

CHURCH BELLS AND THE LAW: GUIDANCE NOTES FOR CLERGY AND WARDENS

INTRODUCTION

Bells are associated with churches of most traditions the whole world round. The tradition of bellringing in England is distinctive through the evolution of change ringing, and the sound of bells in city and countryside is a long-standing and familiar part of the environment. The summon to worship; they ring out in celebration and in sadness.

*And an undersong to branches dripping into pools and wells
Out of multitudes of elm trees over leagues of hills and dells
Was the mathematic pattern of a plain course on the bells
John Betjeman, Bristol*

With the increasing concern about noise pollution, there have been occasions when complaints about bellringing have been made, very occasionally even spectacularly.

The purpose of these Guidance Notes is to offer advice to incumbents, churchwardens, PCCs and bellringers about maintaining the campanological element in our way of life through sensible management. There is a brief outline of the law and custom which applies to the ringing of church bells. There are also some suggestions about dealing with complaints and whom to contact for help.

In this way, bells can continue to be seen as an enrichment of the quality of our life.

SECTION 1: THE LEGAL BACKGROUND

Ecclesiastical law

Canon F8 of the Church of England states that:

- “1. In every church and chapel there shall be provided at least one bell to ring the people to divine service
2. No bell in any church or chapel shall be rung contrary to the direction of the minister”.

Control of the ringing of church bells belongs jointly to the incumbent and the churchwardens.

Common law

There does not appear to be any legal right as such to ring bells in the community. It seems to be a matter of custom.

The Common Law position is that the making of unreasonable noise is actionable as nuisance. The question is whether the person's use and enjoyment of his/her property is being interfered with. If it is shown that the answer to this question is "yes", damages may be recoverable or an injunction gained in the Civil Courts. This course of action is unlikely to succeed unless the bells are ringing incessantly or at times which would be regarded as unreasonable in the eyes of any prudent person.

Short periods of bell ringing for public worship or weddings would not be actionable. More sustained periods at antisocial times might well be.

The Environmental Protection Act 1990

Under S.79 of the 1990 Act, noise emitted from premises so as to be prejudicial to health or a nuisance, or interfering unduly with the comfort and convenience of neighbouring occupiers, could give rise to a prosecution in the Magistrates' Court.

Each case involves questions of fact and degree; therefore evidence of noise levels is seen as relevant.

Who can take action?

Any person whose enjoyment of their property is being affected by the noise of the bells can take legal action to seek to prevent it. The proximity of the property to the church will undoubtedly be relevant here.

Someone who has recently moved into the area knowing there is a church nearby would probably not be looked on as favourably by the courts. That person may have to take action against the vendor of the property if they have misrepresented the amount of time the bells are rung.

General advice

It is as unreasonable for an incumbent to claim a right to ring the bells whenever he or she pleases as it is for someone to seek to silence the bells. In each case, there appears to be a need to find an acceptable compromise /balance. The incumbent should ensure that the tower captain adheres strictly to the guidelines in this document for all ringing by local and visiting ringers.

Playing recorded bellringing

The advice contained in these Guidance Notes also applies to the playing of recorded bellringing through amplification systems in the tower or elsewhere. The normal procedures about consultation with the DAC and applying for a faculty must still be observed.

It should be noted that recorded bellringing is a departure from the tradition of "live bellringing" and it is unlikely that the DAC would recommend such a scheme.

SECTION 2: HOW TO AVOID A COMPLAINT ABOUT YOUR BELLS

The ringing regime:

1. **Ring regularly** at known times for practice night and services. (NB Regular ringing need not be frequent ringing). Do not deviate from these times – do not add extra sessions – do not miss known sessions. Do not start or finish a session early or late. **Publicise all ringing widely.**
2. **Fix a pattern** for additional ringing for weddings, visitors, meetings, quarters and peals. **Visiting ringers must adhere to local constraints.**
3. **Consider your neighbours:**
 - In hot weather
 - Using gardens or open windows
 - During special events in any hall nearby
 - Pay specific attention to those likely to be affected
4. **Publicise special ringing events:**
 - In local newspapers
 - In the parish magazine
 - On the church notice board
 - In handbills to local houses
5. **Maintain good striking:** The public can always tell the difference between good and bad striking. Use tied bells for practice.
6. **Hold open days:** Make people aware of ringing and ringers.
7. **Be reasonable:** The law requires it.

SECTION 3: DEALING WITH A COMPLAINT ABOUT YOUR BELLS

When a complaint is made

1. Respond courteously and promptly.
 - Be reasonable. Aim to reach an amicable solution at the outset. If necessary, be prepared to modify your ringing pattern to reach a compromise.
 - Discuss the problem with the complainant face to face if possible. Invite him or her to watch the ringing and meet the ringers.
 - Explain why and when the bells are usually rung and for how long.
 - Clergy, wardens and ringers must work together.
 - One person should be appointed spokesperson to avoid confusion.
 - Take the Environmental Health Officer seriously.
2. Keep a written record of complaints.

3. Seek experienced help.

Talking to the press

If the press tries to make contact, don't be interviewed whilst you are unprepared, but be courteous and promise to ring back very promptly. Advice is available from the Diocesan Communications Officer and the Central Council's Public Relations Committee (see Section 4). Then prepare what you are going to say and keep that promise without delay.

- Decide on the 3 (no more) key points you wish to make. Write them down, so you are able to put them across briefly and clearly. Bear in mind that the journalist's copy editor may want to push some angle with which you will disagree when the copy reaches the public.
- Answer the questions put to you, but always concisely. Decline to answer a question which is not clear, until it has been made so. If you do not know the answer, take care to avoid improvising, but promise instead to obtain an answer and get back to the journalist with it. Keep that promise promptly.
- Do not assume the journalist has knowledge about the topic of the interview. Do not use technical terms, initials, jargon or cliches, even though you may be thoroughly familiar with them yourself.
- Be helpful, but do not ramble – the journalist's attention will wander and then your main points will be missed.
- Do not imagine you can have a casual conversation with the journalist. If you want to say something without being quoted, the onus is on you to warn that you are about to go "off the record" and, before saying it, to obtain the journalist's agreement that it will indeed be treated as "off the record".
- Above all, establish a good working relationship with the journalist, so that your prepared set of 3 key points appears in the final copy printed exactly as you intended.

Radio and television

Interviews for radio and television require very careful preparation; you can contact the Diocesan Communications Officer and the Central Council's Public Relations Committee (see Section 4) for advice. Find out whether the interview is going to be live or recorded, and what length it will be after editing. Arrive punctually, and do not visit the bar beforehand.

- Do not be deflected from making your 3 key points. Use the precise words you have prepared. Speak with authority, but without pomposity of tone. Speak clearly, and avoid material which could be boring.

- For television, dress smartly and on the conventional side. Keep your hands low and still. Be brief, or else your 3 key points may be edited to little more than a single quote.

SECTION 4: HELP WITH COMPLAINTS – ADDRESSES

From the Diocese

In the event of any complaint, it is essential to let the Archdeacon know the details as soon as possible. For help with handling media enquiries, the Diocesan Communications Officer will be able to give you advice:-

The Revd Prebendary John Andrews
Cherry Tree House, Ham Lane
Kingston Seymour, Clevedon BS21 6XE

01934 830208 email: joh.andrews@bathwells.anglican.org

From the Central Council

The following bodies set up by the Central Council of Church Bell Ringers will readily provide specialist advice. (NB Since membership will change from time to time, the current contact point should be obtained either from the current **Ringing World Diary** or from the offices of **The Ringing World**, whose address and telephone number are given below.

1. **Complaints Advisers** A network of expert advisers has been appointed on behalf of the Central Council of Church Bell Ringers. The advisers are available to assist in resolving problems regarding complaints about bells. The names of local advisers can be obtained from the helpline given below in paragraph 5.
2. **Public Relations Committee** This committee deals with all aspects of bellringing public relations, including maintaining the network of Complaints Advisers and giving advice on how to deal with the press, radio and television. It also advises on the production of publicity material.
3. **Towers and Belfries Committee** This committee is able to provide general and specific technical advice on towers and belfries, including sound management.
4. **Publications Committee** The purchase of any of the Central Council's informative or technical publications can be made from the Publications Committee.
5. **The Ringing World** The weekly newspaper for all bell ringers. It has a telephone helpline available at the number below:-

The Ringing World

Penmark House, Woodbridge Meadows, Guildford, Surrey, GU1 1BL
Tel. 01483 569535 Fax. 01483 567876

6. **“Guidelines on ensuring the acceptability of the sound of church bell ringing”** This new and fully up to date document by the Public Relations Committee of the Central Council of Church Bell Ringers is at present in its final consultation stage and about to be published. The contact address can be obtained from **The Ringing World** – see paragraph 5 above.

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