

In the Matter of an Appeal against a Scheme for effecting the union of the benefices of Aston Clinton, Buckland and Drayton Beauchamp, all situate in the diocese of Oxford.

The Revd. Amos Parr on behalf of the Parochial Church Council of the Parish of Buckland, and Miss F. A. Ballard on her own behalf and on behalf of certain parishioners of the Parish of Drayton Beauchamp - - - - - *Appellants*

v.

The Church Commissioners - - - - - *Respondents*

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL, DELIVERED THE 27TH OCTOBER, 1958

Present at the Hearing:

VISCOUNT SIMONDS
LORD TUCKER
LORD DENNING

[*Delivered by* LORD TUCKER]

A scheme for uniting the three benefices of Aston Clinton, Buckland and Drayton Beauchamp dated 30th August, 1957, was certified to Her Majesty in Council by the respondents on 3rd September, 1957. A petition of appeal against the scheme was duly lodged by the Parochial Church Council of Buckland, and a further petition has also been lodged by Miss Ballard for herself and on behalf of certain other parishioners of Drayton Beauchamp.

These three rural parishes in the county of Buckinghamshire are contiguous and according to the evidence form one district and community with no natural boundaries. The total population of the three parishes is approximately just over 3,000 distributed as follows:—Aston Clinton 2,314, Buckland 530 and Drayton Beauchamp 166, the approximate distances by road between the three churches are as follows:—Aston Clinton to Buckland $\frac{3}{4}$ mile, Aston Clinton to Drayton Beauchamp 2 miles, Buckland to Drayton Beauchamp $1\frac{1}{2}$ miles. There has been no separate rector of Drayton Beauchamp since 1940. From 1940 to 1954 the living was held in plurality by the then rector of Aston Clinton. Since 1954 it has been in suspense with the rector of Aston Clinton as curate in charge of Drayton Beauchamp. The Reverend Amos Parr, who represented the Parochial Church Council at the hearing before the Board, is the vicar of Buckland.

The scheme is to take effect as soon as the benefice of Buckland shall be vacant and provides for the appointment of the Reverend T. A. Lewis, the present rector of Aston Clinton, as the first incumbent of the united benefice, and the employment of a curate to assist him in performing the duties of the united benefice. Provision is made for division of the endowment income to which it is not necessary to refer in detail.

It is not suggested by the respondents that the proposed union of the benefices will result in financial benefit to the diocesan stipends fund but it is contended that the decline in the number of available clergymen does not justify the preservation of separate benefices in parishes of small population except in cases where this is made inevitable by the existence of isolated or independent communities, and that except in such cases

better provision for the cure of souls in the diocese can be made only if the available clergy are more evenly distributed among the population throughout the diocese.

The grounds of the petitions of appeal are that the parishes, although contiguous are different in character, and that considerable development has recently taken place in Aston Clinton and further development is anticipated, that the prospects of obtaining the requisite clerical assistance would be better if both clergymen were beneficed, and that a scheme for the union of Buckland and Drayton Beauchamp without including Aston Clinton would achieve the desired results. It was further stressed that the union was contrary to the wishes of the majority of the parishioners of Buckland and Drayton Beauchamp. It was suggested in the course of the hearing that there were differences in churchmanship between Aston Clinton and Buckland, but their Lordships can find no grounds for rejecting the evidence of the Reverend T. A. Lewis to the effect that "in none of the three churches are the services characterised by any extreme of churchmanship. They are all services at which the great majority of members of the Church of England would feel at home".

It was also contended at one stage that there had been a failure to consult the Parochial Church Councils concerned as required by section 3 of the Pastoral Reorganisation Measure, 1949, but on the facts stated by Counsel for the respondents and accepted by Mr. Parr their Lordships are satisfied that this objection cannot be sustained.

It is only natural that such schemes as the present should be unacceptable to many persons, such as Miss Ballard, who remembers other times when conditions were different to those which prevail today, but there is nothing in the evidence which leads their Lordships to doubt that the Diocesan Pastoral Committee took fully into account all the matters set out in section 3 (2) of the Pastoral Reorganisation Measure, 1949, and in so doing gave proper consideration to the objections enumerated above, none of which is in their Lordships' opinion sufficient to outweigh the advantages of a more even distribution of available clergy which can reasonably be expected to result from the scheme.

They will accordingly humbly advise Her Majesty that these appeals be dismissed and the scheme affirmed.

In the Field Column

THE JENSEN COMPAGNIES
DORIS A. JENSEN
THE FIELD COLUMN

THE JENSEN COMPAGNIES

THE JENSEN COMPAGNIES

In the Privy Council

**THE REV. AMOS PARR AND
MISS F. A. BALLAD**

p.

THE CHURCH COMMISSIONERS

DELIVERED BY LORD TUCKER

Printed by HER MAJESTY'S STATIONERY OFFICE PRESS,
DRURY LANE, W.C.2.
1958