

DIOCESE OF SHEFFIELD
In the Consistory Court

Her Honour Judge Sarah Singleton QC
Chancellor

ST JAMES RAVENFIELD
Petition to install a memorial in a churchyard

1. In this matter the Petitioner seeks permission to install a kerbset and desk memorial at the site of his family's burial plot which will match and incorporate an existing headstone and cube memorial. The proposal is, on the face of it, incompatible with the Sheffield Churchyard Rules as to two features. Firstly, the Rules forbid kerbstones except where they are already common in that area. That is because, in many sites, kerbstones impede the maintenance of the churchyard. Secondly the material proposed, dark grey granite, is discouraged by the rules except in areas where the use of such material is already common.
2. The incumbent may only grant permission for memorials which comply with the authority delegated by the Rules and was unable to agree to Petitioners' plans. Therefore this Petition has been necessary. The matter has been referred to me as Chancellor because this is a Grade II * listed church.
3. The DAC, at their meeting of 9th June 2019, did not object to the Petition and went to the trouble of setting out a full explanation of that decision which usefully sets out the relevant paragraphs of the Chancellor's Churchyard Rules and explains the link between this church and churchyard and the traditional yellowish brown sandstone quarried locally which fortunately still holds the numerical ascendancy in the churchyard and was historically generally used in the area and the churchyard.
4. The existing headstone at the plot commemorates the maternal grandparents of the Petitioner: his maternal grandfather died in 1940 and was buried there; when his widow died in 1985 the headstone was replaced with the dark granite headstone which is to be incorporated in the new features proposed. No one except the Petitioner has any proprietary interest in the existing memorial stone.
5. At some point after 1985 the cremated remains of the Petitioner's aunt and husband were each buried at the plot and a dark granite cube memorial to them was installed. The plans of the Petitioner leave that feature as it is. The changes proposed would surround it by the kerbstones and add a desk memorial to the Petitioner's parents. The Petitioner has clarified that the kerbstones will abut the front of the existing memorial stone and not go behind it. (This had been queried by the DAC)
6. The Petitioner's father died in January 2018 and his cremated remains were buried at the plot. He was 90 years old at his death. His widow, the Petitioner's mother, died in January 2019 also aged 90 years; her cremated remains are to be interred at the plot. The Petitioner's parents were active and popular members, so far as I can gather, of the local community. A large donation to the maintenance of the church and churchyard was made from the collections at their respective funerals. The plot and the existing memorial stone was visited and cared for by the Petitioner's parents.
7. The helpful photographs submitted by the Petitioner show that there are numbers of kerbsets in the churchyard and that the addition of those proposed by this Petition will make no discernible difference to the task of maintenance. Indeed, it is arguable, given the location of

the cube memorial at the plot that the addition of the kerbsets will both improve its appearance and ease its maintenance.

8. I, frankly, do consider it aesthetically unfortunate that dark grey granite has been introduced into this beautiful and traditional churchyard. However, as the evidence submitted by the Petitioner demonstrates, there are more than several headstones and memorials made of that material in the churchyard including some in the vicinity of the family plot. The use of it in the proposal under scrutiny is to match the material of the existing headstone installed in 1985. If a decision were made to enforce the use of traditional yellow sandstone: either the memorial for the Petitioner's parents would not match the existing memorial features at the plot, or the Petitioner would be obliged to replace the headstone and memorial cube to avoid this. Such a result not be respectful to the memory of the Petitioner's parents who visited and cared for the plot and would also oblige the Petitioner to be responsible for the correction of arguably erroneous decisions made more than thirty years ago.
9. Neither consequence would be acceptable or fair and for this and the other reasons set out in this judgment I grant the permission sought by this Petition.

Footnote

10. The Petitioner is a circuit judge who sits, I think, as a criminal judge in Sheffield. In addition to holding this office in the Diocese of Sheffield, I am also a circuit judge and I sit in the Family Court and Court of Protection in Lancashire. I have not, to my knowledge, met the Petitioner. I include these facts in this footnote for the purpose of transparency.

Sarah L Singleton QC
Chancellor of the Diocese of Sheffield

4th August 2019