

Salvage Recording 5 and 6, Seager's Lane, Brierley Hill, Dudley



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Salvage recording at 5 and 6, Seager's Lane, Brierley Hill, Dudley

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With contributions by Jayne Pilkington (Senior Conservation Officer, Dudley Borough Council) and Jamie Wilkins (Field Supervisor Worcestershire Archaeology)

Summary

Salvage recording was carried out in the back gardens of 5 and 6, Seager's Lane, Brierley Hill, Dudley (NGR SO 91560 86850) to record and recover human remains from the vicinity of a badger sett within the churchyard of St Michael's Church on behalf of the Reverend David Hoskin.

A site inspection was undertaken by Jayne Pilkington on 17 October 2017 and Jamie Wilkins undertook salvage recording salvage recording on 30 October 2017.

The site lies just outside the churchyard of St Michael's Church (Dudley HER no 947; NHLE ref. 1227966) just within the gardens of 5 and 6, Seager's Lane. A large conifer tree on the boundary with the church has roots under the gardens and the churchyard. The sett entrance holes are within these roots and human bone fragments were found scattered around this (J Pilkington 17 October 2017 notes, sketch and photos in archive).

Jamie Wilkins visited on 30 October to record the site and to examine and photograph the human remains. These were boxed and left for the church to collect. This report concludes that human remains bones had been moved by badgers from the churchyard and that therefore no Faculty or Licence from the Secretary of State is needed before re-interment takes place.

Report

1 Background

1.1 Reasons for the project

Archaeological salvage recording was undertaken in the back gardens of 5 and 6, Seager's Lane, Brierley Hill, Dudley (NGR SO 91560 86850). It was commissioned by the Reverend David Hoskin in order to record and remove human remains found next to a badger sett which runs from the gardens into the churchyard of St Michael's Church, Brierley Hill. The Worcestershire Archaeology project number is P5215.

St Michael's is sited in a large churchyard on an elevated position in the centre of Brierley Hill. The present building is a Grade II Listed Building. It was erected by public subscription, as a chapel of ease within the parish of St Mary of Kingswinford in about 1765. Following the rapid growth of Dudley the original chapel was considered too small and was enlarged in 1823 with the addition of transepts. The parish of St Mary in Kingswinford was divided in 1835 and it was from this date that St. Michael's became a parish church and a burial ground (Dudley HER no 947; NHLE ref. 1227966).

The building was enlarged again in 1837 and extensive alterations and restoration were carried out in the 1880s. The church was largely rebuilt in 1900 when the chancel was extended and the tower strengthened and re-cased in new brick, but it retains a classical core.

No formal brief was prepared for the work but it was undertaken at the request of Jayne Pilkington, Senior Conservation Officer, Dudley Borough Council, in consultation with Victoria Bryant, Archaeological Advisor to Worcestershire DAC.

The project conforms to the *Standard and guidance: Archaeological watching brief* (CIfA 2014).

The aims of the work were to:-

- Recover and record the human remains;
- Secure the remains and prepare them for reburial;
- Determine if the human remains had been moved by badgers from the churchyard to the garden;
- Determine the legal status of the human remains.

2 Methods

2.1 Personnel

The project was led by Jamie Wilkins (BA (Hons.)). The project manager responsible for the quality of the project was Tom Vaughan (BA Hons. Dunelm; MA; ACIfA) and the report was written by Victoria Bryant (BA Hons, MA, FSA, MCIFA).

2.2 List of sources consulted

Cartographic sources

Google maps <https://www.google.co.uk/maps/place/St.Michael's+Brierley+Hill/@52.4794983,-2.125767,18z/data=!4m5!3m4!1s0x0:0xee99ac2758594a33!8m2!3d52.4793643!4d-2.1246458>

Aerial photographs

Google satellite imagery

<https://www.google.co.uk/maps/place/St.Michael's+Brierley+Hill/@52.4794983,->

[2.125767.261m/data=!3m1!1e3!4m5!3m4!1s0x0:0xee99ac2758594a33!8m2!3d52.4793643!4d-2.1246458](https://www.dudley.gov.uk/resident/planning/historic-environment/historic-landscape-characterisation-hlc/brierley-hill-urban-historic-landscape-charac/)

Documentary sources

Historic Environment Record entry for St Michaels (ref 947)

Dudley Metropolitan Council 2007 *Brierley Hill Urban Historic Landscape Characterisation*

<http://www.dudley.gov.uk/resident/planning/historic-environment/historic-landscape-characterisation-hlc/brierley-hill-urban-historic-landscape-charac/>

Historic England Listing <https://historicengland.org.uk/listing/the-list/list-entry/1227966>

2.3 Fieldwork strategy

The following is a *precis* of the information (photographs, sketch plan and e-mails provided by Jayne Pilkington after her visit of 17 October which sets the scene prior to archaeological work taking place.

The gardens of 5 and 6, Seagers Lane are on a slope with the top of the slope being at the end of the gardens on the boundary between the gardens and the churchyard. The church land is c 1m higher than garden level. On the boundary, but within the gardens, is a large conifer tree at the base of which is a badger sett with two substantial entrances. Badger setts can have up to 300m of tunnels and these badgers have excavated a substantial amount of earth and created large spoil heaps which tip down and slope into the gardens. Scattered on top of the badger's spoil heaps are numerous disarticulated bones including two skulls. It is my view that the human remains have without any doubt migrated from the churchyard with the help of the badgers.

On visiting the site on 30 October 2017 Jamie Wilkins photographed the area of disturbance (Plates 1 to 3) and recovered human and animal bones from the gardens. No bones were exhumed.

The animal bones were discarded and the human bones boxed and placed in the greenhouse of 5, Seager's Lane for safe keeping until they were removed by the parish.

3 Results

The human remains consisted of 43 fragments which included:-

- 2 skulls
- 1 mandible
- 17 rib fragments
- 8 vertebrae
- 1 sacrum
- 6 fragments of pelvis
- 1 clavicle
- 2 ulnas
- 2 humerus
- 1 femur
- 1 tibia
- 1 unidentified long bone (tibia or femur likely)

The pelvis fragments suggested the bones came from at least 3 different individuals.

The visit confirmed that the remains had originated in the churchyard and were therefore likely to date to no earlier than the mid-19th century when the building changed from a chapel of ease to a parish church (Dudley Borough Council 2007).

4 Recommendations

One of the aims of the archaeological work was to determine the legal status of the remains to ensure secular and ecclesiastical legal requirements were met.

The documentary and archaeological evidence indicated that the human bones, whilst being found in the gardens, had been moved by badgers from the churchyard.

There was no place of worship on the site of St Michael's before the mid-18th century and no record of burials on the site before the 19th century when it became a parish church. This would suggest that, unlike churches of medieval origin, it is highly unlikely that burials would be located outside the modern graveyard perimeter. This, combined with the evidence of the badger's sett running into the churchyard from the gardens, confirms the initial suggestion by Jayne Pilkington that the human remains derive from the churchyard.

Ecclesiastical guidance (Church of England and English Heritage 2005) states that 'it is unlawful to remove or disturb any human remains without lawful authority'. An amendment to the Burial Act of 1857 (Ministry of Justice 2015) states that a Faculty is required for exhumation from consecrated ground and a Ministry of Justice license being required for exhumation from non-consecrated ground.

Here the remains have been disturbed by animals rather than human agency, so there was been no formal exhumation as such, and they appear to have come from the churchyard and been re-deposited on the adjacent un-consecrated/secular land by badgers.

We consider, therefore, that there is no legal requirement to acquire a Faculty or approval from the Secretary of State prior to reburial.

5. Acknowledgements

Worcestershire Archaeology would like to thank the following for their kind assistance in the successful conclusion of this project, Rev. David Hoskin, Jayne Pilkington and Mr Parkes.

6. Bibliography

Church of England and English Heritage 2005 *Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England*

ClfA 2014 *Standard and guidance: Archaeological watching brief*, Chartered Institute for Archaeologists, <http://www.archaeologists.net/codes/ifa>

Ministry of Justice 2015 *Change to the granting of exhumation licences from 1st January 2015*

Figures



Fig 1 Location of site , 5 and 6, Seager's Lane



Fig 2 Location of badger sett at end of gardens of 5 and 6, Seager's Lane

Plates



Plate 1 Badger sett, no scales



Plate 2 Scattered human remains, 0.5m scale



Plate 3 Collection of larger bone fragments, 0.5m scale

Appendix 1 Technical information

The archive (WA site code: P5215)

The archive consists of:

- E-mail correspondence including sketch and images
- 1 Context record AS1
- 1 Field progress report AS2
- 1 Photographic record AS3
- 20 Digital photographs
- Copy of this report (bound hard copy)

The project archive is intended to be placed at:

Dudley Historic Environment Record
Strategic Planning and Historic Environment,
Planning and Economic Development, Directorate of Place,
4 Ednam Road,
Dudley,
West Midlands, DY1 1HL

A copy of the report will be deposited with the Dudley Historic Environment Record (HER), The DAC and the National Monuments Record (NMR) as appropriate.
