

- x. The plaque must be an artistic adornment and in keeping with the church's character and the words should make sufficient link to the character and service for which the person is to be commemorated.

The chancellor found that the petitioner's mother was adequately commemorated elsewhere in the church and that her contributions, though considerable and significant, had not been very special or outstanding such as to go substantially above and beyond the faithful discipleship expected by the Church of all of its members. The faculty was refused. [RA]

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Re The Blessed Virgin Mary, Ellesmere

Lichfield Consistory Court: Eyre Ch, 5 July 2014

Disposal – gift – redundancy – public access

In 1880, following subsidence, the east window of this Grade I listed church, which had been formed of mediaeval tracery and stained glass dating from 1829, had been replaced. In 1975 the church recovered the glass and moved it to the stained glass museum at Ely Cathedral on permanent loan. In 2005 the tracery was moved back to the church and laid on gravel near the east window. A petition to sell the tracery was withdrawn following advice from the Society for the Protection of Ancient Buildings. The petitioners now sought a faculty to convert the loan of the stained glass into a gift to the museum, where it would continue to be on public display, expertly curated and also studied as part of a project with the University of York. The petition was opposed by two church members, who wanted at least some part of the stained glass reunited with the tracery and displayed in the church.

The chancellor acknowledged the presumption against disposal, particularly in a case of disposal by gift where there was no consequent benefit to the church. Nevertheless, disposal could be justified if the item was redundant or its disposal would enhance its public availability. The fact that the item was separated from the church was not *per se* a factor. In this case the glass could no longer form the east window of the church and its long separation from the church contributed to that redundancy. The fact that it would be properly curated by the museum and would enhance knowledge of stained glass by its study at the University of York increased its accessibility and wider public benefit. Therefore, on the basis of both redundancy and access, the disposal was appropriate. The minimal value of the glass meant that disposal by gift was also appropriate. [Catherine Shelley]

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