

Pastoral Measure 1968

Miss J. R. Brown - - - - - *Appellant*

v.

The Church Commissioners - - - - - *Respondents*

ORAL JUDGMENT OF THE LORDS OF THE JUDICIAL
COMMITTEE OF THE PRIVY COUNCIL,
DELIVERED THE 16TH NOVEMBER 1976

Present at the Hearing :

VISCOUNT DILHORNE

LORD KILBRANDON

LORD EDMUND-DAVIES

[*Delivered by VISCOUNT DILHORNE*]

Miss Brown, their Lordships have read and carefully considered your Petition, and the documents you submitted with it, and, of course, the Answer of the respondents and the affidavits filed by them. We have listened carefully to your eloquent address which has traversed a great deal of the field which you covered in your Petition.

It is a sad decision to have to make as to which of two churches, one very old and the other not so old but clearly from the photographs as shown very lovely inside, should be declared redundant. However, you recognise that one of those two churches should be declared redundant; you said so at the opening of your address. You also said that the views which you expressed to us have been put before all the various bodies who have to be consulted before a Scheme of this kind is made. They have considered them and we have considered them; they have rejected them and I have to tell you that while we recognise the sincerity with which you have expressed your views today, and your clear affection for St. Alban's, we are unable to conclude that you have established any grounds for saying that the decision that St. Alban's should be declared redundant was wrong.

Their Lordships will humbly advise Her Majesty that the appeal be dismissed and the Scheme be confirmed.

In the Privy Council

MISS J. R. BROWN

v.

THE CHURCH COMMISSIONERS

DELIVERED BY

VISCOUNT DILHORNE