

CASE NOTES

EDITED BY JUSTIN GAU

Barrister, Deputy Chancellor of the Diocese of Lincoln

AND RUTH ARLOW

Barrister, Deputy Chancellor of the Diocese of Chichester

Re St Oswald, Hotham

York Consistory Court: Coningsby Ch, April 2006

Chiming clock – inconvenience

The petitioners sought leave to install a chiming clock on the south face of the Norman church tower. Objections were noted on the grounds of noise and aesthetics. The chancellor was satisfied that, as the clock was to chime between the hours of 9.00 am and 5.00 pm on weekdays only, the level of inconvenience of the sound of the bell was not sufficient to justify refusing to allow the installation of the chiming clock. The chancellor concluded that, as the majority of persons, including the DAC, felt that the clock was aesthetically satisfactory, he should not refuse the petition on that ground either. The petition was granted as prayed. [JG]

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Re St Mary, Worsbrough

Sheffield Consistory Court: McClean Ch, October 2006

Memorial – procedural irregularities – passage of time

A petition was received to introduce a plaque to commemorate a member of the congregation who had given many years of service to the church. The application was first raised within only a few months of his death, and there were several procedural irregularities within the petition, including the apparent objection of one of the petitioners. The proposed situation of the plaque was also described as ‘extraordinarily insensitive’ by the chancellor. The chancellor emphasised that memorials were never a matter of right but of privilege and a privilege that should be sparingly conceded: *Re St Margaret, Eartham* [1981] 1 WLR 1129. The introduction of such a plaque needed full discussion and careful consideration, there needed to be proof of the ‘exceptionality’ of the person to be commemorated, and there needed to be evidence of wide support for the proposal. The chancellor pointed out that, in some dioceses, no application would be considered until five