

Neutral Citation Number: [2023] ECC Oxf 8



Faculty – Petition for the reservation of a grave space within the churchyard – Petitioner 60 years of age – Only sufficient space remaining within the churchyard for the next 11+ years – Whether, and for what period of time, and on what terms, the petition should be granted – Faculty granted for 11 years with permission to apply by letter to extend beyond that time

Petition No: 10956

**IN THE CONSISTORY COURT OF
THE DIOCESE OF OXFORD**

Date: Sunday, 9 July 2023

Before:

THE WORSHIPFUL DAVID HODGE KC, CHANCELLOR

In the matter of:

St John, Stockcross

THE PETITION OF:

Dr Anthony David Hersh

This is an unopposed petition, determined on the papers and without a hearing.

There were no objections to the petition

The following authorities are referred to in the judgment:

Re St Mark, Ocker Hill Tipton [2022] ECC Lic 4

Re St Mark, Ocker Hill Tipton [2022] ECC Lic 5

Re St Mary Magdalene, Bolney [2022] ECC Chi 4

Re St Mary, Standon [2023] ECC StA 1

Re St Mary, Thame [2022] ECC Oxf 2

Re St Peter, Wolviston [2023] ECC Dur 1

JUDGMENT

Introduction and background

1. By a petition, dated 15 January 2023, the petitioner, Dr David Hersh, a resident of the parish, seeks a faculty authorising the reservation of a grave space, numbered F28, in the new churchyard of St John's Church in the Parish of Stockcross, near Newbury in the County of Berkshire, for the interment of his mortal remains, exclusive of all others whomsoever, for the period of 25 years from the date of grant of the faculty. According to the petition, Dr Hersh has been resident in the parish for the past 15 years. The Rector has certified that the average number of burials is three per year; and he estimates that the remaining space in the churchyard will be sufficient for the needs of the parish "*for 11+ years*". On that basis, the Rector has consented to the petition, and has certified that the grant of the faculty "*will not interfere with the rights of parishioners to be buried*" in the churchyard.

2. When the petition was first referred to me, on 30 January 2023, I indicated, by email to the Registry, that, subject to there being no objections to the petition, I would be content to grant this gravespace reservation for an initial period of eleven years (with permission to apply to renew by letter towards the end of that period). My reasons were that the petitioner had been resident in the parish for 15 years and therefore had an existing right of burial in the churchyard; and his petition had the consent of the Rector. However, because the Rector's certificate stated that the churchyard would be full within about "*11+ years*", and the petitioner was only 60 years of age, I was concerned that after about 11 years, the reservation might prevent the interment within the churchyard of a parishioner with a similar entitlement to a right of burial. In accordance with my decision in *Re St Mary, Thame* [2022] ECC Oxf 2, I considered that the matter should be reconsidered by my successor in the light of the circumstances, and the views of the minister, the churchwardens and the PCC, prevailing in eleven years' time. I invited the Registry to explain my reasons to the petitioner and the Rector.

3. My comments were passed on to the petitioner, who immediately responded as follows:

I'm not sure I understand why I would be only given 11 years rather than the usual 25. I want to be buried in the village where I spent so many years and in the graveyard where many of my friends are buried.

If I have been proactive enough to book and pay for a plot why can't that plot be reserved for me for 25 years rather than me having to give it up if other people apply after me ?

Why can't other people be buried elsewhere if the graveyard is full rather than my plot having to be given up ?

As you know it might be unlikely I'll live 11 years but I do want to be treated fairly.

4. At my direction, the Registry responded to the petitioner's observations as follows:

The Chancellor agrees entirely that you should be treated fairly, and that is what he has sought to do in your particular case. He has asked me to explain that whilst the normal period allowed for the reservation of a grave space in this diocese is 25 years, that is a default position which applies generally throughout a diocese which extends to over 600 churches across the three counties of Buckinghamshire, Berkshire and Oxfordshire. This default position has to be adapted to the particular circumstances of the space remaining in each individual churchyard. The Chancellor considered the position last year in the case of *Re St Mary, Thame* [2022] ECC Oxf 2. There the evidence suggested that there was room for further burials for only a further seven to ten years. The Chancellor therefore granted a faculty, but limited it to 10 years, giving permission to the petitioner to apply for an extension within 6 months of the expiry of the 10 years. For the reasons set out in his full judgment, and applying the principles he articulated at paragraph 27, the Chancellor explained (at paragraph 30) that *"it would not be right to extend the initial period of duration of that faculty beyond the time during which the churchyard is likely to have sufficient space available for future burials"*.

That is the principle that the Chancellor has applied in later cases; and it is the principle that he has applied in your case. The Chancellor fully appreciates your wish to be buried in the village where you have spent so many years and in the graveyard where many of your friends are buried; but he has to bear in mind that if he were to allow a reservation for longer than the likely period of available space, this is likely to have the effect of interfering with the rights of a person who, on their death, would otherwise have the right of burial in the churchyard. The fact that you have been pro-active enough to apply for a faculty should not prejudice others who may not have either the foresight, or the resources, to do the same. Fairness dictates a first come-first served policy. The Chancellor would invite you to read the full judgment, a copy of which accompanies this message.

Please be assured that the Chancellor understands and sympathises with both your wishes, and your condition; and that he is trying to treat you fairly, by applying the same guiding principles to you as he would to any other petitioner seeking to reserve a grave space in this churchyard.

5. Following receipt of this email from the Registry, the petitioner sent an email to Church House, Oxford in the following terms:

I have recently received a decision from the Chancellor of Oxford which I don't agree with. Please can you let me know if there is any process available to challenge his decision legally, perhaps by escalating to the Bishop of Oxford for his consideration or some church court ?

The background is that I live in Stockcross, near Newbury which comes under the diocese of Oxford.

My house overlooks the church and I have lived here for 15 years and many of my friends are buried in the church graveyard.

I am also very active in the village. I am a committee member of Stockcross Village Hall Management Committee which raises money for the village and maintains the village hall. I have run many events in the village over the years and have personally raised thousands of pounds for the village, so I am very well known by villagers.

I am proud of the work I do for the village and indeed have applied for the words 'Active Villager' to be engraved on my tombstone.

It is really important to me that I can be buried in the village graveyard. I have applied for permission for this but have been told I will only be able to be buried there if I die in the next 11 years because the graveyard might be full after 11 years. Normally a burial plot is reserved for 25 years.

I think it's unfair that I would be limited to 11 years. I feel that if I have been proactive enough to reserve a burial plot now it shouldn't be given to another parishioner if they happen to die before me. I think my plot should be kept for me for the full 25 years even if the graveyard has stopped allowing people to be buried there after 11 years.

I think allocation of grave plots should be done on the basis of parishioners who have paid for and been awarded faculty of burial and I don't agree that other parishioners should be able to use burial plots already reserved unless the 25 year timeline has been exceeded.

I completely understand the church want to limit the amount of time they give people to occupy their burial plot. If they didn't people could move from the local area and if they forgot to cancel their right to burial the church would be left with unused plots. But all I am asking is for the burial plot to be saved for me for 25 years, as is the usual policy. If I hadn't taken the opportunity to be buried in the plot reserved for me within 25 years I would be very happy for it to be given to another parishioner after that length of time.

Anyway I would be very grateful if you could read the email thread below and let me know whether I am able to challenge the Chancellor's decision and, if so, who I should contact or what the process is to challenge this decision.

6. This email was passed on to the Registry, who forwarded it on to me. At this stage, I was concerned that the situation was escalating quite unnecessarily. At my direction, the Registry sent the following email to the petitioner:

The Chancellor is always open to reconsider his decision as he has not yet delivered any formal Judgment. All he has done so far is to indicate that he is content to grant this gravespace reservation for an initial period of 11 years with permission to apply to renew by letter towards the end of that period. My below email sets out the Chancellor's reasons for taking that course.

The grant of a faculty is subject to the display and expiry of the public notice and I confirm I have sent two copies to the Rector this week to display inside and outside the church for a 28-day period. Even if we had reached the stage where the faculty had been formally granted and issued to you showing the 11-year period, it would always be open to you to apply to amend the period of the reservation pursuant to regulation 20.3 of the Faculty Jurisdiction Rules 2015, if it appeared just and expedient to do so.

It is now open to you to submit any further written representations to the Chancellor (via myself) which may include those you have made in your email to Church House Oxford within the next 14 days. These should also address the decision in *Re St Mary, Thame* and explain either why it is wrong or why the Chancellor should not apply it to your case.

In accordance with the overriding objective, the Chancellor's present inclination is that it would be expedient to determine your petition by way of written representations; but he invites you to submit your views on that course within the same 14-day period. The Chancellor will consider all of these matters before he delivers his formal written Judgment.

Once the Chancellor delivers his formal judgment, and you are not content with it, then you will have the right to ask for permission to appeal, and if this is refused, to renew your application to the Dean in accordance with Part 23 of the Faculty Jurisdiction Rules. For information, the Dean is a Judge who hears appeals at Consistory Court level.

For ease of reference, I attach the relevant sections of the Faculty Jurisdiction Rules the Chancellor has referred to above.

7. The petitioner responded immediately as follows:

Many thanks for your email and I would be very grateful if you can communicate the following representations to the Chancellor ahead of his formal decision because some of my points are new.

(1) First, to be open, I think it is likely I will need to be buried within the next 11 years but it is not inevitable. In the event that I do live for more than 11 years I would still like to be buried in the plot assigned to me in the graveyard of St John's Church in Stockcross. I know I can reapply for this towards the end of the 11 year term but I think there are special reasons why I should be assigned a plot for 25 years from the outset.

(2) Rev Toogood estimates the graveyard will be full after 11 years. However when he and I met in the graveyard he pointed out a large area of land in the graveyard which for historical reasons has been set aside for several decades for burial of members of the Sutton Estate who own a lot of land and houses around the local area. To date no members of the Sutton Estate family have been buried in that area. Rev Toogood mentioned that as the graveyard approaches getting full with normal parishioners being buried he would approach the Sutton Estate and ask if he can use their plot (or at least some of it) for burial of normal parishioners. Since no one from the Sutton Estate

family have taken up the opportunity to be buried in their allocated space he and I both believe there is more than a reasonable chance the Sutton Estate would agree to this request, in which case the graveyard would not be full to normal parishioners for well over 25 years.

(3) Given this reasonable likelihood of more burial ground becoming available at St John's church I think it would be fair to allow parishioners like myself who apply for permission to be buried there the peace of mind of being assigned a plot for 25 years rather than the worry of having to reapply and be told we can't be buried there after all.

(4) I completely understand that the church needs to limit the amount of time they give people to occupy their burial plot. If they didn't, people could move from the local area and forget to cancel their right to burial and the church would be left with unused plots. If I haven't taken the opportunity to be buried in the plot reserved for me within 25 years I would be very happy for it to be given to another parishioner after that length of time.

(5) I think that if it is so important to a parishioner to be buried in a certain graveyard that they have sought permission and paid for a plot well in advance of their death then I think the church should recognise such plots as '*occupied*' for the full 25 years even if during those 25 years further burials have to be stopped in that graveyard. However if the plot has not been occupied after the 25 years I think it is then fair to open up that plot for another person to be buried there.

(6) The reason why I am so keen to be buried in St John's church and not elsewhere is because my house overlooks the church and I have lived here for 18 years and many of my friends are buried in the church graveyard. I am also very active in the village. I am a committee member of Stockcross Village Hall Management Committee which raises money for the village and maintains the village hall. I have run many events in the village over the years and have personally raised thousands of pounds for the village, so I am very well known by villagers. I am proud of the work I do for the village and indeed have applied for the words '*Active Villager*' to be engraved on my tombstone, but it wouldn't make sense to have those words on my memorial if I'm not actually buried in the village.

(7) I believe very few parishioners feel so strongly that they wish to be buried in St John's church that they apply for permission well before their death. Because of the reasonable chance of the graveyard not being deemed full after 11 years, I would petition that you take the view that more land for burial is likely to be assigned and give the small number of parishioners who feel so strongly they want to be buried there the peace of mind of a full 25 years to occupy these plots which are so important to them. Even in the unlikely event that more land doesn't become available this would still allow the assigned unoccupied plots to be used after the 25 years have passed, or sooner if the parishioners move out of the area and lose their faculty.

8. At my direction, the Registry responded to the petitioner by email dated as follows:

The Chancellor has confirmed that he will certainly take your latest representations (and those in your email to Church House Oxford) into account before he reaches any final decision and prepare and hand down any formal written judgment. The Chancellor will not undertake this task until the time for the display of the public notices has expired in case there are any objections (or letters in support) to be taken into account.

Can you confirm you are content for the Chancellor to proceed by way of your written representations?

The Chancellor has directed I provide the Rector, Revd John Toogood as well as his Parochial Church Council and churchwardens (if any) with copies of your representations in order to obtain his views. I will at the same time check with him the status of the public notice and when it is likely to expire.

The petitioner responded immediately, confirming that that was “*absolutely fine*”.

9. On 15 March 2023 the Rector completed the certificate of publication, duly certifying that the required public notices had been displayed for the requisite 28 day period between 1 February and 1 March 2023. However, this certificate was not sent to the Registry until 6 June 2023. At the same time, the Rector confirmed that there is currently no churchwarden at Stockcross; and that the PCC had been asked about the design of the petitioner’s proposed memorial stone, and the duration of the reservation, by correspondence. The proposal put (under rule M29) was that the PCC had no objections to the design of the memorial and that a 25 year reservation was appropriate. There were no objections and (though not required) all PCC members had expressed approval. This decision was effective on 15 March 2023. The next PCC meeting at which the decision would be entered in the minute book was due to take place on 27 June. No objections have been received in response to the notices advertising the petition.

The legal framework

10. In my judgment in *Re St Mary, Thame* [2022] ECC Oxf 2, handed down on 28 April 2022, I had occasion, as Chancellor of the diocese of Oxford, to consider the principles upon which a petition to reserve a grave space should be determined where there was only sufficient space remaining in the churchyard for another seven to ten years of burials. The petitioner wished to reserve a double grave for herself and her partner. The petitioner had been resident in the parish until 2013, the remains of her father and her stillborn child were buried in the churchyard, and all her immediate family still lived in the area. The normal period allowed for the reservation of a grave in the diocese of Oxford was 25 years, but the evidence suggested that there was only room in the churchyard for burials for a further seven to 10 years. I granted a faculty, but limited it to 10 years, giving permission for the petitioner to apply for an extension within 6 months of the expiry of the 10 years. My judgment contains a review of previous decisions relating to grave reservations by other Chancellors, including cases where the relevant parochial church council had adopted a policy of not supporting grave reservations. At paragraph 27 of my judgment, I concluded as follows:

27. From this review of the authorities, I derive the following propositions (which are not intended to be exhaustive):

- (1) The reservation of a grave space is entirely within the discretion of the consistory court, to be exercised having regard to the particular circumstances of the case.
- (2) The court will be more inclined to grant a faculty to a petitioner with the right to be buried in the churchyard than to one without such an entitlement. Those who have such a right are the persons living within the parish, and those on the electoral roll of the parish church.
- (3) The court may nevertheless grant a faculty to a petitioner with no right to be buried in the churchyard where they can demonstrate a personal, or a substantial family, connection to the church and/or its churchyard, or some other some good and sufficient reason to be buried there.
- (4) Where there is sufficient space within the churchyard, and the incumbent minister gives their consent, the court may well grant a faculty to such a petitioner, unless the Parochial Church Council have a policy of opposing the reservation of grave spaces.
- (5) Such a policy cannot be conclusive, and it cannot remove the court's overarching discretion; but where the PCC have adopted a policy that is considered, reasonable and fair, the court will only be justified in departing from that policy in exceptional circumstances; and anyone seeking to reserve a grave space in the face of such a policy will need to show that their case is markedly out of the ordinary.
- (6) Where, however, the remaining space within the churchyard is limited, then a faculty will not normally be granted, and the petitioner will have to demonstrate sufficient justification for the court to take the exceptional course of allowing a reservation in such circumstances, because of the risk that such a reservation will prejudice the rights of those parishioners or worshippers who would otherwise be entitled to be buried in the churchyard.
- (7) Even where such a justification is demonstrated, it will not usually be right to extend the duration of the faculty beyond the period for which the churchyard is likely to have space for burials, unless there are exceptional circumstances (including evidence of a particularly strong connection to the church and/or the churchyard) in favour of doing so.
- (8) Should a faculty for a grave space reservation be granted for a limited duration, it remains open to the petitioner to apply for an extension of the period of its validity. Whether or not any extension is to be granted will depend upon the prevailing circumstances, including: (1) the petitioner's personal circumstances; (2) whether arrangements have been made to provide additional space for burials, whether by the acquisition of further land, or the re-use of parts of the churchyard, or otherwise; (3) the views of the incumbent minister; and (4) any current policy of the PCC towards the reservation of grave spaces.

At paragraph 30, I concluded that:

Even though the petitioner has shown sufficient justification for the grant of a faculty for the reservation of a grave space in the churchyard, however, it would not be right to extend the initial period of duration of that faculty beyond the time during which the churchyard is likely to have sufficient space available for future burials.

11. Since my decision on that petition, there have been a number of further decisions of other Chancellors on petitions seeking to reserve a grave space within a churchyard. In Re St Mary Magdalene, Bolney [2022] ECC Chi 4, in the diocese of Chichester, the petitioner, who did not live in the parish, and therefore had no legal right to be buried within it, wished to reserve a double depth grave space in the churchyard for himself and his wife, next to the grave of their son, who had died in a tragic accident at the age of 24. The associate priest objected (without becoming a party opponent) on the grounds that spaces for burial were limited, and since 2021 the parish had adopted a policy of not approving further grave reservations, as the churchyard was likely to be full within about six years. In the circumstances, Chancellor Hill KC felt that it would be unfair to override the parish policy; and he refused to grant a faculty.

12. Expressly endorsing my view in Re St Mary, Thame that “*it will not usually be right to extend the duration of the faculty beyond the period for which the churchyard is likely to have space for burials, unless there are exceptional circumstances ...*”, in Re St Mark, Ocker Hill Tipton [2022] ECC Lic 4 Deputy Chancellor Verduyn, in the diocese of Lichfield, granted a faculty for the reservation of a grave space for 20 years, rather than for the customary (in that diocese) 50 years. In view of the number of spaces available, and the rate of interments, the graveyard could be full and closed before any longer reservation would need to be exercised. The Chancellor gave the petitioner leave to apply for an extension of the period of 20 years within six months of its expiry. In the contemporaneous case of Re St Mark Ocker Hill Tipton [2022] ECC Lic 5, the same Deputy Chancellor granted a faculty for the reservation of a double depth grave space for the full period of 50 years usually allowed. In a brief judgment, he explained why he had not followed the recent precedent of allowing 20 years (with a possible extension) for a double reservation for burial in the same graveyard: in the later case, one of the joint petitioners was terminally ill, so that the double plot would be in use quite soon.

13. In Re St Peter, Wolviston [2023] ECC Dur 1 Chancellor Iles, in the diocese of Durham, refused to grant a faculty for the reservation of a grave space. Although several relatives of the petitioner were buried in the churchyard, the petitioner was not a parishioner – indeed, he did not even live within the diocese of Durham - and he did not have a legal right to be buried in the churchyard. Also, the reservation of a grave would use up a space in a churchyard which would be full in about two years, and prevent the burial of another person, who would otherwise have had a legal right to be buried there.

14. Finally, in Re St Mary, Standon [2023] ECC StA 1, in the diocese of St Albans, the petitioner wished to reserve a single depth grave space in the churchyard. She was a resident of the parish and was on the church electoral roll, and she attended church occasionally. There were an estimated 248 graves available. However, the parochial church council had passed a resolution in 2021 adopting a policy of not supporting any further grave reservations, except in exceptional circumstances. Chancellor Lyndsey de Mestre KC considered that the reasons given for the policy were reasonable, and that there were no sufficiently exceptional circumstances to justify the grant of a faculty. At paragraphs 7 and 8, the Chancellor emphasised that although not necessarily determinative of the outcome of a faculty application in all cases, a “*clearly expressed*

thread running through those cases where PCCs had adopted policies of not supporting grave reservations is that the Consistory Court will generally support a policy of non-reservation unless such a policy reveals bad faith or is unreasonable”.

15. I do not consider that any of these cases should lead me to reconsider the (non-exhaustive) list of propositions I formulated in the *Thame* case.

16. I must also bear in mind the many other, unreported decisions on faculty petitions seeking the reservation of a grave space in which the approach I adopted in the *Thame* case has been applied. To cite just one example, at about the same time that this petition was initially referred to me, I received a petition for the reservation of a double grave space for the petitioner and her husband, who were both 70 years of age, in the churchyard of a neighbouring parish, less than six miles away from Stockcross. I indicated that I was content to grant this grave space reservation for an initial period of ten years (with permission to apply to renew by letter). The petitioner had strong historic personal and family connections with the parish and the churchyard. Her petition had the full support of the PCC and had received the consent of the Rector and the churchwardens. The only factor weighing against it was that it was anticipated that the churchyard would be full within about eight years, after which the reservation would prevent the interment of a parishioner with a right of burial. In accordance with my decision in *Re St Mary, Thame*, I considered that the matter should be reconsidered by my successor in the light of the circumstances, and the views of the minister, the churchwardens and the PCC, prevailing in ten years’ time. I invited the Registry to explain my reasons to the petitioner and the parish. I am not aware of any challenge to my approach in that case.

Analysis and conclusions

17. Since this is an unopposed faculty petition, I am satisfied that it is expedient, in the interests of justice, and in furtherance of the overriding objective of the Faculty Jurisdiction Rules 2015 (as amended) of dealing with this case justly, cost-effectively, proportionately, expeditiously and fairly, for me to determine this petition without any hearing, and on the basis of the written materials that have been presented to the court.

18. I have every sympathy for the petitioner’s wish to have some degree of assurance that, when his time comes, he will be laid to rest in the churchyard of the village in which he lives, and which he has come to love. The petitioner is a resident of the parish, and he presently has a right of burial in the churchyard. There are no objections to his petition, the Rector has consented to it, and (although not strictly required) the members of the PCC have all expressed their approval. I am therefore satisfied that the petitioner has shown sufficient justification for the grant of a faculty for the reservation of a grave space in the churchyard. Having carefully considered all that the petitioner has said, however, I remain of the view that I had provisionally formed when I first considered this petition that it would not be right to extend the initial period of duration of that faculty beyond the time during which the churchyard is likely to have sufficient space available for future burials. In my judgment, there are no special reasons why I should grant a faculty for the standard period of 25 years from the outset (as the petitioner invites this court to do).

19. This is not a case where there is any suggestion that the petitioner wishes his remains to be laid to rest in close proximity to those of a departed loved one or close relation, such as a deceased parent, spouse, partner, or child. The petitioner expressly recognises the wisdom of the practice of setting a temporal limitation upon the duration of a reservation faculty, in the

interests of the efficient management of the churchyard, because he accepts that it is fair to open up the plot for another person to be buried there if it has not been used after 25 years. However, there is nothing inviolable about the standard period of 25 years. Happily, there are some churchyards within this diocese where there is space for burials for another 50 years or more. However, where there is space for less than another 25 years, fairness to those living and/or dying within the parish, and due deference to their rights of burial in the parish churchyard, point towards a lesser period for the duration of a reservation faculty. I am afraid that I cannot agree with what I accept to be the genuinely held belief of the petitioner that “... *if it is so important to a parishioner to be buried in a certain graveyard that they have sought permission and paid for a plot well in advance of their death then I think the church should recognise such plots as ‘occupied’ for the full 25 years even if during those 25 years further burials have to be stopped in that graveyard*”. The petitioner relies upon the prospect, referred to as the “*reasonable likelihood*”, of more burial ground becoming available at St John’s church within the next few years. In my judgment, however, that is a reason for limiting the duration of the faculty, in the first instance, to 11 years in order to wait and see whether that prospect is realised. If it is, then the duration of the petitioner’s faculty may well be extended; but if it is not, then any application for an extension of the faculty (if required) can be determined in the light of the limited capacity remaining within the churchyard.

20. For these reasons, I will grant a faculty for the reservation of the grave space numbered F28 in the new churchyard of St John’s Church in the Parish of Stockcross; but I will limit the duration of the faculty, in the first instance, to a period of eleven years from the date of grant, with permission to the petitioner to apply by letter (and for no further fee), within the last year of the term of the faculty, for its duration to be extended. Whether or not the faculty is extended will be for my successor to determine; and this will depend upon all the circumstances prevailing at that time, including the availability of space for the interment of human remains within the churchyard; the views of the incumbent and the PCC; and the place of residence, and the personal circumstances, of the petitioner. The faculty will be subject to the following conditions:

- (1) The benefit of the reservation is personal to the petitioner and is non-assignable.
- (2) Any fees payable under any current diocesan parochial fees order must be paid to the minister and the PCC of the parish within 56 days of the grant of the faculty.
- (3) The reservation shall be for the period of 11 years from the date of the grant of the faculty.
- (4) Permission is granted to apply for an extension to the duration of the reservation by letter to the court (and for no further fee) within the last year of the term of the faculty.
- (5) The reservation shall be recorded in the parish records; and the location of the reserved grave space shall be marked on the ground by a suitable, and durable, marker.

21. In the usual way I will charge no fee for this written judgment.

David R. Hodge

The Worshipful Chancellor Hodge KC

The Fifth Sunday after Trinity

9 July 2023