

- i. That there is a statutory procedure for registering opposition to a faculty application; and
- ii. That there was no guarantee that the signatories were entitled to oppose any such faculty application. [RA]

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Re St Stephen, Burnley

Blackburn Consistory Court: Bullimore Ch, August 2007

Telecommunications – procedure – public notice

Certain parishioners applied to set aside a faculty for the installation of telecommunications equipment in the church tower, on the basis that there had been a failure to display the public notice ‘outside [the] church or in some other prominent position . . . so that it [was] readily visible to the public’, in accordance with rule 6(4)(b)(ii) of the Faculty Jurisdiction Rules 2000. The chancellor found a breach of rule 6(4)(b)(ii), in that no public notice had been exhibited outside the church, there being no external notice board and previous experience and the location of the church having caused fears that a notice affixed to the door would have been torn down within hours. The chancellor set aside the faculty on the basis that the breach was a serious failure to comply with the Rules, holding that a public meeting to address the parishioners’ concerns held by the petitioners subsequent to the grant of the faculty could not remedy the deficiencies in the public notice procedure. [RA]

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Re St Mary, Weston Turville

Oxford Consistory Court: Bursell Ch, August 2007

Memorial – churchyard regulations

The petitioner’s daughter had died in 2004 aged eighteen but was a special needs child and was, in the words of the petitioner, ‘only ever going to be a child’. The proposed headstone was, therefore, until the death of one of her parents going to be a child’s headstone, heart-shaped, with the figure of an angel praying leaning on the top of the heart, with the inscription: ‘It broke our hearts to lose you/But you didn’t go alone/For part of us went with you/The day God called you home’. The memorial fell outside the scope of the Churchyard Regulations. The PCC voted by a majority against such a memorial.

The chancellor accepted that there was no difficulty in principle with a temporary memorial, but that the petitioner's daughter's childlike qualities should be commemorated in a permanent rather than temporary fashion. He ruled that the design of the temporary memorial was inappropriate, as it would stand out in the midst of the conventional designs surrounding it. He reserved any final decisions as to the design of the memorial to himself, to give more pastoral freedom to the priest-in-charge. [JG]

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