



# LEICESTER DIOCESAN REGISTRY

Boundary House, 91 Charterhouse Street, London EC1M 6HR

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## **Guidance note: applying for a faculty for a memorial outside the Churchyard Regulations for the Diocese of Leicester**

### **Introduction**

The Chancellor of the Diocese, under the Churchyard Regulations, has delegated to priests in charge of a parish authority to permit, in writing but without a faculty, the introduction of memorials into churchyards so long as they comply with certain specifications in the Churchyard Regulations.

The Churchyard Regulations can be downloaded from the [Diocesan Website](#). Some churchyards have regulations specific to them: always check with the priest whether this is the case.

If your memorial design does not comply with these specifications, you must apply for a faculty.

A faculty is permission from the Chancellor of the Diocese to put into effect an alteration to a church building, its contents, or in this case, its immediate surroundings such as the churchyard.

### **The application process**

Firstly, if you are unsure whether your chosen design is permitted within the Churchyard Regulations, then fill in a memorial application form and send it to the priest of the parish church in whose churchyard you would like the memorial to be erected. Please ask us for a copy, or download it from the [Diocesan Website](#).

The statutory fee referred to on the second page of the application form is currently £167.

If you know that your chosen design is not permitted within the Churchyard Regulations e.g. your funeral director may let you know, or the priest may tell you following your submission of the application, the next steps are as follows.

1. You must complete a faculty application form – called a petition. Please ask us for a copy, or download it from the [Diocesan Website](#).
2. You will need to complete pages 1, 2 and the Schedule of the petition form.
3. Page 3 is a schedule in which all the details of the memorial need to be set out and/or attached and sent with the petition. The details required are:
  - i) The deceased's full name
  - ii) The deceased's date of death
  - iii) Your relationship with the deceased.
  - iv) Details of the memorial mason
  - v) Details of the memorial
    - a. Material (e.g. type of stone)
    - b. Colour

- c. Size
  - d. Surface finish
  - e. Details of carving/decoration
  - f. Details of vase (if applicable)
  - g. Proposed wording
  - h. Style of lettering
  - i. Colour of lettering
  - j. Drawings or photographs of the design and lettering
  - k. Details of craftsmanship of design and execution (e.g. is it hand cut?)
  - l. Details (including relevant photographs and a plan) of the churchyard where you propose to erect the memorial
  - m. Photographs of any similar memorials in that churchyard.
- vi) The context – reasons why you are proposing this design, together with any further information you wish to be considered. This can be in the form of a letter or statement.
4. If you have already fully filled out a memorial application form, you can include that with your petition form and then the only additional information that you need to add to the schedule should be the details listed at 3 v) k, l and m and vi) above.
5. The church council (called the PCC – Parochial Church Council; or in some circumstances, the DCC – District Church Council) responsible for the churchyard will need to consider your application.

This can be done by sending a copy of the draft petition to the priest of the parish church in whose churchyard you would like the memorial to be erected and asking them to put your application to their next meeting.

6. A record of the resolution must be made on page 2, paragraph 3 of the petition and a copy of the resolution sent with the petition.

The purpose here is that although the church council cannot permit the memorial you require because it is contrary to the regulations, their point of view (e.g. it is possible they may support it and give their reasons for doing so) will assist the Chancellor in making his decision.

7. Once you have the church council's resolution, you must sign and date the petition and send it to us at the Registry. This can be sent by post to:

Leicester Diocesan Registry, c/o Stone King, Boundary House, 91 Charterhouse Street, London EC1M 6HR

or by email to:

[registry@stoneking.co.uk](mailto:registry@stoneking.co.uk)

8. A fee, currently £327.40, is payable on submission of the form to the Registry. Cheques should be made payable to "Stone King LLP". The payment can be made electronically if you wish – email [registry@stoneking.co.uk](mailto:registry@stoneking.co.uk) for more details.
9. Once you have submitted your petition form to the Registry, the petition will need to be advertised. There is a standard form notice for this – please ask us for a copy when you submit your form.

You will need to liaise with the church to ensure that the notice is completed and displayed in the church and the churchyard for 28 days (not including the day it is put up and taken down).

10. Whilst the notice is up, details of the petition – a copy of the form and the documents that you have scheduled – must be deposited somewhere local (usually the church or memorial

masons), so that interested parties can look at them. You should be able to arrange this through the church.

The purpose of the notice period is to allow any interested parties an opportunity to object to the petition, so that the Chancellor has a wide idea of the general feeling towards the memorial.

11. A certificate of publication (usually on the reverse of the notice) then needs to be completed after the end of the 28-day period and sent to us at the Registry with a copy of the notice.
12. Once the Registry receives your petition (and while the notice period is running), we shall send the petition form to the Diocesan Advisory Council (DAC), so that they can offer advice to the Chancellor. They usually meet once a month, except in the summer. Please ask us when you submit your petition form, if you would like to know when the next meeting is. The DAC need 3 working days' notice before the meeting to add it to the agenda. The DAC usually issue their advice within a week of the meeting.
13. The Chancellor will consider your petition in the light of the church council's resolution, any objections received during the notice period and the advice given by the DAC. She will let the Registry know of her decision.
14. Once we have the Chancellor's decision, we shall communicate it to you and the church.
15. If the faculty has been granted, we shall send you a sealed copy in the post, receipt of which we shall ask you to acknowledge. A copy will be sent to the church for its records.
16. The faculty may be granted subject to conditions, which must be adhered to. For example, the memorial may have to be erected within a certain time period, such as 12 months.
17. Alternatively, the Chancellor may issue a judgement. Her judgement will set out the reasons for her decision, which may be to refuse the petition or to set out conditions upon which the faculty may be granted e.g. she may in the circumstances permit one aspect of the design, whilst not accepting another and require you to submit a revised design within a certain time limit.
18. Following grant of the faculty, you will need to liaise with the church and your funeral director with regard to the erection of the memorial.
19. Please give a copy of the faculty to the stone mason, so that they know what has been permitted.

If you have any queries, please do not hesitate to contact us:

[registry@stoneking.co.uk](mailto:registry@stoneking.co.uk)

**Lee Coley** Diocesan Registrar

**Frances Reynolds** Assistant to the Diocesan Registrar

**Leicester Diocesan Registry**  
**January 2023**