

Re Caister Cemetery

Norwich Consistory Court: Arlow Ch, 4 February 2016

[2016] ECC Nor 3

Relocation of memorials – re-use of burial ground

The Joint Burial Committee petitioned for a faculty for the relocation of a number of headstones from a specified area of this municipal cemetery in order that the area could be re-used. The chancellor gave directions requiring all affected graves to be identified and for notice to be given to the owners of the memorials wherever possible. All of the affected graves (apart from one from 1932) were over 100 years old. The notices elicited objections in relation to two of the memorials. The objectors were descendants of those commemorated (a grandfather and grandson), including a representative of a family genealogy group. The objectors asked that the two identified headstones be left undisturbed for the present, given the significance of one of the deceased (a seventeenth-century master mariner) and the fact that family members still occasionally visited the grave to recount stories of the deceased's life. The cemetery was very nearly full and was bounded on all sides by roads and buildings such that extension was not a possibility. Re-use must be considered. The chancellor took account of the need of the petitioners to re-use the area to provide burial spaces and granted the faculty, imposing conditions as to the careful relocation of the headstones at the perimeter of the cemetery in order that the information on the headstones remained available to the public. [RA]

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Re All Saints, Bingley

Leeds Consistory Court: Hill Ch, 9 February 2016

[2016] ECC Lee 3

Relocation of memorials – health and safety

In 1904 Keighley Road was built over part of the churchyard of this Grade II* listed church. Many of the headstones removed from that area were laid as paving within the remaining churchyard. That paving had become slippery and hazardous when wet, resulting in a number of injuries. In 2015 the incumbent and churchwardens petitioned for a faculty for the landscaping of the churchyard and the introduction of new, safer pathways. The only contentious issue was what would be done with the memorial headstones from the current paving. The number of headstones to be relocated was conservatively estimated at around 160. Residents living close to the local municipal cemetery objected to the proposal to place a significant number of the headstones there.