

concluded that this would create ugly specimens not worthy of retention, and advised their complete removal. The PCC adopted the proposal, along with mitigations addressing the commemorative and environmental impact. The county council agreed that these were the wrong trees in the wrong place; and the town council did not object to the proposal.

Objectors raised concerns on aesthetic, commemorative and environmental grounds. The aesthetic arguments were mixed, with the trees obscuring views of the church and no reasonable prospect of improving matters through pruning. Relatives of those commemorated had not objected to the proposal, either to the petitioners or to the court. The environmental impact would be mitigated by further works in the churchyard and supporting a tree-planting project in the local area; the PCC's credentials in this respect were demonstrated by its holding a bronze EcoChurch award. A faculty would be granted. [DW]

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Re St Mary, Thame

Oxford Consistory Court: Hodge Ch, 28 April 2022

[2022] ECC Oxf 2

Reservation of grave space – principles to be applied

The petitioner applied for a faculty for the reservation of a double grave space. The petitioner, who was 56, had not lived in the parish since 2013. However, she did have strong family connections with both the parish and the churchyard, not least because the remains of her stillborn son rested there. There was only enough space to accommodate further burials for another seven to ten years.

The court reviewed recent cases and identified a non-exhaustive list of principles to be applied. In the present case, the circumstances were sufficiently exceptional to justify a faculty. The petitioner had shown a strong personal and family connection with the parish, the church and the churchyard, and intended to move back to the area. The incumbent, churchwardens and PCC supported the petition. Particular regard was given to the fact the petitioner's stillborn son had lain in the churchyard for more than 30 years, the court considering that 'a caring, compassionate and Christ-like church must attach great weight to the bond between mother and stillborn child, and must recognise the mother's understandable desire to be buried near to him'.

A faculty would be granted for a period of ten years, with the petitioner having permission to apply for an extension within six months before expiry. [Naomi Gyane]

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