

more significant it was. The chancellor held that on the evidence the rood screen – although it had been subject to restoration in the nineteenth century – did retain a majority of original, mediaeval work and that it was ‘still evidently very significant’. Applying the *Bishopsgate* questions, the chancellor held that a faculty should not be granted to permit the removal and relocation within the church of the central section of the rood screen. Having been installed in its current location in the fifteenth century, it was a ‘remarkable survival’ and unique within Surrey. It contributed substantially to the character of the church building and relocating its central section would destroy its integrity. The need for change that had been shown – the improvement of sight lines and the removal of a physical separation between worshippers in a large and growing church – did not outweigh the severe harm that the proposals relating to the screen would involve. The pews, by contrast, were not ‘particularly special’ and they could, in principle, be removed. The chancellor was not satisfied about the detail of the proposals for the chairs that would replace them. Accordingly, the chancellor made his judgment an interim judgment so that further material could be submitted to the court concerning the seating, following a meeting of interested parties. [Alexander McGregor]

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### **Re Holy Trinity, Richmond**

Southwark Consistory Court: Petchey Ch, October 2010

*Memorial tablet – artistic adornment – reference to grandparents*

A faculty was sought for the installation of a memorial tablet to the late David Church OBE, to be paid for by his widow. The tablet was to be a simple square of Portland stone located with other memorial tablets in the north aisle. The wording was to include reference to the marriage of Mr Church’s grandparents at the church on 29 April 1890. The DAC recommended several alterations to the design and certified ‘no objection’ to the proposal on some of those being met. The chancellor had no doubt that Mr Church was deserving of the ‘privilege’ of commemoration by memorial tablet. He referred to the *Chancellor’s Guidance on Churchyards and Memorials*, which state that a faculty would not generally be granted unless, *inter alia*, the memorial is artistically an adornment to the church. He found that the proposed design would not be an ‘artistic adornment’ due to its simplicity, although he stated that a simple design is not necessarily incompatible with an artistic adornment. He held that there must be ‘good reason’ for permitting an exception to the *Guidance*. The chancellor identified three such reasons, none of which applied here:

namely, where affordability necessitates a simple design; where the church is unlisted such that a simple design will not be ‘intrinsically harmful’; and where a simple design would be ‘in keeping’ with other memorials in the proposed vicinity. In addition, the chancellor found the reference to the deceased’s grandparents to be of no interest other than to his family and thus inappropriate. He could not grant the faculty for the design as it stood but would reconsider should the petitioners amend it to be an artistic adornment with the reference to the grandparents removed. [Simon Rowbotham]

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### **Re St George, Woodsetts**

Sheffield Consistory Court: McClean Ch, October 2010

*Memorial plaque – cremated remains – removal – diocesan churchyard rules*

The rector and churchwardens sought a faculty for the removal of a memorial plaque over the cremated remains of the deceased. The back of the plaque stood a few inches proud of the ground with a sloping section at the front bearing an inscription of details of the deceased. The petition was supported by the PCC and DAC but resisted by the deceased’s family. For 15 years diocesan rules (including that prohibiting plaques over cremated remains) had been disregarded within the churchyard. Objections about the material of the plaque were not pursued but concerns were raised about the design, which was unique within the churchyard. The chancellor noted that the diocesan rule prohibiting plaques over cremated remains without a faculty would need to be applied in future and that such a faculty was unlikely to be granted except as part of a wider scheme. Whilst acknowledging that the design of the plaque may make maintenance of the area more difficult, the chancellor refused the petition, having regard to the fact that the plaque was not visible from the churchyard path or at all until one came close to it, that the design itself was not objectionable and that the deceased’s family had been caused much distress by a series of mistakes and misunderstandings giving rise to the current position. [RA]

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