

IN THE CONSISTORY COURT OF THE DIOCESE OF ST EDMUNDSBURY AND
IPSWICH

In re St. Mary Stokeby Nayland

JUDGMENT

1. This is a petition by the incumbent and Churchwarden for masonry repairs to the Nave south Clerestory. This should have been a perfectly standard petition which would have passed the seal without any issue. The DAC secretary helpfully summed up the situation in a letter dated 21st February 2025;

At its February 2025 meeting, the DAC reviewed an application from St Mary's in Stoke-by-Nayland to carry out masonry repairs to the south side of the nave clerestory. This is the second phase of a major programme of works that commenced in late 2022. What started out as localised repairs at high level in the chancel quickly expanded dramatically in scope when the condition of the fabric turned out to be far worse than had been anticipated. This led to the church being placed on Historic England's Heritage at Risk Register the following year and it was awarded a fabric repair grant by that same organisation. These are given only in exceptional circumstances, which is an indication of the seriousness of the problem.

The first phase of works was completed in June 2024 and, we note, was highly commended last year for the National Churches Trust's King of Prussia award for conservation and repair work. It was understood by the time the first phase was drawing to a close that a second phase would be necessary to tackle high-level

fabric in the nave, and an application was commenced in December 2024. This consisted of the accompanying Specification and Schedule of Works, which were reviewed by members of the DAC's architects' committee in advance of the February meeting of the full committee, at which recommendation for faculty was sought. The members of the architects' committee had raised a number of questions, which were put to the scheme architect. He provided answers in writing that were then discussed at some length by the full committee and subsequently referred back to the architect members who conducted the original review. These have not settled all their concerns.

He went on to say:

We commend the PCC and its architect for their hard work and success to date in tackling a very difficult situation that has been imposed upon them. The DAC is keen for the repairs to be completed and is aware that the grant funding already secured is time-limited. But it also has a duty of care to the parish and its concerns over cost inflation have still not been settled. It is for this reason that a Notification of Advice has been issued on the basis of 'no objection' and this letter had been appended to explain the process and thinking that led the DAC to take this position.

2. I would not normally draft a judgment in these circumstances, but I am driven to do so having read the correspondence between the inspecting architect, Roderick Shelton, and members of the DAC including the Archdeacon of Sudbury. The communication from Mr Shelton is in the most extraordinary terms. Its tone is aggressive and unreasonable. In it he accuses individuals of defamation and claims that the questions (or 'allegations' as he puts them) are in breach of the regulations of the Architects code (presumably thereby threatening regulatory proceedings against an individual or individuals).
3. These are submissions made to a consistory court. The tone and language is not one I would expect from any petitioner or their witness, particularly a professional one to any court, and particularly to a Church Court. All of the queries could and should have been answered with professional courtesy. That they were not is deplorable.

4. I grant the petition as prayed without requiring a consistory court only because there is some urgency as this Church is 'at risk'. Had it not been I would have caused a Court to hear this petition so that the Mr Shelton could explain why he thought his correspondence, copied to this court, was appropriate.
5. This passes the seal.

10th May 2025

Justin Gau
Chancellor