

# CHURCHYARD REGULATIONS

## 1. THE GENERAL LAW

There is no legal right to place a memorial in a churchyard. Permission can only be given by the Chancellor of the Diocese. Churchyards are a valuable heritage, and the Chancellor wishes to ensure that memorials placed in churchyards are appropriate to their settings.

## 2. MEMORIALS WHICH MAY BE AUTHORISED BY THE MINISTER

(1) **CHURCHYARD REGULATIONS** The Chancellor has given the Minister authority to permit memorials within certain guidelines. These guidelines are contained in the Diocesan Churchyards Regulations 1992. Persons wishing to introduce a memorial into the churchyard should first consult the Minister (or if there is no Minister, the Rural Dean) before selecting a suitable memorial, as the Minister and Rural Dean have copies of the Regulations and will be able to advise as to what type of memorial may be permitted.

(2) **SIZE OF MEMORIAL** The Minister may permit memorials no larger than 1200mm (4') high, 900mm (3') wide and 150mm (6") thick, and no smaller than 750mm (2'6") high, 500mm (1'8") wide and 75mm (3") thick, except in the case of slate, which may be thinner, but no thinner than 38mm (1.5") thick.

(3) **BASE** A headstone may stand on a stone base, provided it is an integral part of the design and does not project more than 102mm (4") beyond the headstone in any direction, except where a hole is to be provided in the base for a flower receptacle, which must be flush with the top of the base. In such case the base can extend up to 200mm (8"0) in front of the headstone. Any foundation for the stone base must be below ground level.

(4) **MATERIALS** Memorials should be made of natural stone (including slate), or hardwood (teak or oak). Stones traditionally used in local buildings or stones closely similar in colour or texture to local stone are preferred. Black, blue, dark grey and red granites, granites darker than Rustenburg Grey, white marble, synthetic stone, plastic materials and metals are outside the Minister's authority to allow, and any application for a memorial incorporating any of these materials must be made to the Chancellor. No surface of the stone may be finished with a polished or reflective surface. If desired, the front of a stone may be finished to a fine rubbed surface, provided it does not have a reflective or "mirror" effect.

(5) **CARVING AND STATUARY** The minister has authority to permit a memorial which includes sculpture or carving on the front side, provided that it does not extend over more than one-fifth of the surface of that side and is not, in the opinion of the Minister, unseemly or inappropriate. Other sculpture or statuary, e.g., which surmounts the top of the headstone, or extends over more than one-fifth of the front surface, may only be authorised by the Chancellor.

(6) **DESIGNS** Provided that a memorial complies with the dimensions specified in (2) above, it may have a curved or straight top. Application must be made to the Chancellor for any other shape. Photographs, porcelain portraits, chains, glass shades and chippings may not be permitted by the Minister.

(7) **CROSSES** Wooden crosses not exceeding 1200mm (4') in height may be permitted by the Minister, but stone crosses must be the subject of an application to the Chancellor. Between a burial and the erection of a permanent memorial, a small temporary wooden cross, not more than 450mm (1'6") in height (measured from the surface of the ground) and 300mm (1') in width may be used to mark a grave, with the prior approval of the Minister. The cross may bear a small plaque stating the name and date of death of the deceased.

(8) **VASES** Memorials in the shape of a stone vase may not be permitted by the Minister, but must be the subject of an application to the Chancellor.

### (9) **INSCRIPTIONS**

(a) Inscriptions must be simple and reverent. Quotations will usually be taken from the Bible or Prayer Book (including Common Worship) but, if desired, quotations may be from other sources compatible with the Christian faith. The wording of an inscription must be included in the application, and must be approved by the Minister. Inscriptions may be incised or in relief, and may be coloured a shade lighter or darker than the surrounding stone. Gilded, silvered, plastic or other inserted lettering is not permitted.

(b) A memorial inscription is for the purpose of record and is open for inspection by the public. The inscription should be suitable for being read by the public at large over future years. For this reason, the Chancellor does not consider it appropriate to permit statements of how members of the family feel about the deceased. Ministers should

encourage applicants to use terms such as "Mother", "Father", "Grandmother", etc., rather than the more familiar terms, "Mum", "Dad", "Grandma", etc. Before permitting an inscription including such a familiar term the Minister should consider (i) whether he or the PCC or any other person objects; (ii) whether there are any other aspects of the proposed memorial which are not normally permitted; (iii) whether the grave is in an obvious position, or in a remote part of the churchyard; (iv) whether the church is one calling for a high level of inscription writing (e.g. a Grade I listed church with historic churchyard); (v) whether there are any other memorials in proximity bearing such terms. Ministers should also consider that expressions such as "Pop" or "Gramps" may be less acceptable than "Mum" or "Dad".

(c) No advertisement or trade mark may be inscribed on a memorial, except that a mason's name may be inscribed at the side or on the reverse of the headstone, near to the bottom of the stone, and in letters no larger than 12mm (0.4").

(10) **COMMEMORATION AFTER CREMATION** The Minister may give permission for commemoration in one of the following ways:

- in a Book of Remembrance kept in the Church;
- by an inscription on a single communal memorial in the churchyard, where one exists;
- by a suitable addition to an existing memorial;
- by a memorial authorised under a previously granted Faculty setting aside an area for cremated remains which specifies what types of memorial may be permitted;
- where remains are interred elsewhere than in an area set aside by Faculty, by a stone tablet (bearing only the name of the deceased and the dates of birth and death) laid flush with the ground and measuring no more than 18" by 18".

## 3. FLOWERS

(1) Where it is intended to have a container in which flowers can stand in water, the design of a memorial may include an integral flower receptacle complying with paragraph 2(8) above. Where there is no such receptacle, flowers may be placed in a removable water container which must be recessed completely into the ground, so that it will not obstruct mowing or other routine churchyard maintenance.

(2) Wreaths and other cut flowers may be laid on a grave, but must be removed as soon as they are withered.

(3) No artificial flowers may be laid or placed in containers except Remembrance Day poppies and traditional Christmas wreaths. These must be removed after a period of two months.

(4) Flower bulbs may be planted in the soil of any grave.

(5) No tree, rose bush, or any other bush or shrub may be planted to mark a place of interment without the Chancellor's authority.

## 4. APPLICATIONS TO THE CHANCELLOR

An application for a memorial should in the first instance be to the Minister (or, if there is no Minister, to the Rural Dean). The Minister will provide a memorial application form which is to be completed by the applicant. If the Minister can approve the proposed memorial under the authority delegated to him by the Chancellor, he will normally do so. If, however, the proposed memorial is outside the Minister's authority, or if for any reason he is unwilling to authorise the memorial himself, the Minister will forward the application to the Chancellor for consideration. In most cases, the Chancellor will consider the application on an informal basis, but he reserves the right in appropriate cases (for example, where the Chancellor may wish to seek the advice of the Diocesan Advisory Committee) to require the applicant to make a formal application by way of Petition for a Faculty.

## 5. FEES

Where application is made for a Faculty, fees are payable to the Diocesan Registry for dealing with the application. Otherwise Registry fees are not normally payable in respect of memorial applications. But fees for the introduction of a memorial into a churchyard are payable to the Minister and Parochial Church Council under the Parochial Fees Order.

**These notes are intended as a summary of the main items in the Diocesan Churchyards Regulations 1992. Applicants wishing to see the full regulations should ask their Minister. Also, advice about memorial applications may be obtained from the Diocesan Registrar, whose address is: 4 Holywell Way, Longthorpe, Peterborough PE3 6SS. Tel: 01733-262523.**