

Re Astwood Cemetery

Worcester Consistory Court: Mynors Ch, 11 May 2016

[2016] ECC Wor 1

Exhumation

The cremated remains of the petitioners' father had been interred in 2012 in a family grave already containing the remains of six other family members. He had died at the relatively early age of 60. His wife, who had been his main carer, died unexpectedly in 2015 but there was no space in that grave for her remains, despite a long-standing understanding that their remains would be interred together. The petitioners sought a faculty for the exhumation of their father's remains from the family grave for their re-interment in a nearby plot together with the remains of their mother. It was intended that the petitioners' remains would join them in the fullness of time. The chancellor considered the decision in *Re St Mark, Fairfield* [2013] PTSR 953, in which it had been decided that the exhumation and re-interment in a grave containing more than one existing family member was capable of constituting an exceptional reason outweighing the presumption of permanence of burial, subject to the strength of the reasons for any delay in seeking exhumation. The chancellor held that, in the circumstances of this case, an exceptional reason had been made out and a faculty was therefore granted. [RA]

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Re St Philip, Scholes

Leeds Consistory Court: Hill Ch, 16 May 2016

[2016] ECC Lee 5

Font – disposal – sacramental objects – confirmatory faculty

In March 2015 the petitioners were granted a faculty by the acting chancellor for works of re-ordering of this 1967 unlisted church, which included the separation of the liturgical area from a new community and social area by the introduction of a glazed screen and servery. That faculty authorised, inter alia, the 'relocation of the baptistery'. In April 2015 the petitioners attempted to remove the font, which was a fixed, marble-clad concrete pillar described by the Diocesan Advisory Committee (DAC) as of no intrinsic merit. They were unable to remove the font intact and so it was demolished, removed from the church and buried in the garden of one of the petitioners. Six months later the matter was drawn to the attention of the chancellor, who directed that the faculty did not permit the removal of the font from the church and its disposal, and required the petitioners to return the font and to petition for a faculty in