



*Faculty – Churchyard — Petitioners (mother and adult daughter) seeking faculty for reservation of grave space for 25 years next to an existing family grave — Principles relevant to grant of such faculty — Relevance of very limited burial space (some 6 months) remaining available within parish — Whether exceptional circumstances justifying reservation — Whether faculty to be granted*

**Petition No: 11150**

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

Date: Tuesday, 28 April 2026

**Before:**

**THE WORSHIPFUL DAVID HODGE KC,**  
**CHANCELLOR**

**In the matter of:**  
**St Michael's, Horton**

**THE PETITION OF GEORGINA BELDOM and ANGELINA BELDOM**

Unopposed petition determined on the papers and without a hearing.

The following cases are referred to in this Judgment:

*Re St Mary, Thame* [2022] ECC Oxf 2, [2026] PTSR 15

*Re St John, Stockcross* [2023] ECC Oxf 8

## JUDGMENT

### Introduction and background

1. This my short judgment on a petition, dated 5 March 2026, by Ms Georgina Beldom (who is in her mid-50s) and her adult daughter, Ms Angelina Beldom (who is in her mid-20s), seeking to reserve a double-depth grave plot for the two of them next to the existing grave of Georgina's father, Samuel Beldom (who died in April 2023), in the churchyard of St Michael's, Horton, in the Archdeaconry of Buckingham. Georgina presently resides in the parish and has done so for 53 years. She therefore has a present right of burial within the churchyard (subject to there being sufficient space remaining there). The petition has the full support of the minister, the two churchwardens, and the parochial church council. The difficulty is that the average number of burials is two each year; and the estimated remaining space will only last for some further six months. This is therefore one of the last remaining burial spaces within the churchyard. I note that in April of last year I granted a reservation in respect of another grave space within the churchyard; but that was to a gentleman who was then 79 years of age, and there were other exceptional features attending his application.

2. When this petition was first referred to me, on 31 March 2026, I directed the Registry Clerk to send the petitioners a copy of my judgment in the case of *Re St Mary, Thame* [2022] ECC Oxf 2, [2026] PTSR 15; and to explain to them that in light of the very limited space remaining in the churchyard, the court would not normally grant a reservation in a case such as the present. I invited the Registry to indicate that I considered it appropriate for me to deal with the case by way of written representations, rather than at a hearing. Should the petitioners disagree, they should set out their reasons within 14 days. In any event, I invited the petitioners to submit any written evidence, and representations, on which they might wish to rely in support of their petition within 14 days. This was duly done.

3. On 16 April 2026 I received the following response from Georgina:

*Thank you and the Chancellor for considering my application to reserve one of the last remaining burial spaces in St. Michael's churchyard, Horton.*

*I know that a faculty already exists for a valued member of the church and that my case is very different, but I would like to give you a little more context for my request in case it will help support my application.*

*My family, and large extended family, have been resident in the village of Horton for many decades and St Michael's church has been central to our family life, having supported our family in times of joy and distress with weddings, baptisms and funerals. We consider St Michael's 'our' church and I have regularly attended services with my mum and dad, and Angelina when I can transport her, on Tuesdays and Sundays up until recently. I am still very much involved with the churchyard as my family of five generations are buried there and we take pride in cleaning and maintaining the graves of our loved ones every week.*

*I have been told that the graveyard is running out of space and will close shortly which has caused me great distress, my main concern being for my daughter Angelina who suffers from severe epilepsy, autism and has major learning difficulties. We have been informed that, while we cannot put a time on it, her symptoms can be dangerous and her life expectancy will be far shorter than normal. It would be a great comfort to me to know that, whether she passes away before or after me, she can be buried next to my mum and dad.*

*I know that there is an option for ashes to be buried in the churchyard after it closes. However in our traveller culture, there is a deep rooted belief that the spirit continues to live in the body and so burial is the only way that we can respect and honour our loved ones. This is why it is so important for me to take this final opportunity to ask whether I can reserve one of the last graves next to my mum and dad, for myself but especially for Angelina when she passes.*

*I hope that this information can help us be considered as an exceptional case.*

In response to a further inquiry from the Registry, on 17 April 2026 Georgina confirmed that she was content for me to deal with this matter by way of written representations.

#### The legal framework

4. In my judgment in *Re St Mary, Thame* [2022] ECC Oxf 2, handed down on 28 April 2022, I had occasion, as the Chancellor of this diocese, to consider the principles upon which a petition to reserve a grave space should be determined where there was only sufficient space remaining within the churchyard for another seven to ten years of burials. The petitioner wished to reserve a double gravespace 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 gravespace in the diocese of Oxford is 25 years, but the evidence suggested that there was only room for further burials within the churchyard for another seven to 10 years. I granted a faculty; but I limited it to 10 years, giving permission for the petitioner to apply for an extension within 6 months of the expiry of that 10 year period. 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 set out the following statement of the applicable legal principles:

*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.*

5. In my later judgment in *Re St John, Stockcross* [2023] ECC Oxf 8 I confirmed, and applied, the (non-exhaustive) series of legal propositions I had set out in the *Thame* case. I note that the approach in that case has been followed by consistory courts in other dioceses. I bear in mind also the basic principle of fairness that requires that like cases that should receive similar outcomes.

### Conclusion

6. 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. I note that Georgina consents to this course.

7. I have every sympathy for Georgina and her adult daughter. Were there sufficient space remaining within this churchyard, I would have had no hesitation in granting the grave reservation which they seek, so that, when their time comes, their human remains could rest next to the grave of Georgina's late father, as she so dearly wishes. However, the churchyard is very nearly full, and the grave space which they seek is one of the last available grave spaces remaining within this churchyard. I note, and respect, the deep-rooted beliefs that are said to prevail within the culture of the traveller community. I note the particular medical conditions which affect Angelina. I note the petitioners' understandable wish ultimately to be laid to rest in peace in close proximity to the remains of other close family members. However, and with great regret, I cannot regard any of these considerations as amounting to the sort of exceptional circumstances that are required to justify an exception to the legal principles established in *Re Thame* and other cases.

8. For these reasons, I dismiss this petition.
9. In the usual way I charge no fee for this written judgment.

*David R. Hodge*

The Worshipful Chancellor Hodge KC

28 April 2026