

In the Consistory Court of the Diocese of Worcester

Archdeaconry of Worcester

Parish of Worcester St John in Bedwardine

Faculty petition 18-28 relating to disposal of upright piano and installation of grand piano

Judgment

1. The Church of St John-in-Bedwardine, Worcester dates back to the 12th century, but it has been altered and extended at various times since then. The present appearance of the interior reflects the long history of the building, and contains furniture and fittings of many periods.
2. This petition relates to two separate matters:
 - (1) the disposal of an allegedly redundant piano, and
 - (2) the installation of a grand piano, which has been offered to the church as a gift.

The removal of the upright piano

3. The parish took advice from Mr Barnaby Fitch, a piano tuner, who produced a detailed note explaining why the upright piano was beyond repair. The parish accordingly wished to dispose of it. Mrs Bale, the lay vice-chair of the PCC, objected to the removal of the “beautiful upright piano”, although without putting forward any reasons.

4. It appeared that the upright piano was indeed an attractive item. However, no-one challenged Mr Fitch's assessment as to its condition; and I had no basis on which to doubt Mr Fitch's that. The DAC recommended its removal. I considered that there was no point in a parish retaining a piano that is incapable of economic repair.
5. I accordingly directed by a letter dated 28 May 2018 that a faculty should issue to authorise that element of the proposal without further ado.

The installation of the grand piano

6. As to the installation of the grand piano, this was authorised on a temporary basis by an archdeacon's licence dated 26 May 2017, which expired on 25 August 2018. It is now proposed to make that arrangement permanent, and a faculty is sought accordingly. The granting of a faculty was recommended by the DAC, but has been opposed by two members of the congregation, Mrs Morris and Mrs Bale.
7. The piano was gifted to the church by Worcester Live, a charitable trust that runs Huntingdon Hall, The Swan Theatre and the new Henry Sandon Hall. The organisation is the main arts provider in the city and also runs the annual Worcester Festival. The instrument had been housed in the Swan Theatre, but it was no longer required there. The offer of the piano was apparently made orally by the Chief Executive Officer of Worcester Live; there is no record of the basis on which it was made.
8. The acceptance of the gift of the grand piano was first considered by the PCC on 23 May 2017, when it received unanimous approval. It is now being suggested that this was a hurried discussion, without sufficient time for the matter to be considered; however, if that was indeed the case, that could have been pointed out by some of those present, and the matter deferred. That did not occur, so the vote was therefore valid.

9. I note in passing that a proposal such as this is ideally suited to being authorised on a temporary basis by a licence, so that the suitability or otherwise of the new arrangement can be tested over a year.
10. The grand piano was in due course installed, although it is not entirely clear when that took place.
11. Now that the matter has re-emerged, as the result of a petition being submitted for a faculty to make the arrangement permanent, the PCC voted again, this time 11-1 in favour, with Mrs Bale voting against. She suggested that at the time of the earlier meeting the grand had been going free, and that the vote then had been on the basis of it being sold to pay for the restoration of the organ. She also indicated that it is a large item, which takes up considerable space in the church, and can only be moved with difficulty. She suggested that it should be sold, and the money put to a good purpose.
12. Mrs Morris, a former churchwarden, also objects on the same basis. She suggests that the grand piano should be sold to provide a replacement for the upright piano.
13. The parish has responded to the objections by drawing attention to the high quality of the instrument. It acknowledges that space is an issue; but notes that various options are available to accommodate it without "significant" inconvenience, and that it is on a castored base, which means that it can be moved relatively easily. Mr Templeton, one of the current churchwardens, also observed that "the PCC does not consider that the sale of the grand to fund a replacement upright piano or electronic alternative is a morally viable option, since the grand has been donated as a gift to the church with the expectation that it will be used there."

14. He has subsequently observed that the piano has been used liturgically during services, as an alternative to the pipe organ, and also for concert performances. It has not impeded other church functions. Being mounted on a purpose-built frame with castors, it could be transferred up and down the north aisle if required. However, he says, there is ordinarily no need to re-site it from its current location. He suggests that it is worth £5,000 to £6,000, although I have not seen a professional valuation.
15. Neither of the objectors wishes to become a party opponent. I have visited the church, accompanied by the incumbent and the two objectors. Mr Templeton, in a subsequent email, has observed that neither of the churchwardens was present at that meeting. However, as the incumbent and most of the PCC were in favour of the proposal, and the incumbent was present at the meeting, I am satisfied that both sides of the argument have been adequately represented.
16. On my site inspection, I observed that the piano was not in particularly good condition, having presumably been well-used at the Theatre, and was not a particularly beautiful object in itself. On the other hand, it was a perfectly seemly addition to the church, and I can well believe that it would be both an asset to worship and useful for other musical events taking place there. I noted that there was not an enormous amount of space around it, but that it did seem to be well situated where it is, and is not overly in the way.
17. As noted above, I have not seen a professional valuation of the piano, but I should be surprised if it would be worth a substantial sum, given its provenance. Whilst it could no doubt be sold, and the proceeds used to fund various other initiatives, including possibly a replacement upright piano or an electronic alternative, I suspect that the church would lose a significant sum on the transaction, which leads me to the view that the piano is worth more to the church as an item in its own right – as long as it is used – than as a source of funds.

18. It is unfortunate that there is no written record demonstrating the basis on which the piano was given to the church – either by a letter from the Trust offering it, or by a note in the PCC resolution accepting it. Mrs Bales suggests that at the first PCC meeting it had been suggested (although it is not clear by whom) that, once the parish had taken ownership, it could sell the piano and provide funds for the repair of the organ. This contradicts Mr Templeton’s understanding that the piano was provided specifically to be used in the church.
19. I cannot resolve that matter one way or the other. However, it is clear that, whilst it might or might not be permissible or appropriate to sell the piano, it must be lawful (subject to faculty) to retain it for use within the church – if that is what the church wishes to do. And the PCC has decided by an overwhelming majority (albeit not unanimously) that it does indeed wish to retain it, at least for the moment. There may in due course be a desire to sell it to raise money for some future project; that will have to be considered in the light of the position at that time; but there is no such proposal currently before me.
20. In the meanwhile, I see no basis on which the piano should not be retained, and a faculty should issue accordingly.



CHARLES MYNORS

Chancellor

25 November 2018