

## **In the Consistory Court of the Diocese of Coventry**

### **Additional Matters Order No. 1 of 2025**

#### **Churchyard Memorial Regulations**

1. This Additional Matters Order is made on 1<sup>st</sup> January 2025 pursuant to the power contained in section 78 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (as amended).
2. The advice of the Diocesan Advisory Committee has been sought prior to the making of this Order as required under section 78(4) of the Measure.
3. The matters specified in Schedule 1 to this Order may be undertaken without a faculty provided the procedure specified in Schedule 2 to this Order is followed.
4. Should any question arise as to whether a particular proposal constitutes a matter specified in Schedule 1, it is to be referred to the Chancellor by the minister for determination.
5. Application may be made to the Chancellor by the minister in relation to a particular proposed memorial for directions as to matters which are not specified in Schedule 1, but which are of a similar or comparable nature. The Chancellor may direct that such matters be treated as if they were so specified.
6. This Order applies to the whole of the Diocese, save for any churchyard or burial ground expressly excluded by direction of the Chancellor. It does not extend to the consecrated parts of municipal cemeteries operated by local authorities.
7. Particular Churchyard Regulations previously authorised by faculty in respect of individual churchyards or burial grounds will continue in force where applicable until such time as the Chancellor directs otherwise.
8. For the purposes of this order, the term ‘minister’ shall be taken to mean the incumbent of the benefice in which the burial ground is situated. If there is no incumbent, or the benefice is for whatever reason vacant, then the person acting as priest in charge of the parish or the curate licensed to the charge of the parish shall be treated as the minister. If there is no priest or curate of that description (or if any of the aforesaid persons is unable or unwilling to act), the area dean of the deanery in which the parish is situated shall be deemed to be the minister. In case of doubt, the matter may be referred to the Chancellor, whose direction as to who shall be treated as minister for the purposes of this Order shall be conclusive.
9. This order shall come into force on Easter Sunday, 20<sup>th</sup> April 2025.
10. A copy of this Order is to be filed in the diocesan registry in accordance with section 78(5) of the Measure.

## Schedule 1

### Schedule 1. Matters Not Requiring a Faculty

#### Part 1. General Provisions

- 1.1 The matters which may be undertaken without a faculty are:
- (a) the introduction of a new memorial that complies with the specifications in Part 2 of this Schedule; and
  - (b) the repair or alteration of an existing memorial as described in Part 3, provided that they have been approved in accordance with the procedure set out in Schedule 2.
- 1.2 In this Schedule,
- “base” means the component supporting a memorial on its foundation;
  - “cremated remains tablet” means a rectangular stone or slate tablet placed above the cremated remains of the person commemorated, the upper face of which is flush with the surrounding ground;
  - “foundation” means the element that connects a memorial to the ground and transfers the load from the memorial to the ground; the top surface of the foundation being flush with the surrounding ground or below ground level;
  - “grave” means a place of burial below ground level;
  - “headstone” means a “lawn memorial” or a “monolith memorial” erected at the head of a grave;
  - “incised” in relation to lettering, motifs, emblems or other images, includes being cut either by hand or by machine;
  - “inscription plate” means a stone forming part of a memorial, into which is incised lettering relating to the person whose body is buried there or whose death is being commemorated;
  - “lawn memorial” means an independent vertical inscription plate attached to a horizontal base which is fixed to a foundation;
  - “memorial” means a freestanding object installed in a churchyard in memory of the deceased;
  - “monolith memorial” means an independent vertical inscription plate set into a pre-cast concrete shoe-type foundation which is set directly into the ground;
  - “the British Standard” means British Standard BS 8415:2018 Memorials within burial grounds and memorial sites – Specification<sup>1</sup>, or any similar standard that may replace BS 8415:2018;

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<sup>1</sup> Copies of this may be inspected at major public libraries, or from some memorial masons.

“wooden cross memorial” means a memorial in the form of a wooden cross erected at the head of a grave, into which is incised the name of the person commemorated and the date on which that person died.

## Part 2. The Introduction of a New Memorial

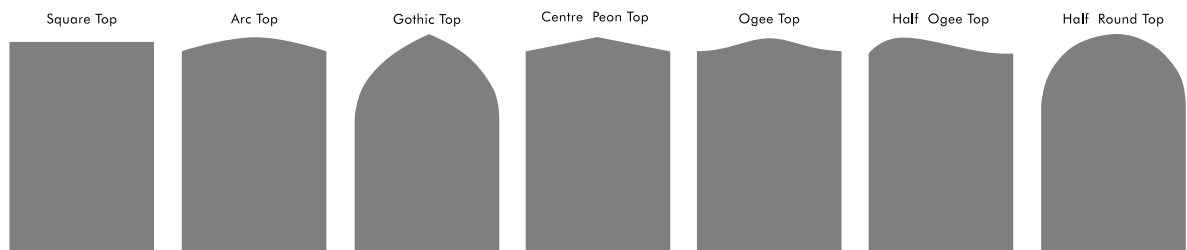
### Basic principle

- 1.3 Any new memorial is erected so as to comply with the details specified in the British Standard, so far as relevant.

### The form of a new memorial

- 1.4 The memorial is:
- (a) in the form of a headstone;
  - (b) in the form of a wooden cross memorial;
  - (c) in the form of a lawn memorial erected by or on behalf of the Commonwealth War Graves Commission;
  - (d) a cremated remains tablet.
- 1.5 In the case of a headstone, the shape of the inscription plate is one of those in Diagram 1, or one similar to one of the shapes in that diagram.

Diagram 1



- 1.6 In the case of a wooden cross memorial, adequate provision is made to prevent premature degradation below ground level.
- 1.7 Paragraph 1.4(d) does not apply where cremated remains are interred in a grave that is already marked by a headstone or a wooden cross memorial.
- 1.8 The memorial does not include attached plaques, or kerbs, railings, chippings, statues, or other objects.
- 1.9 The memorial is located so that no part of it is closer than 1500mm to the wall of the church.

### The dimensions of the memorial

- 1.10 In the case of a headstone:
- (a) the height of the memorial is between 450mm and 1220mm;
  - (b) the width of the inscription plate is between 500mm and 915mm;
  - (c) the thickness of the inscription plate fixed to a base is between 75mm and 105mm;
  - (d) the thickness of a slate monolith is between 50mm and 105mm;
  - (e) the base, if any, is not larger than 915mm in width, 460mm in depth (front to back), and 155mm thick.

- 1.11 In the case of a wooden cross memorial:
- (a) the height of the cross is between 750mm and 1220mm;
  - (b) the width of the cross is between 500mm and 815mm;
  - (c) the thickness of the timber is between 40mm and 55mm; and
  - (d) the section of the memorial below the ground is at least one third of the height of the section above the ground.
- 1.12 In the case of a cremated remains tablet:
- (a) the size and shape are similar to those of others in the immediate vicinity; and
  - (b) in any case the longest dimension is not more than 450mm.
- 1.13 The height of a memorial is to be measured from ground level; and in the case of sloping ground or ground that has been re-contoured to accommodate the burial, “ground level” is the level of the ground immediately adjacent to the centre point of the rear of the base once the interment has been completed.

### **The materials and colour of the memorial**

- 1.14 In the case of a headstone or a cremated remains tablet, it is made of slate or one of the following types of natural stone:
- (a) sandstone;
  - (b) limestone; or
  - (c) granite.
- 1.15 The colour of the slate or stone is not such as to render the memorial discordant in the context of the church and churchyard.
- 1.16 In the case of a headstone, the principal surface of the inscription plate is not polished or reflective.
- 1.17 In the case of a cremated remains tablet, the surface is not polished or reflective.

### **The inscription on the memorial**

- 1.18 Any inscription is:
- (a) factually accurate;
  - (b) not considered by the minister to be likely to be offensive or controversial for any reason; and
  - (c) not inconsistent with Christian doctrine.
- 1.19 The inscription includes:
- (a) the name of the person being commemorated (which may be or may include the name by which that person was generally known); and
  - (b) the date or year in which that person died; and
  - (c) either the date or year in which that person was born, or the age of that person at death.
- 1.20 Where any text in the inscription is in a language other than English, an agreed formal translation has been supplied to the minister for retention in the parish records
- 1.21 Any lettering is
- (a) uncoloured; or
  - (b) coloured in a single colour, which does not render the memorial discordant in the context of the church and churchyard. (Gilded or silvered lettering is not

permitted unless there are already within the immediate area of the grave more than five other memorials that have gilded or silvered lettering)

1.22 Any lettering on:

- (a) the principal face of the inscription plate of a headstone;
- (b) a wooden cross; or
- (c) a cremated remains tablet;

is incised into the face of the memorial and not more than 50mm in height.

1.23 In the case of a headstone or a cremated remains tablet, any motif, emblem or other image forming part of the design of the memorial

- (a) is of a character commonly found in churchyard memorials within the Church of England, or is relevant to the life of the person commemorated;
- (b) is a fitting complement to the wording forming the rest of the design;
- (c) does not exceed 20% of the face of the headstone; or, if there is more than one image (maximum of two), no more than 20% in total';
- (d) is incised into the stone;
- (e) is uncoloured, or coloured in such a manner that the memorial is not discordant in the context of the church and churchyard in a single colour; and
- (f) is not inconsistent with Christian doctrine.

Photographs or images of the deceased are not permitted.

1.24 In the case of a headstone, there is no lettering or other image other than on the principal face of the inscription plate, except for a reference to the mason (in lettering not higher than 15mm).

1.25 The memorial MUST NOT contain a QR code (quick response code), or any other device intended to enable direct communication with an electronic resource.

### **Part 3. The Repair or Alteration of an Existing Memorial**

1.26 Any existing memorial being repaired or altered has been lawfully introduced into the churchyard, or has been in place for at least six years.

1.27 If a memorial is removed and re-erected in the course of being repaired or altered, it is re-erected so as to comply with the details specified in the British Standard.

1.28 Any alteration of or addition to the inscription on a memorial is in the same style and finish as the original inscription; and the inscription on the memorial as altered complies with the paragraphs 1.18 to 1.25 above.

## **Schedule 2. Approval Procedure**

The procedure to be followed prior to the undertaking of any matter contained in Schedule 1 is as follows.

- (a) An application in the form annexed to this Schedule is to be sent to the minister (as defined in paragraph 8 of the order);
- (b) Such form is to be duly signed by the applicant(s) and by the memorial mason;
- (c) If the minister or other authorised person gives permission, this is to be endorsed in writing in the relevant section of the form, whereupon the matter may proceed;
- (d) If an applicant petitions for a faculty to admit the said memorial, then for that purpose, under rule 20.6 of the Faculty Jurisdiction Rules 2015 (as amended), it is directed that the completed form annexed to Schedule 2 of this order shall be treated as the petition.

### **Important Warning**

*Any memorial erected otherwise than in accordance with this procedure, or without the authority of a faculty granted by the Chancellor, may lead to enforcement proceedings in which the Consistory Court may order removal of the memorial at the expense of the person or persons responsible, who may also be required to pay the court costs of such proceedings.*