

**Re St Mary, Adlestrop**

Gloucester Consistory Court: Rodgers Ch, 23 October 2017

[2017] ECC Glo 2

*Hatchments – memorials*

Three hatchments had, in the past, been introduced into the parish church in remembrance of members of the Leigh family, which had occupied the estate within which the church was situated. The Leigh family was subsequently replaced by the Collins family, which renovated the estate house and contributed significantly to the church. Following the death of Mrs Collins, her son sought to introduce a hatchment to her memory into the parish church. The Diocesan Advisory Committee and Parochial Church Council were in support of the proposal, as were the surviving members of the Leigh family, but there were objections from local residents. It was argued that there should only be hatchments for the Leigh family, as they were the lords of the manor, and also that hatchments were outdated and should no longer be introduced.

The chancellor set out a test for the introduction of hatchments based on the legality and removability of the hatchment, causing no harm to the fabric of the church. The Collins' hatchment was legal, evidence from the College of Arms having shown that they were entitled to a coat of arms. A review of hatchments elsewhere showed that they were still being introduced, albeit rarely, and that the objectors' historical evidence on this point was inaccurate. The limited number of faculties recently sought for hatchments tended to disprove the fear that everyone would want a hatchment. The objection based on the Leighs' manorial rights was also unfounded as the lordship of the manor was titular only and the true test for the introduction of memorials was recognition of contribution to the church. In this case Mrs Collins had made generous contributions to both the house and the church. A faculty was granted on condition that the hatchment was approved by the College of Arms and installed within 12 months. [Catherine Shelley]

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**Re St Mary, Chartham**

Commissary Court of Canterbury: Ellis Com Gen, 22 November 2017

[2017] ECC Can 1

*CCTV cameras – guidance for installation*

The commissary general granted a faculty for the installation of CCTV security cameras in the Grade I listed church, to enable it to remain open during daylight hours. Applying the first two of the *Duffield* questions, she found that there was no harm to the significance of the building, provided that Diocesan Advisory

Committee recommendations were followed to ensure that the equipment was fitted on appropriate roof timbers. The commissary general set out guidance for future faculty applications for CCTV equipment. She also reviewed the secular legislation. The Protection of Freedoms Act 2012 and its subsidiary guidance in the Surveillance Camera Code of Practice set out the duties of controllers of such equipment. While parochial church councils (PCCs) are not included in the statutory framework, it is nonetheless good practice to adopt voluntarily the principles in that guidance. An open church would meet the definition of ‘public place’, following the definition used in section 16(6) of the Public Order Act 1986. Accordingly, the PCC, churchwardens, incumbent and petitioners would be classed as systems operators, and those in control of reviewing the video material would be data controllers bound by the definitions and duties of the data protection legislation. Conditions were imposed on the faculty requiring the scope of the lens to exclude areas set aside for private prayer, requiring the cameras to be turned off during services, ensuring that the data was only stored for a limited period and requiring the identification of an individual who would be responsible for the equipment and data stored. [Catherine Shelley]

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### **Re St Mary the Virgin, Wotton-under-Edge with Ozleworth**

Gloucester Consistory Court: Collinson Dep Ch, 28 November 2017

[2017] ECC Glo 3

*Re-ordering*

Some 12 parishioners and the Victorian Society objected to proposals for re-ordering this Grade I listed church. The proposals included the removal of pews and alterations to widen the openings in, and remove parts of, a stone dwarf wall with railings separating the chancel and other parts of the east end of the church from the nave. The Victorian Society objected to the proposal to remove parts of the wall, which they said would cause significant harm to the building and seriously erode the character of the east end. Historic England was opposed to aspects of the proposals relating to the wall, accepting only the widening of the central opening into the chancel. The Church Buildings Council accepted the modifications to the opening of the wall into the chancel but was opposed to the removal of other parts. Most of the letters of objection from parishioners raised objections to the proposals relating to the wall.

The deputy chancellor accepted that the proposals relating to the wall and railings would result in harm to the significance of the church but she did not consider it to be serious harm, given the relatively recent introduction of this feature