

Neutral Citation Number: [2023] ECC Nor 2

IN THE CONSISTORY COURT

DIOCESE OF NORWICH

**IN THE MATTER OF:
REEPHAM, ST MARY**

-and-

**IN THE MATTER OF:
A PETITION OF THE REV'D HELEN RENGERT (INCUMBENT) AND RACHEL
RICHMOND AND SUSAN CRIPPS (CHURCH WARDENS)**

-and-

**IN THE MATTER OF:
A PROPOSAL TO PLACE A WAR MEMORIAL IN THE CHURCHYARD OF ST
MARY'S**

Judgment of the Chancellor

July 30, 2023

Etherington Ch:

1. The local branch of the Royal British Legion approached the Parochial Church Council (PCC) of Reepham, St Mary with a view to place a service memorial in the churchyard. The rationale behind this proposal is that the memorial would be a focal point for the community, particularly during services of Remembrance. The town has no accessible war memorial and wreaths are laid inside the church. The Royal British Legion propose to pay for the monument.
2. The Diocesan Advisory Committee (DAC) recommends the proposal to me.
3. In my Directions of April 13 2023 I expressed a degree of caution as to the locating of service memorials in churches.

4. There are two Objectors who do not wish to become Parties Opponent but whose views I will take into account.
5. The first objection is from Mr Rufus Sweetman. He does not think that granite, the material apparently preferred by the Royal British Legion, is in keeping with the texture and material of the surroundings, placed adjacent to the medieval wall-face of the south aisle which comprises “coursed flint” set in warm buff mortar. He says that in the area of the wall there are two windows constructed of “limestone ashlar masonry”. He also remarks that all visible headstones are made either of limestone or sandstone and there is a clear uniformity of colour and texture which he says is aesthetically valuable. He comments that if longevity and ease of maintenance has been a factor in the choice of stone then the War Graves Commission always uses a pale limestone or sandstone.
6. The second Objector is Mrs R Footit. She says that she does not oppose the installation of a memorial *per se* but that she thinks it should be placed centrally between the two windows. She says that she knows that the PCC did not see an example of honeyed granite before making its decision and thinks a paler stone may be more appropriate. She also makes observations about the design of the lettering which the Petitioners have been able to see.
7. After careful consideration, the PCC wished to retain the original stone selected as they felt it was a sympathetic colour to the flints in the church wall and easier to maintain and that it would give a more modern look. As regards siting, the PCC concluded that it would be better suited to siting in the centre of the grass. The Petitioners would wish to have the inscription in capital letters.
8. I cannot say that I view the proposal with much enthusiasm because:
 - i. the reality is that the Royal British Legion has wanted a service memorial in Reepham for some time for obvious reasons that I entirely understand, but, for whatever reason, various civic entities have declined or have been unable to accommodate a memorial. This was also the view of a previous Rector, who declined to have one placed in The Pound at the entrance to the churchyard and, therefore, this application seems to me to be to place the memorial in the proposed location because it can go nowhere else, which is rather sad;
 - ii. my general view is that service memorials should be in a civic setting unless a particular relationship exists between the church and, for example, a certain regiment or branch of the Services;
 - iii. its positioning, whilst it is being placed more centrally than was first intended and will be in the churchyard next to where the crosses are placed annually for Remembrance Day and near to where various paths meet, has a somewhat stranded appearance to my eye. It will be there all the year round, not just at the time of Remembrance.
9. In the end, however, my function as a judge of the Consistory Court is not to impose my own personal views and tastes on a parish and if this is what the PCC wants then, unless its presence would deleteriously affect the significance of this Grade II* listed church in an impermissible way, I have no justification for refusing the petition. It will not have that effect.
10. I have considered what Mr Sweetman and Mrs Footit say. I have sympathy for Mr Sweetman’s view, but the PCC has considered what he has said and decided it still wants the memorial using the stone it has selected. I do not find that the difference between what Mr Sweetman wants and what the PCC proposes is such that I would be justified in

intervening. The PCC considered again its stance in light of what he said, and he was entitled to that reconsideration, but, in the end, it has the right to make its own choice in the particular circumstances of this application. I have considered what Mr Sweetman says about the Churchyard Regulations. These regulations delegate to an incumbent my power to permit the introduction into her or his churchyard of memorials within the provisions set out and to do so *without faculty permission*. If someone wishes to introduce a memorial outside of those provisions then a faculty would be required from the court and the petitioner would have to justify departure from the regulations. This proposed memorial is not a private memorial marking the burial of human remains but a monument to those who have given their lives in the service of the country. This does provide for greater possibilities of variation. In the case of private burial memorials, there is a need to have regard to some degree of uniformity and to avoid the dangers of creating bad precedents. A monument of this kind is very much a single memorial.

11. Mrs Footit's observation about adjusting the location has been acted upon by the Petitioners. To her second objection about the stone, I give the same answer as that I have given to Mr Sweetman. Her preference not to have capitalisation of the first letter of each word on the memorial is again a matter for the PCC. In fact, the Petitioners have decided that they will capitalise all of the letters. That has to be a decision for them.
12. I grant the petition and order that the faculty pass the Seal. I make no order as to costs in respect of this judgment.