

DIOCESE OF SHEFFIELD
In the Consistory Court

Her Honour Judge Sarah Singleton KC
Chancellor

ST JAMES RAVENFIELD
Petition to install a wooden surround and blue slate chippings

1. In this matter the Petitioner seeks permission retrospectively to install a wooden surround and blue slate chippings at the site of a grave containing the remains of his grandparents. For a number of reasons good and bad which do not need to be catalogued in this short judgment, this matter has taken a very long time and is mired with indignant high feelings on the part of the Petitioner. He has declined to pay the Registry fees for his Petition and described the rules which required such a Petition as “pathetic”.
2. The wooden surround and chippings in question were installed by the Petitioner without permission from the then incumbent, the Reverend Peter Hughes who is now retired, or the Church Wardens or the PCC (now acting jointly in the role of churchwardens) The Parish is in vacancy at the present time.
3. Public notices of the Petition were, after a false start, eventually correctly displayed and prompted a letter of objection from the Petitioner’s cousin who is also a grandchild of the family members interred in the grave at the site. The objecting family member had not been consulted about the installation of the wooden surround and chippings.
4. The PCC of St James Ravenfield, by the decision of their meeting of 17th March 2021, expressly prohibited the installation of surrounds and chippings in this churchyard. Surrounds and chippings are generally not permitted in any event by the Sheffield Diocesan Churchyard Rules. The PCC have indicated their willingness to undertake the removal of the surround and chippings should it be the decision of this Court to dismiss the Petition.
5. The Petitioner and the objector advance opposing views of whether and to what extent there are other gravesites in the church yard which breach the Churchyard Rules and the PCC’s prohibition by incorporating surrounds and chippings. This is an irrelevant dispute; whilst it may be difficult for those affected to understand, the fact that rules have not been consistently applied is not a justification of itself for them not to be applied generally.
6. Despite the delay and the likely anger of the Petitioner I have no proper basis to permit a faculty to be issued to enable the retrospective validation of his installations. I therefore dismiss the Petition and permit/direct the removal of the wooden surround and blue slate chips by the PCC as soon as is practical. The PCC should arrange to leave the grave site in a condition which is neat and sightly.
7. I do not propose to make any provision as to the costs of this matter; the Petitioner is highly unlikely to comply with any costs order made against him and the costs and time that would be required to enforce any such order would be disproportionate to the amount involved.
8. The Petition stands dismissed.

Sarah Singleton KC
Chancellor of the Diocese
18th February 2024