

## **In the Consistory Court of the Diocese of Worcester**

**Archdeaconry of Dudley:**

**Parish of Dudley: Church of St Augustine, Holly Hall:**

**Faculty petition 09-47 relating to alteration to war memorial**

### **JUDGMENT**

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1. This petition relates to a proposal to augment the war memorial that is in the churchyard at St Augustine's Church, Holly Hall. The memorial was originally located on the public highway, but was moved in May 1981 to its present location within the churchyard by authority of a faculty granted some three years earlier. As a result, although the monument was first erected without any need for approval by the church authorities, any alteration to it now requires to be authorised by a further faculty.
2. The memorial currently records the name of the men from the Woodside Ward of Dudley who died in the Great War, and the date in 1925 when it was unveiled by the then Mayor of Dudley, but makes no reference to the Second World War. Since the year 2009 is both the 70th anniversary of the outbreak of hostilities and the year after the 125th anniversary of the founding of St Augustine's, various local groups have joined forces with the church to rectify this unfortunate omission.
3. The proposal is accordingly to add a plaque, to match as far as possible those relating to the Great War, recording the names of the 24 men<sup>1</sup> from the Holly Hall area who fell in World War II. As originally designed, the text above the list of names was to read:

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<sup>1</sup> Some of the paperwork refers to 23 men, but the drawing contains 24 names.

“DEDICATED  
to the  
MEMORY OF MEN  
of  
HOLLY HALL AREA  
WHO FELL IN  
WORLD WAR II  
1939-45”.

The text below the list of names was to be:

“YOUR LIFE!  
OUR FREEDOM!  
September 3rd 2009”.

4. The idea for the new plaque appears to have originated with the Holly Hall War Memorial Fund (“the Fund”), under the chairmanship of Mr Len Hughes; in particular, it was the Fund that carried out the necessary research to ascertain the details of those to be commemorated, and that started seeking donations. The faculty process has been pursued by the Holly Hall War Memorial Committee (“the Committee”); this is described by the incumbent, who chairs it, as a “church committee”, although its precise status has not been made clear to me. The petitioners are the Incumbent and the Churchwardens, following a unanimous vote in favour of the proposal by the Parochial Church Council (PCC). The proposal also has the enthusiastic support of both the local Branch of the Royal British Legion and the Borough Council, which of course erected the memorial in the first place.
5. The churchyard is not within a conservation area, and neither the church building nor the memorial itself are listed as buildings of special architectural or historic interest. No planning permission is required for the erection of the plaque.
6. The new plaque was to be detailed identically to the Great War plaques, and made by Eura Conservation Limited, at a cost of around £3,520 plus VAT (including the cost of creating a recess in the stonework to take the plaque). It appears that Eura was

instructed to carry out the work, on 14 July 2009, by Mrs Worwood, on behalf of the Fund – not by the Petitioners, the PCC or the Committee. Further, the plaque has now been cast, although it has not yet been fettled or patinated, since its erection has not yet been authorised, and the funding is not yet fully in place. An application has been made for funding, presumably from outside sources.

7. The Diocesan Advisory Committee, which is required by law to provide advice on all proposals that require a faculty, approved the proposal at its meeting on 28 July 2009, subject to the omission of the words “YOUR LIFE! OUR FREEDOM!” from the lower section of the plaque, there being no similar words on the Great War plaque.
8. Immediately following that meeting, and conscious of the desire at that stage to have the memorial plaque unveiled in early September, the Archdeacon of Dudley notified Mr Grainger of the Fund of the decision by the Committee, just before he went away on holiday. He suggested that – if the Fund was content with the omission of the four words – he could permit the erection of the new memorial in time for it to be unveiled, although he pointed out that it would be at the risk of the Fund in the event that any objections were raised in response to the public advertisement of the petition or in the event that I raised any questions.
9. The petition was publicly advertised in the usual way, from 8 August 2009 to 5 September, and no objections were raised.
10. It was originally intended that the new plaque would be erected on or about 3 September 2009, that being the anniversary of the day on which the Prime Minister of the day declared that Britain and France were at war with Germany<sup>2</sup> – hence the inclusion of that date below the list of names. That did not occur, but a service was held on Sunday 6 September. It now seems more likely that the plaque will be

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<sup>2</sup> This followed the taking of hostile action by Germany against Poland on 1 September 1939

unveiled on or about Remembrance Day, provided of course that it has been completed by then.

11. I have been supplied with a great deal of correspondence and many emails, from which it is evident that all concerned have been trying hard over the last few months to achieve the same ultimate objective – that is, finally honouring those who gave their lives for their country – but it is equally clear that some have perhaps allowed concern over details to cloud more mature judgement. I will say no more than that, other than to observe that one of the features of modern life is that seemingly bureaucratic procedures do have to be complied with, not least to ensure that all those with legitimate views can have a chance to express them, so that any eventual decision can take into account all relevant considerations. Those who rush ahead, either forgetting or ignoring such procedures, do so at their own risk.
12. There can be no doubt that, even (or perhaps especially) after this long interval, it is entirely fitting that those who died should be appropriately recorded. There is equally no question as to the appropriateness of the design chosen, to match the Great War memorial; although I agree with the comment of the DAC as to the added inscription.
13. The only remaining disagreement appears to be the date. Some suggest 3 September 2009 is appropriate, as this recalls the date in 1939 on which the War effectively started in this country. Others suggest that a date in November 2009, perhaps 14 November (Remembrance Sunday) would be more important, as it would record the date on which the plaque is to be unveiled, just as the Great War plaque records the date on which the memorial was erected. Just the year, “2009”, would also perhaps be appropriate, as it would relate to both of those dates. Others have suggested that there should be no date.
14. I have considered this carefully, as I realise that emotions can run high even on such apparently minor differences. I am also conscious that the plaque has actually been

cast, with the words “3 September 2009”. While it is presumably possible to remove wording, by grinding at the metal, I imagine that it would be impossible to add new wording other than by completely recasting the plaque, which would impose a considerable additional cost burden on the petitioners. I would therefore need considerable persuasion to insist on that. I am not satisfied that the case in favour of either “14 November 2009” or “2009” is sufficiently strong to justify the extra expense.

15. I am also very well aware that there is considerable support in certain quarters for the omission of any date. However, to remove the date altogether would provide no indication to future onlookers as to when the plaque was added to the memorial. In addition, I note that the design that formed part of the original petition, and which was considered by the DAC, included the words “3 September 2009”. To remove all the wording from the area of the plaque below the list of names would leave the resulting design somewhat unbalanced. Whilst I understand the reasons that lie behind the suggestion, I am therefore not attracted by the idea of removing all dates.
16. Mrs Worwood, a member of both the Fund and the Committee, points out forcefully that the date “3 September” is a date of great significance, or at any rate that “3 September 1939” was, as it marked the beginning of the War, and the end of all that was familiar. Having re-read (and indeed listened again to) the famous broadcast by Mr Chamberlain made that day, I am inclined to agree. Certainly there is enough significance in that date to justify “3 September 2009” as one possible option – and, given that the plaque has now been cast, I consider that there is no sufficient basis to require that date to be removed.
17. I accordingly grant a faculty for the erection of the plaque, in the form shown on the drawing but with the omission of the four words above the date, to be mounted in a suitably detailed recessed panel on the memorial.

18. Finally, looking to the future, it is now vitally important for everyone involved to come together to ensure that funds are raised, as I am sure that they will be, to enable the plaque to be completed in time for it to be unveiled later this year, and so that all can focus briefly not on the unhappy disagreements of the last few weeks but on the far greater and much more significant struggle that took place all those years ago.

**CHARLES MYNORS**

Chancellor

17 September 2009