers to the congregation. This would also involve work relating to the carillon but there will be consequential work for the carillon even with the ‘+ 2’ or ‘+ 4’ options. Mr Mackintosh-Smith (parish architect) in an email 6/5/14 supported further investigation into better use of the tower ground floor with rearrangements of the flooring of the ringing chamber and the clock chambers with lowering of the bells.
20. I note that on the DAC visit to the church on 5/6/14 (document 11/22) a wider proposal was being considered. (The visit report records those present to include Mr Mackintosh-Smith, Dr David Knight from CBC and Mr David Walsh from HE as well as the DAC and PCC members). This wider proposal was to remove the existing tower screen and create a choir vestry at low level, a mezzanine floor with projecting gallery (to accommodate a Sunday School) and a new ringing chamber above this. This new ringing chamber would be above the sill of the west window (where there was some evidence there had previously been a floor) and the ceiling of the chamber would be above the apex of the west window; a new timber and glazed screen would be provided. The bell report attached to the note of this DAC visit records proposal to rehang the bells and add either +2 or +4 bells, and to install a new ringing floor lower than the present one providing more ringing room. The

delegation considered that lowering the floor would be an improvement. It was noted that even though no changes were proposed to the carillon, even just to rehang the existing 6 bells with no augmentation, would necessitate changes to the position of the hammers striking the bells and their linkages to the barrel mechanism. Any repositioning of the bells would also require further adjustments.

21. There is a note (document 11A) of a meeting with the DAC and the PCC 'on 12/12/14'. I am not sure if this is the date of the note in respect of the meeting on 5/6/14: I assume that it is. It is not signed off by the DAC nor anyone else. It records various concerns about some of the potential proposals raised but records that

'the chimes should be left in their existing position due to their unique complexity together with the arrangement with the bells. The chimes and bells should remain in their existing position'

But in handwriting is added the following:

'there was no objection to the installation of 4 lighter bells'

22. Dr Knight wrote on 22/6/14 (document 12/22) following the meeting on 5/6/14 and further consideration by the CBC. He stated:

- (i) whilst it is understood that the ring of 6 does not handle well, the overriding need was for that ring of 6 to ring well rather than augment to 8 or 10.
- (ii) the existing 6 could be improved considerably by being rehung and with a higher ceiling to the ringing room.
- (iii) the proposal for +4 augmentation would mean that the focus for use would be on the lightest 6, and not on the resources to develop 10 bell ringing. There was a drawback in the augmentation +4 in that 1 bell would have to be placed above the others exposed immediately behind the louvres and difficult to balance in sound with other bells. He adds

'The ring could more readily be augmented to 8 if there was an appetite to do this'.

- (iv) because of the clock and carillon in the tower the CBC would not support moving the bells lower in the tower. Lowering the floor of the ringing room to the apex of the west window was a possibility and the CBC would be content with this subject to safeguarding historic timbers.
- (v) any proposal to move the ringing room to a lower gallery at sill height of the west window had positive aspects (more height, integrate ringing activity into the church and open the view of the west window), but it would involve moving the bell frame lower

with consequent changes to the clock room and disturbance of the carillon which was less desirable.

23. Mr Heppenstall wrote a further report dated 1/7/14 (document 13/22) in which he records his concerns about the proposed augmentation and his belief that the problems identified could be solved by correcting the geometry of their hanging. However, following the structural report from Mr Dempster, Mr Heppenstall confirms that there is no technical reason why the augmentation scheme (either +2 or + 4) could not be approved in principle. However, he remains concerned that the parish has not looked holistically at the needs of the church, rather than simply a bell project taken in isolation. He wanted the parish to look at lowering all the stages on the tower as discussed above. Additionally, he considered that the benefits of augmentation (lighter bells) could be achieved by '+2'. This report is further amplified by his report 14/7/14 in which he urges further consideration be given to the effect on bell handling of augmenting them, given the 'sway' factors at the height they are hung. He considers that if the bells were rehung this would improve their 'go'. He does not accept that if the heavier bells were rehung, they could only be rung by male ringers (as suggested in the SoN para 5): female ringers can ring these weights if they are hung properly, he submits. He remains concerned that if the bells are augmented to +4, only the lightest 6 bells will ever be rung. He invites further consideration to the installation of a ringing gallery and thereby integrating the ringers into the worship of the church. His conclusion is:

“the advantages to the church community as a whole, as well as the ringers of an augmentation to 8 bells rung from a gallery outweigh the advantages gained by the ringers through an augmentation to 10 and the project should not be recommended”

24. HE's letter dated 20/7/15 does not object in principle to any proposal to remove the current tower screen and opening up the tower arch which would enhance the significance of the church. There is no objection to inserting a floor at the sill of the west window (where there had previously been a floor) with no objection to a folding screen. They would object to a full height timber and glazed screen in the tower arch. Reducing the existing ringing floor would require investigation of the existing floor and historic timbers: they would regard the insertion of a ladder/stair access within the tower space to the new ringing floor likely to be harmful and would have to be justified.

25. Mr Mackintosh-Smith records on 14/7/18 his continuing concerns about augmenting to +4 with 1 bell located above the rest, and for all the bells to be so high in the tower: this configuration is higher than he has seen in other churches that he has inspected. He urges further consideration to the reconfiguration of the floors of the tower.

26. The Whitechapel Bell Foundry (WBF) reported on 20/1/14 to the Petitioners and quoted for rehunging the bells with new fitting and work on the bell frame,

augmenting +2 and +4. They recommended raising the height of the ringing chamber either by adjusting the ceiling/floor, or alternatively inserting 'chimneys' for the rope sallies. I note that this has not been suggested by Taylors. Most significantly, WBF did not recommend the +4 augmentation for the following reasons:

- (i) 2 bells would need to be hung at a higher level (7th and 2nd): this would lead to quieter ringing in the chamber than their immediate neighbours
- (ii) difficulties of access in placing a second tier of bells
- (iii) 10 bells going together will cause movement that will upset the easy going of the bells.

The response of the Petitioners and supporters

25. In his document 15/22 undated and document 26 dated 9/8/17 Mr Smith sets out why he disagrees with Mr Heppenstall and in summary his points are:

- (i) the (low) height of the ringing room ceiling does not affect the 'go' of the ringing
- (ii) the dynamic energy being transmitted to the supporting structure has been considered by Mr Dempster's engineering report and he finds there is no problem with sway. He confirms his view in a later email 18/7/14.
- (iii) there are no females in Haxey who could ring the heavier bells; having more treble bells to ring would improve access to ringing for them.
- (iv) ideally the ringing chamber ceiling should be higher, but this does not cause a problem.
- (v) bells being rung on 2 levels of frame is very common
- (vi) there is no shortage of ringers at Haxey and as the ringers develop so would the use of all the bells (including the heavy ones).
- (vii) the cost of installing a ringing gallery would be vast particularly because it would involve the reduction in height of the clock room with the working carillon

27. I think that point (iii) and point (vi) are inconsistent.

28. I have considered the letters in support of the project received from Tracey Black of the Lincoln Diocesan Guild of Bell Ringers 30/4/15 (doc 16/22) and 29/6/16 (doc 19/22), George Dawson (doc 17/22), report of bell ringing team visit (doc 18/22), report of Alan Frost, Central Council of Church Bell Ringers 31/7/17

(doc 20/22), Andrew Aspland, bells advisor, Leeds DAC undated (doc 23- not considered by the DAC), Professor Peachey undated report (doc 24- not seen by the DAC), Dr Chris Turner undated report, Master, Lincoln Diocesan Guild of Church bell ringers (doc 25- not seen by the DAC), Elaine Dunford letter undated, Joyce Hooley undated member of Haxey PCC, Peter Gull dated 26/4/16, Mick Smith undated (all doc 27 – not seen by DAC). All the letters and reports support the full augmentation 'project +4'.

29. The PCC have voted in support of this project on 26/2/14 and again on 7/3/18.

30. The DAC decision of 25/4/17 was that it did not recommend the proposed augmentation to 10 bells (the '+4 option') for the following reasons:

- (i) changing the hanging geometry will vastly improve the handling of the bells and 'this is not being considered'
- (ii) re hanging the bells on modern fittings would considerably improve the ring
- (iii) correctly design faults in the 1980's frame will make the ringing more predictable and 'this is not being considered'
- (iv) the low height of the ringing room is a negative factor and there is proposal to change this
- (v) the DAC and the CBC both believe that the ring could readily be augmented to 8 bells (ie +2 option) but that augmentation +4 does not significantly add benefit and could upset the easy going of the bells.
- (vi) the parish ringers would be using the top 2 current bells plus the additional 4 treble bells, leaving the 4 larger bells less used.

Objectors

31. Dr Christian Burrell by a letter dated 18/4/18, whilst in general terms supporting the augmentation +4, raises concerns about the effect of the proposed works on the carillon. The chimes are dated to 1680-1720 and are of a unique local design. He is concerned that the movement of the existing bells in the proposed augmentation will involve changes to the chimes as well as the hammers and their linkages.

32. Mr KG Burrell by letter dated 22/4/18 also objects to the project: he is the clock winder and chimes keeper and is concerned about the effect of the augmentation works on the carillon. He is concerned that the cost of the work to install the chimes in the augmented bells has not been considered or that work fully considered. He is particularly concerned that a parish project of the 1980's supported by funding from English Heritage, rebuilt the carillon mechanism: it took a lot of time and craftsmanship with exacting requirements from English

Heritage. He is concerned that in the enthusiasm to augment the bells, the effect on the ancient carillon in the clock chamber below the bells has been overlooked. His letter sets out in helpful detail the work that was done on the chiming mechanism in the 1980s.

33. Mr Burrell summarises his concerns:

- (i) it is vital that the chimes barrel machine will physically fit within the circle of drop ropes within the clock chamber
- (ii) there must be space for the hammers to fit in between the bells on the new bell frame
- (iii) there must be room in the clock chamber for the new arrangement of bell cranks and rods to pass between the bell ropes.

34. In respect of para 30(i) above I note that it is proposed that the casing from the ropes to bells 1 and 2 will pass through the chime barrel and the rope barrel (see drawing 4622/B Taylors). The carillon will also be moved to the south wall whilst the bells are moved up and down using the trap door over which the carillon partially sits.

35. Mr Smith's response date 11/8/18 is to confirm that the costs of recommissioning the carillon after the augmentation has been provided for in the Taylors quote (at £2000). I have been unable to find this provision within the quotation provided in 2013. He confirms that the chime barrel mechanism will fit through the new rope circle for +4 augmentation, that there will be room for the hammers to be fixed onto the new bell frame members and the bell cranks on the ceiling of the clock chamber is 'neatly done' and rearranges what already exists.

36. Neither objector wishes to become a party opponent: I take their objections into account

Further questions from the Chancellor

37. On 1/6/18 I had considered the Petition and the objections and requested further information from CBC and John Taylor and Co: the terms of my request are set out in the Registrar's letter dated 1/6/18.

38. Dr Knight of CBC replied 1/6/18 that the revised statement of need makes clear that Haxey have training needs and focuses on the use of the lightest 6 as a light ring of 6, rather than a desire to develop 10 bell ringing. The CBC remains concerned about 1 bell being placed at a higher level if the augmentation was to +4. If there are no proposals to raise the height of the ringing room then the carillon will not be affected by the rope drops but a plan should be produced to confirm this. It is not clear to me that Dr Knight has appreciated that a recommissioning of the clock and chime barrel striking hammers, and a re-

arrangement of the bells cranks, is proposed to be carried out by Taylors all for a cost of £2000.

39. Taylors additional report dated 22/11/18 states that new hatches could be formed in the clock chamber/bell chamber floors to move the bells and this would mean that the carillon would not be disturbed. They state that 'drawing 7322 clearly shows the marked out roping down of all 10 bells'. In fact, that drawing does not confirm that (at least to my eye): but drawing 4622/B dated 26/10/18 does show the rope circle: but I am concerned that the boxing in for 2 ropes (for bell 1 and 2) appear to pass through the carillon mechanism. Taylors also confirm that final positions of the clock and chime barrel striking hammers on the new bell frame will need to be altered (as well as re-arrangement of the bell cranks on the ceiling)- and that Taylors can deal with this in conjunction with Mr Ken Burrell.

Determination

40. In this determination I must apply the approach of the Court of Arches in re St Alkmund, Duffield 1/10/12 in asking the primary question:

'would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest'?

41. The church is Grade 1 listed and is in the top 3 % of listed buildings which are of outstanding architectural and historic interest. In the light of Mr Dempster's engineering report there is no evidence before me that by augmenting from 6 bells to 10 bells the proposals would result in harm to the fabric of the tower. Mr Dempster has considered that the bells are rung full circle and one of the 10 will be hung above the others. He has noted 'minor sway' when the existing 6 bells are rung but he regards that as quite normal and there would be no risk to the tower from augmentation to 10 bells. However, he sets out a clear warning at paragraph 6.06: no differential movement should be allowed between the ends of the upper bell frame and the tower walls. Thus, there is no evidence that through damage to fabric the proposals would result in harm to the significance of the church as a building of special architectural or historic interest.
42. However, part of the fundamental concern of the DAC and the bells advisor is that the +4 option will mean that the existing treble and tenor bell plus 4 new treble bells will be principally rung by the parish leaving the heavier 4 bells (including the three pre-Reformation bells) to be rung only occasionally. I am satisfied that this is what is suggested by inference at para 2 of the revised SoN (doc 2/22) and is a foreseeable consequence of the augmentation with 4 lighter bells. The DAC consider that the parish has failed to consider the effect of rehanging the existing 6 bells, using modern fittings and correcting faults in the 1980's bell frame before submitting that the +4 option was the only solution to the problem.

43. The silence of the pre-Reformation bells, if it occurred, would be 'harm' to the significance of the church as a building of special historic interest for obvious reasons. I note however that until some years ago the tower at this church was silent and it is to be welcomed that the growth of bell ringing at Haxey has meant that the bells are being rung, albeit the heavier bells are particularly difficult to handle. I am not satisfied that this 'harm' is established by these proposals.
44. Another aspect of potential harm to be considered is the effect of augmentation +4 on the carillon. I am not satisfied that the boxed in ropes for bells 1 and 2 are satisfactorily placed running through the carillon as shown on drawing 4622/B. There is plainly additional work required on the resetting of the hammers and the bell cranks which will need to be carefully done by specialists, and which if not done properly would result in harm to the carillon. I am not persuaded that enough thought has been given to the effects of +4 augmentation on the carillon and the passage of bells up and down through hatches in the clock chamber requiring the carillon to be moved. The identification of a sum of £2000 set aside to deal with this by Taylors seems a low figure for what is involved and may have come at the end of the quotation process. However, if there was to be harm done to the carillon, it would not be harm done to the church as a building of special architectural or historic interest but to the carillon and the clock mechanism which is unique and historic object in itself. In my judgement if the augmentation +4 went ahead it would not result in harm to the significance of the church as defined.
45. Given that answer I need now to consider question 2 of Re Alkmund
- “2. If the answer to question (1) is 'no', the ordinary presumption in faculty proceedings 'in favour of things as they stand' is applicable and can be rebutted more or less readily, depending upon the particular nature of the proposals (see *Peek v Trower* 1881 7 PD 26-8, and the review of the case lawin *Re St Mary's White Waltham No 2* 2010 PTSR 1689 at para 11)'
46. I must apply the presumption in favour of things as they stand but this can be rebutted by suitable proposals. I have carefully considered whether the augmentation +4 is a proposal that can rebut the presumption that things should remain as they are and have decided that these proposals do not. This means that the Petition for a faculty to permit augmentation to 10 bells must fail. My reasons for this decision are cumulative in effect and are as follows:
- (i) I am not persuaded that there is a case made for augmentation +4, rather than +2. It is clear from the revised SoN that the principal issue for the Petitioners is that those new to ringing, of lighter physique through age or sex, should be able to learn to ring on the bells as well as develop their ringing skills. The emphasis of the SoN is on developing a lighter ring of 6 bells, rather than developing 10 bell ringing. This objective can be met with

augmentation +2. I note the opinion of Mr Frost (doc 20/22) that change ringing will be easier with 10 bells than 8, however I think the emphasis of the Petitioners is on training and encouragement of young and inexperienced ringers and so the use of a lighter 6 bells (ie the +2 augmentation) fits better with this objective. I do not accept Mr Frost's startling opinion that augmentation +2 would be 'detrimental to the promotion of ringing in Haxey'. In my judgement, precisely the opposite is the case.

- (ii) In the absence of rehangng the existing 6 bells, fitting new headstocks and changing the bracing on the bell frame, which all the evidence suggests would have a positive effect on the handling of the 6 bells, I am unable to be satisfied that the proposal for augmentation +4 rebuts the presumption that matters should remain as they are. I accept the submission of Mr Heppenstall (doc 7/22) that an augmentation +2 provides the advantage of providing lighter bells to be rung which outweighs the disadvantage of the increased weight (+2) increasing the deflection of the main support beams thereby increasing bell control difficulties. However, this benefit analysis is lost when the augmentation is +4 with more weight being rung. This corresponds with the reservations of WBF in their report in January 2014: they advised that with 10 bells going there will be some movement of the tower which will upset the easy going of the bells. I do not overlook Mr Dempster's opinion: but he confirms that with 6 bells ringing 'very minor tower sway' could be perceived. His opinion is that such sway even with 10 bells would not damage the fabric of the tower (an opinion which I accept). However, the concerns expressed by Mr Heppenstall and WBF are different to this and concern the effect of 10 bells ringing on the easy going of the bells through the movement of the tower (albeit that no structural damage to the fabric will occur). I share those concerns.
- (iii) I share the reservations of both the DAC and the CBC about the need to hang one bell above the others with a +4 augmentation. That bell would be exposed immediately behind the louvres and it would be difficult to balance in sound with the other bells. I note that Professor Peachey states at para 8.3.4 of his report (doc24) that another church used plastic tubes to carry sound to the ringing chamber from 2 bells on an upper tier: he submits that this could be easily done at Haxey but he did not consider it would be necessary as 'the sound distribution should be even enough'. It is for the augmentation proposal +4 to displace the presumption against change, and I am not satisfied that Professor Peachey's analysis does this. I note also that WBF in their report advised that

2 of the 10 bells would have to be on the higher level (not just 1 as per Taylors), and these 2 bells would be quieter in the ringing chamber than the neighbouring bells on the lower tier. Presumably this point is even stronger with 1 bell ringing alone on the upper tier. The reservations of the CBC and the DAC and WBF are ones I share.

- (iv) even if the second tier had only 1 bell, there would be some difficulties of access: WBF identified this as an issue. I have seen the drawings and photographs of the tower and consider this is a further difficulty in augmenting +4
- (v) I am concerned that there has been no re-estimate for these works since 2013 when it was estimated to be £108,000. The PCC's balance available for this work is £120,000 (para C (d) Petition dated 25/3/18). I am sure that a new estimate could be quickly obtained from Taylors but there is no certainty in the papers before me of the up to date cost.

47. I have considered with care Mr Smith's careful and detailed work on this proposal for + 4 augmentation, but I am not persuaded for the reasons that I have set out above. I recognise the strength of feeling in the bell ringing community in Lincolnshire that is evident from the letters and reports that have been submitted to me. It was not always clear to me when reading those letters and reports what documents had been shown to the writers and whether all the arguments placed before me, had been placed before them before they reached their judgement. None of the reports were independent but partial and enthusiastic supporters of the augmentation +4 which was clearly a project well known to them. I must add that I found the 'ad hominem' tone in some of the documents I read directed at Mr Heppenstall inappropriate for a faculty application in the Church of England.

48. I cannot grant the faculty that is sought. If the Petitioners wish to rethink their proposal with an up to date report from Taylor and Co it must have up to date costings. I note that in the recent PCC meeting questions were asked about whether there had been an increase since the 2013 estimates: Mr Smith was going to find out: that is an essential step. I would require any reworked project to be completely re-estimated and those figures to be placed before the PCC for their consideration. Any reworked proposal should include the reworking of the geometry of the hanging of the bells, new headstocks and new work to the bell frame as identified in these documents. If the PCC wish to proceed with an augmentation +2 then I would also need to see how this work will impact upon the carillon, the striking hammers and bell cranks. Any new report from Taylor and Co would have to be submitted to the CBC for their advice: a new diagram of the rope circle passing through the clock chamber would need to be drawn up. The CBC may need to suggest a clock specialist to assist this work. Any reworked proposal would need to be placed before the DAC for their advice to me.

49. The PCC have decided not to proceed with the work in the tower that was identified some years ago involving reducing the floors of the stages in the tower and related works. It is a matter for the PCC to decide what it wants to do, but it would be good to know that they have given careful thought to this proposal and whether it could be worked into their plans for the bells.

50. I am grateful for the work done in the clear presentation of the papers in this case and I am sorry if delay in dealing with this complex application has inconvenienced the parties. I recognise that my decision will be a disappointment to Mr Smith and others in the ringing team at Haxey. It is clear that there has been a renaissance in bell ringing in Haxey in recent years and all those involved with this should be congratulated for all that they have done in this successful extension in the church's ministry. I am confident that this work will continue to flourish.

51. I waive my fee.

The Reverend and Worshipful Chancellor His Honour Judge Mark Bishop

7th February 2019