

St Ebbe's chests, Oxford

On 22 July 2011 the *Church Times* published a story headed 'Wardens incur legal costs after unauthorised sale' which referred to two chests belonging to St Ebbe's Church, Oxford, which were sold without the requisite faculty at Mallams in Oxford last summer. The Royal Commission of Historical Monuments volume for Oxford (1939) records two chests at St Ebbe's but dates them 'late 17th century' and 'probably 17th century', rather than their likely dates of c1500 and 14th century. The latter chest, 1m 83cm long with wide stiles, thick applied frameworks to the ends, both pin hinges and strap hinges, and a single lock with long bolts that retain the lid, protected by a wooden casing, is an important survivor.

There are clearly many ways in which treasures can unintentionally end up on the market. Churches may not be aware of the value of items they have or that they need a faculty to sell them; vendors may mislead auctioneers about ownership, and auctioneers may not be aware that items come from churches and need a faculty before they can be sold. An important point was made by the Chancellor of the Oxford Consistory Court who said 'that it was of the utmost importance that heritage was conserved, whether or not it was perceived to be of practical use, and whether or not any person had a particular attachment to it.'

This is an area where RFS members can encourage good practice in various ways. The society has long been concerned about both the care and sale of furniture in churches. Peter Stone and Chris Currie have been particularly active. Chris Currie's document on the care of church furniture is on the RFS website and the Church of England's own advice on the sale of church objects can be found at: <http://www.churchcare.co.uk/legal.php?GI>

Chris Pickvance

The Faculty Procedures

The *Church Times* article highlighted the sorry events concerning the disposal of two ancient chests. St Ebbe's PCC decided, because the chests had no apparent use in the church, to send them to their local auctioneer, but no reference or authority had been obtained from the Diocesan Advisory Committee (DAC). This was in total contravention of the correct procedures.

All incumbents, church wardens, and PCC members are the trustees of much of the nation's fine heritage within church buildings and any lapses on their part make them liable to the powers of the Diocesan Consistory Court. In the case briefly quoted much tedious work has been incurred and the tracing of the chests is still unresolved. The diocesan registrar has given strict instructions to the

PCC to trace the items and, as a minimum, they are liable to pay all the costs of the court proceedings.

Those responsible for the management of churches should be aware of the importance of following the correct faculty procedures, and, if in any doubt, of contacting the DAC secretary. The requirement applies to ALL aspects of a church.

Peter Stone

14th century St Ebbe's chest

