

In re St Leonard, Minety

RESERVATION OF A GRAVE SPACE, MACKINNON

1. This is a petition to reserve a double depth grave space by Mr and Mrs Mackinnon. They have lived in Minerty since 1978, accordingly they would normally have a right of burial in the Churchyard. They still would normally have a right of burial in the Churchyard despite the fact that since 1995 they have rarely worshipped in St Leonards Church due to work and family commitments in and around Birmingham. I am informed however that the PCC have, at an unspecified date, 'adopted a policy of not supporting the reservation of grave spaces'. This is due, I am told, amongst other things, to the limited space in the churchyard. I have seen no written copy of this policy.
2. The petition is complicated by the fact it is agreed that at an earlier unspecified date, but certainly before the PCC adopted the policy above, Mr Mackinnon approached a Church warden about being buried in the churchyard. He was plainly given the clear impression that there would be no problem with the petitioners being buried in the churchyard. Since that time the churchwarden is no longer in post.
3. At an unknown date after the policy had been passed and the petitioners had been given the impression that they would be able to be buried in the churchyard, the PCC agreed that Mr Mackinnon's application should 'go ahead' on the basis that it would be unreasonable to apply the policy retrospectively. The PCC have now 'reviewed' the application. It is unclear when or why this occurred. The PCC now feel they are 'unable to either support or reject the application' on the basis that the petitioners are largely unknown to the PCC.
4. In my judgment this petition should be granted on the basis that, due to the rather curious history of this case, it is agreed that the Petitioners were given the clear impression on at least one occasion that they could be buried in the graveyard. It would be unreasonable, in my view in all the circumstances not to honour that indication.

5. I have every sympathy with the PCC and incumbent of St Leonard's, who were put in this rather strange position. I would urge them to consider the guidance I issued in 2014 for the re-use of graves for burials.

28th June 2016

The Reverend and Worshipful Justin Gau
Chancellor and Vicar General of the Diocese of Bristol