

# **DIOCESE OF COVENTRY**

## **CHANCELLOR'S CHURCHYARD REGULATIONS**

- 1) These Regulations set out what is and what is not permitted in the churchyards of the Coventry Diocese. In particular they identify those memorials and related items which can and those which cannot be permitted by parish priests without the need for a faculty from the Chancellor.
- 2) Clergy and churchwardens are reminded that parish priests can only permit those memorials which are within their authority under these Regulations. Any application for a memorial which does not accord with these Regulations should be referred to the Chancellor (through the Registry).
- 3) Clergy should also refer to the Chancellor (informing the Archdeacon that they have done so) any application of the following kinds:
  - a) Applications as to which there is any doubt as to whether the proposed memorial is of a permitted type.
  - b) Applications where the incumbent or churchwardens believe that they are being subjected to pressure to permit an unauthorised memorial.
  - c) Applications where the memorial is of a permissible type but where the incumbent, for any reason, is not willing to give permission.

### **The Nature of Churchyards.**

- 4) First and foremost, churchyards are consecrated to Almighty God, Father, Son, and Holy Spirit. Accordingly, they must be treated and cared for in a manner consistent with that consecrated status. Churchyards can also fulfil important spiritual roles and can be a powerful part of the Church's witness to the world. They provide appropriate settings for Christian places of worship and as such send out a message of the Church's commitment to offering to God the very best products of human artistic skill. They contain memorials to departed Christians demonstrating the Church's continuing love for them and its belief in the communion of saints.
- 5) The circumstances of interment and the memorials in a churchyard can be powerful evidence of the Church's love for the local community and are an important part of our ministry to the bereaved. Churchyards are places of solace and relief for those who mourn. In addition, many people find comfort in knowing that their mortal remains will be interred in a particular churchyard and in a particular setting. That comfort derives in part from a confidence that the character of that setting will be preserved. Finally, churchyards are an important part of our national and local heritage. Our care for them is part of the Church's work of stewardship of our heritage and of the created world.

- 6) Accordingly, the memorials placed in our churchyards must be fitting and appropriate and they must be fitting and appropriate not just for today but also for the future.

### **The Purpose of these Regulations.**

- 7) The purpose of these Regulations is to preserve and enhance the quality of our churchyards while minimising the scope for conflict and discord when decisions have to be made as to the form of memorials. The Regulations exist to create fairness, equality and consistency of treatment for all. They seek to promote peace, dignity and good order in churchyards where it is necessary to balance the concerns of the past, present and future and where there will, inevitably, be a spectrum of views about what is appropriate.
- 8) The general approach is that each churchyard should be harmonious in appearance and that it should remain as a worthy setting for the church. Harmony does not mean uniformity but the design and choice of materials for a memorial and the choice of words and images for an inscription should seek to ensure that the memorial integrates into the established character of the churchyard.
- 9) These Regulations set out those matters which may and those which may not be authorised by a parish incumbent. Any proposed memorial or inscription which is not within the scope of these Regulations requires a faculty granted by the Chancellor. Nothing may be erected or placed in a churchyard without either the written consent of the incumbent or a faculty from the Chancellor. Any person who is found responsible for the unlawful introduction of memorial of any kind into a churchyard is likely to be required by the Chancellor to remove it and ordered to meet the cost of doing so.
- 10) These Regulations are intended as a guide for parish priests, churchwardens, Parochial Church Councils, and those considering interment or the erection of a memorial in a churchyard. They are not a comprehensive statement of all the legal provisions governing churchyards. Any person who has doubt as to those legal provisions should consult the Registry.
- 11) Any incumbent, churchwarden, PCC member, parishioner, or memorial mason who has any question about these Regulations or about matters relating to a memorial in a churchyard should not hesitate to consult the Registry or the Archdeacon.
- 12) Parish clergy, churchwardens, and Parochial Church Councils are urged to give wide publicity to these Regulations. In particular they should ensure that any memorial masons who do work in the churchyard confirm that they are familiar with them. Relatives approaching clergy or churchwardens with a view to arranging an interment should be told of the effect of the Regulations at an appropriate but early stage in the discussions with them.

## **Burial in a Churchyard.**

- 13) Many people have a right to be buried in a churchyard and the Church welcomes those who wish to exercise that right. However, even when there is a legal right to burial in churchyard there is no right to a memorial nor to have any particular inscription on a memorial. Those are matters which need separate permission.
- 14) The Church seeks to minister with love to the bereaved; to extend to them the Good News of Christ's victory over death; and to provide a fitting resting place for the remains of the departed. However, no one is obliged to bury their departed spouse or relative in consecrated ground. It follows that those who seek to arrange a burial and to erect a memorial in a churchyard will have chosen to do so. When making that choice the family of a departed person need to understand that these Regulations will apply to a burial in a churchyard. It is strongly recommended that when the question of interment in a churchyard is first raised the parish priest explains both the Church's welcome to the bereaved and also the nature of the restrictions imposed on memorials.
- 15) Parish clergy and churchwardens should explain that the restrictions imposed by these Regulations are not a matter of their personal choice and that they cannot depart from them. The welcome given to those seeking to arrange a burial in a churchyard should make it clear that a churchyard is not a private place. It is a place where many people have a shared interest in its appearance. Accordingly, the decision as to what is placed in a churchyard cannot be simply a matter of private choice.
- 16) The maintenance of memorials is the responsibility of those who erect them and after those persons have died of the heirs of the person commemorated. However, the churchyard as a whole also has to be maintained. Often those who seek burial in a churchyard do not appreciate that the expense of such maintenance falls on the local parish. Incumbents should not hesitate to explain this expense to such persons. They should encourage the relatives of those buried in a churchyard to make periodic gifts towards the cost of its upkeep (particularly if they are not contributing to the Church in other ways).
- 17) It is important that those making decisions about memorials do so after proper reflection and not when they are most acutely feeling their loss. For that reason no application for a memorial may be made within six months of the funeral service. The exception is that a memorial stone bearing name and dates may be installed horizontally over the interment plot in an area of a churchyard set aside for the interment of cremated remains, at the discretion of the incumbent/priest in charge (or Area Dean where there is an interregnum), as soon after the interment as seems appropriate. The exception does not apply where cremated remains have been interred in an ordinary grave plot.

## **The Scope and Effect of these Regulations.**

- 18) The permission of the Chancellor is needed for the erection of any memorial in a churchyard. By way of relaxation of that legal rule the Chancellor authorises incumbents to approve memorials and inscriptions without the need for a faculty application provided that such memorials and inscriptions fall within the limits set out in these Regulations. For these purposes, incumbents are rectors, vicars, priests in charge, and team vicars. Where there is a vacancy in a parish the authority to approve memorials is to be exercised by the area dean in consultation with the churchwardens. Neither a churchwarden nor any member of a Parochial Church Council has any authority to permit the introduction of memorials into a churchyard. Incumbents are not entitled to delegate their authority to permit memorials to a churchwarden or any other person although they may consult a churchwarden or other suitable person when considering whether a proposed memorial is appropriate in a particular churchyard.

### **Statement of Delegation**

**The Chancellor of the Diocese of Coventry hereby delegates the judicial authority to permit the installation of memorials and related items to the incumbent, rector, team vicar or priest in charge of each parish or team. In the absence of such a member of clergy, through vacancy or other reason, the authority is vested in the Area Dean or, in his/her absence, the Archdeacon. No other member of the clergy is granted the delegated authority. The delegated authority is to permit memorials and related items only as are permitted in the Churchyard Regulations of the Diocese of Coventry or such other local scheme as has been approved in writing by the Consistory Court.**

- 19) These Regulations apply not only to new memorials but also to existing memorials to which any alteration or addition is proposed. For the avoidance of doubt, amendment to an existing memorial stone or cremation plaque requires the authority of a faculty save as is permitted by paragraph 55. Even under paragraph 55 it is not permissible to turn over a horizontally laid stone to add an entirely new inscription without a faculty. The delegation of authority given to incumbent, rector, team vicar or priest in charge does not include any authority to permit amendment to any memorial once installed except as is permitted in paragraph 55.
- 20) Where a memorial to an individual already exists (whether in the same churchyard or elsewhere) then a further memorial to that individual can only be authorised by faculty granted by the Chancellor and the incumbent cannot permit such a memorial under these Regulations. Any request to add a further inscription to any headstone, memorial stone, cremation plaque or other item to honour the memory of another person will require permission by way of a faculty save as is permitted by paragraph 55. (For the avoidance of doubt paragraph 55 only applies to inscriptions for those persons additionally interred or buried in the grave or interment plot on which the memorial has been installed).

- 21) A memorial to a person whose remains are not interred in the churchyard in question will also normally require a faculty application even if there is no other memorial to that person. However, in such cases incumbents should consult the Archdeacon who will refer the matter to the Chancellor to consider whether a faculty application is required.
- 22) The permanent removal of a memorial requires a faculty and cannot be authorised by the incumbent. However, the incumbent can authorise the temporary removal of a memorial for repair or for the addition of a further inscription falling within the scope of these Regulations.
- 23) It is unlawful to erect a memorial in a churchyard without either a faculty or written permission given in accordance with these Regulations. The Chancellor has power to require the removal of any unauthorised memorial or any unauthorised inscription. As explained above when that power is exercised any person who was responsible for the unlawful memorial or inscription is likely to be ordered to pay the cost of its removal.

#### **What can be permitted by a Parish Incumbent: The Shape, Fixing, and Material of Memorials**

- 24) The incumbent may permit memorials which are substantially in accordance with the following requirements. Although the incumbent is authorised to permit such a memorial he or she is not obliged to do so. If the incumbent has any concerns as to what is proposed or as to the suitability of any memorial or inscription he or she should decline to authorise it. In those circumstances, permission will have to be sought by way of a faculty application.
  - a) An upright memorial stone within the following dimensions:
    - i) Height: No more than 1220mm (4') nor less than 762mm (2'6").
    - ii) Width: No more than 915mm (3') nor less than 510mm (1'8").
    - iii) Thickness: Thickness no more than 152mm (6") nor less than 76mm (3") except for slate which may be a minimum of 40mm (1½") thick.
  - b) In the case of the burial of a child a smaller memorial stone may be permitted but in such a case the stone should be no less than 610mm (2') high, 380mm (1' 3") wide and 51mm (2") thick.
  - c) The incumbent may permit memorial stones with any shape or style of top provided that he or she is satisfied that the shape and style of top are appropriate for the churchyard. The incumbent may not permit memorial stones the body of which is of an irregular or unusual shape other than boulders falling within the scope of paragraph 25. In particular those in the shape of hearts, teddy bears, or other objects are not permitted. If the incumbent has any doubt as to the suitability of the shape or style proposed the matter shall be referred to the Archdeacon.

- d) A memorial in the shape of an open book should not normally be permitted. However, the incumbent may authorise a memorial in that shape if, after consultation with the Archdeacon, he or she concludes that the churchyard already contains such a substantial number of such memorials that it would be inappropriate to refuse permission.
  - e) The incumbent may not permit a memorial which includes kerbs, railings, or chippings.
  - f) The incumbent may not permit any memorial or element of a memorial which involves stone, concrete, metal, glass, plaster, or plastic objects whether in the form of model people, animals, or toys or otherwise.
  - g) The incumbent may not permit any object designed to make a noise when moved by the wind.
  - h) Stone crosses of similar dimensions to headstones and hardwood crosses may be permitted. A wooden cross is to be no more than 1220mm (4') high and the transom is to be of commensurate width.
  - i) A flat memorial stone without kerbs and flush with the ground may be permitted if it is of equivalent dimensions to those set out above save that a length of no more than 2100mm (7') shall be permissible for flat memorial stones.
  - j) An upright headstone may stand on a stone base provided that the base is an integral part of the design and does not project beyond the upright stone by more than 101mm (4") in any direction unless either (a) a vase hole is included when it may project 180mm (7") in front and 101mm (4") behind the upright stone or (b) a base of a different size is necessary in order to meet the requirements of BS8415 in which case that different size is permissible.
  - k) The upright stone or base must be fixed on a foundation slab which is flush with the ground. The slab should extend no more than 152mm (6") nor less than 76mm (3") all round other than where a slab of a different size is necessary in order to meet the requirements of BS8415 in which case that different size is permissible.
- 25) The incumbent may permit memorials in the form of a natural boulder taken straight from a quarry with a single sloping face formed to carry an inscription provided that the Archdeacon has been consulted and has agreed that the proposed memorial is appropriate in the churchyard.
- 26) The incumbent may permit the inclusion in a memorial of a stone vase which is not less than 203mm (8") cube and not more than 304mm (12") cube provided that the same is securely cemented into a sunken slab. The incumbent should consult the Archdeacon if he or she has any doubt as to the suitability of the design or appearance of the vase. Unless the incumbent is satisfied that the proposed vase is of a high quality of design and

appearance permission should be refused and an application for a faculty required.

- 27) The incumbent may permit the installation of a wooden cross no more than 1220mm (4') high with a transom of commensurate width intended as a temporary memorial to mark a grave pending the introduction of a permanent memorial. Such a cross may bear a small metal plaque recording the name and the dates of birth and death of the person interred together with a short inscription falling within the scope of these Regulations.
- 28) It is important for the safety of those visiting churchyards that memorials are securely and properly fixed. All memorials must be fixed in accordance with BS8415 and any subsequent variation or replacement of that standard. Incumbents and churchwardens should ensure that any monumental mason fixing a memorial is aware of this requirement.
- 29) The Parochial Church Council may direct that memorials can only be fixed by a monumental mason in possession of an appropriate professional registration or accreditation. Where a Parochial Church Council intends to impose such a requirement it should consult the Registry as to the applicable registration schemes. It should also consult any memorial masons regularly installing memorials in the churchyard as to their views on such a direction.
- 30) The application form must contain confirmation from the relevant monumental mason that the memorial will be fixed in accordance with BS8415.
- 31) If a memorial is found to have been inadequately fixed the Chancellor is likely to order its removal or re-fixing and require the person responsible for the inadequate fixing to pay the costs of such work.
- 32) Memorials are not to be considered in isolation but in their context as part of the churchyard as whole. Memorials of a different material from the church or from the other memorials in a churchyard can harm the appearance of the churchyard and mar the setting of the church. Accordingly, particular care is to be taken in the choice of the material for memorials.
- 33) The starting point is that a memorial should be made of a stone of the colour, type, and texture used in building the church or other local buildings or a stone closely similar to those in colour and texture. Schedule 1 lists stones which are likely to be appropriate for use in a churchyard although not all of them will be suitable for every churchyard. The incumbent may authorise memorials made of those stones provided he or she believes that the type of stone is appropriate for the churchyard in question. If the incumbent has any doubt as to the suitability of the stone the matter should be referred to the Archdeacon.
- 34) Although popular in municipal cemeteries polished granites, marbles, or synthetic stones are not normally appropriate for use in a churchyard. Stone of such type rarely blends well with the church itself and can look out of place amongst other memorials. Memorials made of such material cannot be

authorised by the incumbent. Where a churchyard already contains a large number of memorials made from such stone the Parochial Church Council is encouraged to regularise the position by obtaining approval for a Parish Churchyard Policy adopting the procedure set out in Schedule 2.

- 35) The presence of a memorial which does not accord with these Regulations does not authorise the incumbent to permit another non-compliant memorial. However, an exceptional course can be taken if there is already a group of at least six memorials of the same material, design, and colour which do not comply with these Regulations and which occupy a clearly defined contiguous area or row. In such circumstances the incumbent after consultation with the Archdeacon may (but is not required to) authorise further memorials of the same material, design, and colour to complete that area or row but not to extend beyond that area or row. Before doing so the incumbent should consider with the churchwardens whether to seek approval of a Parish Churchyard Policy.

### **What a Parish Incumbent can permit: Inscriptions and Symbols**

- 36) Particular care must be taken with regard to the inscriptions and symbols on a memorial. The first and key principle is that inscriptions must be consonant with orthodox Christian belief. Not only is this because of the purpose of the churchyard but also because inscriptions convey a message to those who visit churchyards. It is important that the message that such visitors receive is one which proclaims (or at the very least is not inconsistent with) the message of hope and faith being given to them by Christ's Church.
- 37) It is to be remembered that the memorial will be read not just by those who knew the deceased in question but by those who did not. Indeed, the message conveyed to those who did not know the deceased is in many ways more important than the message being given to those who did know him or her. For this reason, if it is proposed that an inscription in a language other than English is to be used it will usually be appropriate to require the submission of a verified translation, so that there is no dispute over the meaning of the inscription. However, if a phrase in a language other than English is already well known and has been used on other memorials, for example 'requiescat in pace' or 'Dominus pastor meus est' or even 'Yr arglwydd yw fy mugail', then there is a discretion to waive the need for a verified translation. When an inscription is permitted in a language other than English it is important that the translation is accurately recorded in the Parish records. Note well (1) The same principle must apply to inscriptions in a language other than English as to inscriptions in English as is expressed in paragraph 42 below (2) Should an incumbent have concern about permitting an inscription in a language other than English he/she may refer the matter to the Chancellor or his Deputy through the Diocesan Registry).
- 38) Inscriptions are to be incised into the stone or carved in relief. The incumbent may permit well-crafted machine cut lettering or images. Sand or grit blasting may be used to create images and/or inscriptions on memorials made of



granite or slate. However, particular care is needed in the use of sand or grit blasting on slate and in such instances the incumbent should only give permission if satisfied that proper care and skill will be exercised in the performance of the work. Inscriptions may also be painted in black or white or in another colour provided that this harmonises or blends in with the underlying stone. Plastic lettering is not permitted nor is the gilding or silvering of lettering.

- 39) Inscriptions are to be simple, reverent, and appropriate to a churchyard. They should commemorate accurately the life of the person who has died. They must also be consistent with orthodox Christian belief and should not be confined solely to expressions of personal loss or sorrow.
- 40) However, the inscription need not be confined to the name and the dates of birth and death of the person who has died. There does not have to be a characterless uniformity in the inscriptions in a churchyard. Human individuality and diversity – indeed human eccentricity and non-conformity – are gifts from God and are to be celebrated as such. Accordingly, individuality and diversity in churchyard inscriptions reflecting the diversity and different characters of those commemorated are to be encouraged. Very many churchyards are enhanced and their purpose reaffirmed by inscriptions which are varied (and often quirky or eccentric) and which convey something of the character or life of the departed person. The message that we are individuals and are loved by God as individuals with our God-given differences and eccentricities is an important part of the Christian message proclaimed in our church buildings and to which our churchyards should bear witness.
- 41) In short individuality, even quirkiness, is to be encouraged in the inscriptions on memorials but what cannot be permitted is anything which can be seen as inconsistent with the Church's message. In addition, there is a difference between quirkiness and humour which are to be welcomed on memorials and flippancy and irreverence which would be impermissible.
- 42) Accordingly, the incumbent may exercise considerable latitude as to the wording of inscriptions within the following boundaries. The incumbent may permit an inscription provided that the wording proposed:
  - a) Is accurate.
  - b) Is consistent with orthodox Christian belief. Quotations from Holy Scripture or classical Christian poetry or hymnody are likely to be appropriate while those from the writings of other faiths or from popular culture will not normally be appropriate.
  - c) Is not over-sentimental.
  - d) Is neither flippant nor irreverent.
- 43) The incumbent may not permit an inscription which does not clearly satisfy each of those pre-conditions. An inscription which is no more than an expression of loss will not normally be appropriate (no matter how deeply felt

the loss is) but an expression of loss combined with a message of Resurrection hope or of committal of the loved one to God may be appropriate. If the incumbent has any doubt as to whether the conditions are satisfied he or she should consult the Archdeacon. If the conditions are not met or if the incumbent is unwilling for any reason to allow the inscription then the inscription can only be permitted if authorised by a faculty.

- 44) Care has to be taken in permitting symbols to be included on a memorial. Nonetheless, well-designed symbols can be visually delightful; can make a positive contribution to the churchyard; and can provide a fitting record of an aspect of the life of person who has died.
- 45) The incumbent may permit a plain cross not exceeding 152mm (6") in height or an image of a dove not exceeding 152mm (6") in length or a single floral symbol extending up to the length of any one side and for no more than 20% of the width of the top of the memorial. With the agreement of the Archdeacon the incumbent may permit the use of two of such images on the same memorial.
- 46) With the agreement of the Archdeacon the incumbent may permit the inclusion of a symbol which has a particular relevance to the life of the deceased. Such symbols will include: items relating to the deceased person's occupation (such as a sheaf of wheat or a farm animal for a farmer, an instrument for a musician, or a wheel for a potter); the symbol of a patron saint; the tool or symbol of a particular trade, occupation, hobby, or pursuit; professional insignia; a regimental, school, or college badge or motto; a family crest or motto; and similar items. Where it is proposed to use a badge or the equivalent confirmation should be obtained that the relevant body or organisation is content for its badge to be used on the memorial. Such symbols should be incised or carved in relief and should be of such a size as not to ensure the symbol does not dominate the memorial. With the agreement of the Archdeacon the incumbent may permit the use of two of such images on the same memorial.
- 47) Where a symbol relates to the occupation of the person commemorated it will normally be desirable that the wording of the inscription also makes a brief reference to that occupation. Symbols may express an element of humour and the tradition of symbols in the form of a rebus or visual pun is to be encouraged.
- 48) With the agreement of the Archdeacon the incumbent can authorise a memorial which combines symbols of the kinds permissible under paragraphs 45 and 46 but no more than two symbols in total may be included on a memorial without a faculty.
- 49) The incumbent may not permit the inclusion on a memorial of masonic symbols nor those of a faith other than Christianity.
- 50) Where there is any doubt as to the suitability or appropriateness of the symbol or where the incumbent is for any reason unwilling to permit its inclusion, the matter should be referred to the Chancellor (through the Registry).

- 51) Coloured symbols can only be authorised by faculty and cannot be authorised by a parish incumbent.
- 52) Memorials may not bear photographs or portraits (whether ceramic, engraved, or painted) of the deceased. Nor should they bear embossed symbols.
- 53) No advertisement or trademark can be placed on the face of a memorial. However, the stonemason's name may be discreetly incised on the side or the reverse of the memorial. The letters of such an inscription are not to exceed 13mm (½") in height.
- 54) With the agreement of the Archdeacon the incumbent may permit a small prayer or image (the latter of which must be within the scope of paragraph 45 or 46) to be incised on the reverse of a memorial or for there to be incised carving or lettering around the edge of the memorial. In any case of doubt an application for such permission should be referred to the Chancellor for consideration as to whether a faculty application is required.
- 55) Where there has been a further interment in a grave the incumbent may permit an additional inscription to be added to an existing memorial provided that the additional inscription is itself in acceptable terms and corresponds to the style and appearance of the existing inscription. Where there is no space on the existing memorial for an additional inscription commemorating a further person whose remains have been interred in a grave a faculty application will normally be required for an additional memorial on the same grave. However, in such cases the matter should be referred to the Chancellor to consider whether the incumbent can be authorised to permit the additional memorial without such an application.
- 56) The incumbent may not permit to be placed on a memorial any inscription or symbol which takes the form of a QR (Quick Response) code or any other item which permits access to a website or other remote electronic site.

**What a Parish Incumbent cannot permit.**

- 57) The incumbent may not permit a memorial which does not fully comply with the foregoing Regulations. If the incumbent has any doubt as to whether a proposed memorial complies with the Regulations or for any reason is unwilling to authorise a proposed memorial he or she should decline to authorise the same. In those circumstances the persons seeking to install the memorial in question will have to apply for a faculty from the Chancellor.
- 58) The incumbent may not permit a memorial to be installed unless there has been an interval of at least six months between the date of interment and the making of the application for the memorial.

### **How to apply to a Parish Incumbent for Permission.**

- 59) Applications should be made to the incumbent on the official diocesan application form and the information required on that form should be provided in full. No order for a memorial should be placed before the applicant has obtained either the incumbent's written consent or a faculty.
- 60) The application form can be obtained from parish priests and will also be downloadable from the diocesan website. Those considering seeking permission for a memorial are strongly recommended to consult the relevant parish priest before engaging in discussions with a monumental mason. Parish priests should not be influenced in their application of these Regulations by any arrangements made with monumental masons before they have been consulted.

### **Applications for Permission to erect Memorials which do not comply with the Regulations.**

- 61) These Regulations are intended to ensure the application of a consistent approach which is fair to all and to identify those memorials which will normally be appropriate. A proposed memorial which does not accord with the Regulations can only be authorised by the grant of a faculty. Those seeking permission for a memorial falling outside the Regulations will normally need to establish that there is a substantial reason in the particular circumstances for authorising a memorial which is outside the scope of those which incumbents can permit under these Regulations.
- 62) Nonetheless, it is not the purpose of the Regulations to suppress quality or individuality in favour of an unthinking uniformity. Churchyards can be enriched by memorials which are outside the norm whether their difference from the norm is in appearance, material, or design. Memorials which display individuality and originality are to be encouraged. Attractive, well-conceived new designs by skilled and imaginative craftsmen are genuinely welcomed. They can be objects of beauty demonstrating thought and imagination and can make a positive and lasting contribution to the appearance of a churchyard. An individually designed memorial with hand-cut lettering need cost little more than a memorial that is mass-produced. The Church welcomes proposals for individually designed memorials of high quality and the Chancellor urges clergy and churchwardens to draw the attention of the bereaved to the possibility of such memorials. Schedule 3 gives some relevant contact details.
- 63) It is particularly important in such instances that the memorial is well designed and is of the highest quality. It is for that reason that memorials of unusual design can only be permitted after a faculty has been granted. Those considering applying for such a memorial should consult the incumbent at an early stage. If necessary guidance can then be obtained from the Archdeacon or the Registry as to the procedure to be adopted.

### **Parish Churchyard Policies.**

- 64) There are a number of churchyards which already contain a significant number of memorials falling outside the scope of those authorised by these Regulations. In some (though by no means all) of these it is unrealistic and artificial to limit future memorials to those within the scope of these Regulations. However, it remains important even in such churchyards to have a system for controlling what is and what is not permissible. In such cases and in order to ensure appropriate regulation for the future the Parochial Church Council is encouraged to adopt and to seek approval for a Parish Churchyard Policy. Such a policy will operate to set out the limits for what will and will not be permissible in the churchyard in question without a faculty.
- 65) The procedure for drawing up and seeking approval for such a policy is set out in Schedule 2. A Parish Churchyard Policy will not take effect until it has been approved by the Chancellor.
- 66) Where such a policy has been approved by the Chancellor it will operate instead of these Regulations. It will only be in the most exceptional of cases that the Chancellor will, by faculty, permit a memorial or other item which contravenes a Parish Churchyard Policy unless the memorial is an individually designed memorial of the kind described in paragraph 62.
- 67) Where a Parish Churchyard Policy is in force the Parochial Church Council should review the same to ensure that it continues to meet the circumstances of the churchyard in question. Such reviews should take place at intervals of no more than five years from the date of the approval of the policy.

### **Areas for the Burial of Cremated Remains.**

- 68) A faculty is always needed for the creation or extension of an Area of the Burial of Cremated Remains ("ABCR") or Garden of Remembrance.
- 69) When there is an existing ABCR at the date when these Regulations come into force its operation will continue to be governed by the terms of the faculty which authorised its creation.
- 70) Each application for a faculty for the creation of a new ABCR or for an extension to an existing one will be considered on its merits and different arrangements may be appropriate in different places.
- 71) The overriding requirement is that a proposal for the creation of an ABCR must be the product of careful and prayerful thought and consideration. The ABCR is likely to provide the resting place for the remains of many parishioners and to have a significant impact on the appearance of churchyard. Accordingly, considerable care is needed to ensure that the layout and design are of the highest possible standard. A proposal which does not demonstrate that such care has been taken will inevitably be

unacceptable. Where a Parochial Church Council is considering the creation of an ABCR it should consult the Archdeacon and the Diocesan Advisory Committee at an early stage.

- 72) Although each ABCR will be different in its appearance and design a distinction is to be drawn in general terms between those containing individual memorials to the departed at the points of interment and those where the points of interment are unmarked but where there is either a collective memorial or a series of individual memorials on a wall or some other structure unrelated to the individual interments.
- 73) There are a number of powerful considerations which militate against the positioning of individual memorials at the points of interment.
- a) First, such memorials can operate as a substantial restriction on the capacity of an ABCR. The placing of a memorial in the form of a plaque covering part of the surface of an ABCR inhibits the reuse of the area under that surface and, such memorials being of materials which will last for very many years, can inhibit that reuse for a long period. There is accordingly a risk of there being “once and once only” use of each part of the land in an ABCR restricting the area available for the interment of the remains in the future. Alternatively, distress can be caused when reuse of the site requires the removal and repositioning of the memorials.
  - b) A related factor is the risk of creating a paved area whose appearance will detract from the setting of a churchyard. This risk is present in ABCRs to a greater extent than with interments in traditional graves because of the closer spacing of interments in ABCRs.
  - c) A well-designed general memorial to all interred in an ABCR can be of high artistic quality above and beyond that possible in small individual memorials. As such it can enable bereaved relatives to be assured that there is a proper and fitting tribute to the departed and can provide a focus for personal grief.
  - d) In addition, there are theological and pastoral considerations. The Christian understanding of interment is that it is an act involving the seemingly disposal of mortal remains and the committing once and for all time the deceased into the care of God. Although views can differ on the approach to be taken there is very considerable force in the view that the pastoral needs of the bereaved are best met by bringing about an understanding and acceptance of that belief and that this is assisted by a collective memorial.
- 74) It is nonetheless important that those who are bereaved are enabled to have a focus for their memories of the departed. A well-designed ABCR should seek to provide such a focus. If there is a collective memorial and no individual memorials at the sites of interment then it will normally be appropriate to record the names of those interred at some point in the ABCR. There are a number of different ways in which this can be done so as to provide an appropriate record without the need for serried ranks of individual

memorials on the ground. These can take the form of names being recorded on a central obelisk or equivalent structure; of the incising of names on a plaque fixed to a wall; or a series of small individual plaques fixed to a wall. The Archdeacon and the Diocesan Advisory Committee can provide examples of these different possibilities. The recording of those names in a Book of Remembrance retained in the church building while an appropriate measure is unlikely, of itself, to be a sufficient record of the departed.

- 75) The Chancellor recognizes that opinions can legitimately differ as to the appropriate ways of commemorating those whose cremated remains are interred in an ABCR and that there can be debate as to the respective merits of collective and individual memorials. In addition the circumstances and needs of different communities; different churches; and different locations will vary. For that reason each application for a faculty for a new ABCR or for the extension of an existing ABCR will be considered on its merits. However, the Chancellor will normally expect that in cases where it is proposed that a new ABCR should take the form of a series of individual memorials at the points of interment the faculty application will be accompanied by confirmation that the alternative course of a collective memorial has been considered together with an explanation of why it is felt not to be appropriate in the particular case.
- 76) It is the normal practice of the Consistory Court to permit the reuse of an ABCR for further interments after an appropriate period of time which in cases of pressing need for reuse may be as little as 25 years after the last interment. Those seeking to inter cremated remains in such an area should be made aware of this.

### **The Interment of Cremated Remains.**

- 77) The well-established practice of burying cremated remains in or immediately adjacent to an existing family grave is to be encouraged. As explained at paragraph 55 the incumbent may permit additional inscriptions to be added to memorials on such graves so as to record the further interment provided the proposed inscription otherwise accords with these Regulations.
- 78) Apart from when they are being interred in or immediately adjacent to an existing family grave cremated remains may only be interred in an ABCR unless a faculty is granted authorising such interment.
- 79) Where the faculty authorising the creation of an ABCR permits individual memorials at the point of interment it will normally specify the permissible size of such memorials. Where, exceptionally, cremated remains are being interred outside an ABCR any memorial must be within the dimensions set out at paragraphs 24 – 27 above.
- 80) Cremated remains must not be scattered or strewn in a churchyard.
- 81) It is recommended that cremated remains be interred by being poured directly into the ground at a point not less than 101mm (4”) below the surface.

- 82) Cremated remains may be interred in a casket if the incumbent concludes that such is more appropriate pastorally in the particular case. However, in such a case the casket must be unlined and must be made of cardboard or some equivalent material which is readily and rapidly biodegradable. The interment of cremated remains in a hardwood casket is not permitted and the remains in the casket must be loose and not contained in a plastic bag or other container. It is recommended that a bereaved family contemplating the use of a casket for the interment of cremated remains be told of these requirements at an early stage,
- 83) If desired the pouring of cremated remains may take the form of placing a casket in the ground and opening the base of the casket to allow the remains to flow out provided that the casket is then removed. If thought appropriate the opening of the base and removal of the casket can take place after the departure of the bereaved from the graveside (provided that they have been told in advance that this will be done).

### **Coffins and Caskets.**

- 84) The material used for coffins must be biodegradable. Incumbents are urged to encourage the use of coffins made of wool, wicker, or cardboard (suitably lined with other biodegradable material) as part of the Church's stewardship of the created world.
- 85) The interment of a coffin which is made of metal or of any other material which is not readily biodegradable is not permitted other than by faculty granted by the Chancellor. It is only in the most exceptional circumstances that such a faculty will be granted.
- 86) Coffins are to be of a size such as to fit into a standard sized gravespace. The interment of a coffin requiring more than one standard gravespace is not permitted other than by faculty granted by the Chancellor. American style caskets are not permitted.

### **Flowers and other Items.**

- 87) Incumbents are to discourage the provision of receptacles for flowers set within memorial tablets. However, if the incumbent believes that such provision is justified on pastoral grounds he or she may permit the inclusion of the same in a memorial.
- 88) Artificial flowers are not permitted and should be removed from any memorials on which they are laid. By way of exception to this prohibition the placing of wreaths and poppies is permissible in the periods of and leading up to Remembrance Day, Christmas, and Easter and on the anniversaries of birth, death, or marriage. Such items are to be removed not more than one month after those occasions. If the items are not removed by those who



placed them on the memorials within that period they should be removed by the churchwardens or a person authorised by them.

- 89) No balloons or other portable items are to be left on a grave save that such items may be left in position for the period of one calendar month after interment. If the items are not then removed by those who placed them on the grave they should be removed by the churchwardens or a person authorised by them.
- 90) Cut flowers placed on graves quickly wither and become unsightly. The bereaved should be encouraged instead to have flowers placed in church on the anniversary of death or other appropriate occasions.

### **The Reservation of a Gravespace.**

- 91) No gravespace may be reserved without a faculty. Details of the procedure for applying for the reservation of a gravespace can be obtained from the Registry.
- 92) When a gravespace has been reserved it is important that a proper record is kept of its location and of the fact of reservation. The reserved plot should be recorded on a plan of churchyard. It should also be suitably marked on the ground by a marker which is sufficiently visible and durable to ensure that the reservation is readily noticed. In a churchyard where gravespaces have been reserved the incumbent and the Parochial Church Council should decide upon a suitable standard form of marker for the reserved spaces. There are a number of ways in which such spaces can be marked including small wooden crosses; small metal markers; and small stone tablets. The Archdeacon and the Diocesan Advisory Committee can advise on options which might be appropriate for a particular churchyard. In a churchyard where a standard form of marker has been agreed upon by the incumbent and the Parochial Church Council that form should be adopted unless the petitioner can establish, on application to the Chancellor, that exceptional circumstances exist justifying the use of a different form of marker. The grant of a faculty for the reservation of a gravespace will normally be conditional on arrangements being made for a suitable marker to be installed.
- 93) It is open to a Parochial Church Council to adopt a policy stating that it does not support the reservation of gravespaces in its churchyard. Such a policy is not binding on the Chancellor and an application seeking a faculty to reserve a gravespace in such a churchyard will be decided on its merits. In considering such an application the Chancellor will normally invite the Parochial Church Council to explain the factors which caused it to adopt the policy. However, very considerable weight will be given to such a policy and the applicant for a faculty will normally have to show exceptional circumstances to justify a departure from such a policy. A policy of opposition to the reservation of gravespaces should only be adopted after consultation with parishioners and should be subject to debate and approval by a formal resolution of the Parochial Church Council.

- 94) Even where such a policy is not in place the Chancellor will not normally authorise the reservation of a gravespace where a reservation is likely to interfere with the rights of parishioners and where there is a substantial risk that the churchyard will be full an appreciable period before the reserved space is used by the person in whose favour it has been reserved. Whether a particular reservation is likely to have this effect will depend on the age of the petitioner; the number of spaces remaining in the churchyard; and the number of interments which normally occur in the churchyard. The Chancellor will not normally allow a gravespace to be reserved in cases where there is no more than 10 years space remaining in a churchyard.
- 95) Reservations will normally be limited to a period of 50 years but will be renewable on application made before the end of that period.

*STEPHEN EYRE*  
HH JUDGE EYRE QC  
CHANCELLOR  
All Souls Day 2020

As amended 16.06.21  
Glyn Samuel, Chancellor

As amended 17.11.21  
Glyn Samuel, Chancellor

As amended 01.12.22  
Glyn Samuel, Chancellor

As amended 02.12.22  
Glyn Samuel, Chancellor

## **SCHEDULE 1**

### **SUITABLE STONE TYPES**

The choice of suitable material will depend on the locality within the Diocese. The aim should be to achieve harmony with what is already there so that the new monument integrates successfully into its setting. Geology, colour and texture are all a part of this.

Generally, this will be a matter of selecting a stone which matches in colour and texture that used traditionally within the churchyard and its locality. The ideal is for a memorial to be of the same kind of stone as the church in whose churchyard the memorial is. The Coventry Diocese contains a wide range of building stones from the darker red sandstones of the north to the light grey lias of the south. Even within deaneries many differing stones co-exist, so that the rule must be to study each parish separately and to reach individual conclusions for each churchyard.

The list below sets out types of stones which may be appropriate depending on their compatibility with the location and the material from which the church is built. It is intended for general guidance and is not exhaustive. Moreover, not all of these types will be appropriate in every churchyard.

Limestones

Sandstones

Granites (but not black granite)

Slate

Nabresina

Aurisina

Serena Stone

The stones should not be polished so as to have a reflective appearance but the incumbent may permit the face which is to be inscribed to be honed.

English oak, long used for headboards in Warwickshire Churchyards, is considered an appropriate material for memorials and blends well with its surroundings.

## **SCHEDULE 2**

### **PARISH CHURCHYARD POLICIES**

The following procedure should be adopted if a Parochial Church Council wishes to adopt a Parish Churchyard Policy to regularise the position in cases where it has been the practice to erect memorials outside the scope of the Regulations.

- i. The Parochial Church Council should set up, where one does not already exist, a management committee for the churchyard. This committee (which need only be small) should study these Regulations in the light of their own churchyard, its setting and the type of memorials already in place. However, the mere fact that a state of affairs has been in existence for some time is not, of itself, a sufficient reason for its perpetuation
- ii. If, after making a study of their churchyard and identifying its particular character, the committee thinks that these Regulations do not fully answer local needs, the committee should draft a Parish Churchyard Policy. That should be in the spirit of these Regulations but taking account of the local needs and circumstances, for example traditions peculiar to a locality might be that a type of stone not normally permitted has long been established as an acceptable introduction. These Regulations should be regarded as the starting point and the policy should only make such alterations to them as are truly necessary to meet the needs of the particular churchyard. At this stage the advice of the Archdeacon and of the Diocesan Advisory Committee should be sought.
- iii. The draft Parish Churchyard Policy should be submitted for the approval of the Parochial Church Council. If the Policy is to be taken seriously it should be the product of as wide an opinion sounding as possible. Publishing the intended policy on the church noticeboard; in the parish magazine or a local newsletter; and informing the local press are likely to be appropriate. It should be remembered that parish churchyard policies will probably be broader than these Regulations in what they would wish to allow.
- iv. If the draft policy has been approved by the Parochial Church Council the same may be submitted to the Chancellor for approval with the comments thereon of the Archdeacon and the Diocesan Advisory Committee.
- v) Consideration should be given to whether the parish policy should cover matters such as the operation of Area of the Burial of Cremated Remains; the interment of cremated remains; and requests for the reservation of grave spaces.

## **SCHEDULE 3**

### **USEFUL ADDRESSES AND PUBLICATIONS**

#### **The DAC**

Tim Latham/Mark Seabourne

[Tim.Latham@Coventry.Anglican.org](mailto:Tim.Latham@Coventry.Anglican.org)/[Mark.Seabourne@Coventry.Anglican.org](mailto:Mark.Seabourne@Coventry.Anglican.org)

02476 521327/02476 521312

[www.coventry.anglican.org/church-buildings-dac](http://www.coventry.anglican.org/church-buildings-dac)

#### **The Archdeacon Pastor**

The Venerable Sue Field

Coventry Cathedral and Diocesan Offices

1 Hill Top

Coventry

CV1 5AB

02476 521329 (PA Simon Taylor)

[Simon.Taylor@Coventry.Anglican.org](mailto:Simon.Taylor@Coventry.Anglican.org)

#### **Diocesan Registrar**

Jenny Dymond

Rotherham & Co. Limited

8-9 The Quadrant

Coventry

CV1 2EG

02476 227331

[j.dymond@rotherham-solicitors.co.uk](mailto:j.dymond@rotherham-solicitors.co.uk)

#### **Diocesan Registry Clerk**

Michelle McBrierty

Rotherham & Co. Limited

8-9 The Quadrant

Coventry

CV1 2EG

02476 227331

[m.mcbrierty@rotherham-solicitors.co.uk](mailto:m.mcbrierty@rotherham-solicitors.co.uk)

#### **Diocesan Records Office**

The County Records Office

Priory Park

Cape Road

Warwick

CV34 4JS

01926 738956

**The National Association of Memorial Masons (NAMM)**

1 Castle Mews  
Rugby  
Warwickshire  
CV21 2XL  
Tel: 01788 542264  
Fax: 01788 542276  
Email: [enquiries@namm.org.uk](mailto:enquiries@namm.org.uk)  
Website: [www.namm.org.uk](http://www.namm.org.uk)

**The British Register of Accredited Memorial Masons (BRAMM)**

Kestrel Court  
Waterwells Drive  
Waterwells Business Park  
Quedgeley  
Gloucester  
GL2 2AT  
Tel: 01452 346741  
Fax: 01452 886961  
Email: [bramm@bramm-uk.org](mailto:bramm@bramm-uk.org)  
Website: [www.bramm-uk.org](http://www.bramm-uk.org)

**Register of Qualified Memorial Fixers**

1 Castle Mews  
Rugby  
CV21 2XL  
Tel: 01788 542264  
Email: [info@rqmf.org.uk](mailto:info@rqmf.org.uk)  
Website: [www.rqmf.org.uk](http://www.rqmf.org.uk)

**The Queen Elizabeth Scholarship Trust**

1 Buckingham Place  
London  
SW1E 6HR  
Tel: 0207 798 1536  
Email: [info@qest.org.uk](mailto:info@qest.org.uk)  
Website: [www.qest.org.uk](http://www.qest.org.uk)

**The Churchyard Handbook** (4<sup>th</sup> edition)

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London

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Email: [reference@craftscouncil.org.uk](mailto:reference@craftscouncil.org.uk)

Website: [www.craftscouncil.org.uk](http://www.craftscouncil.org.uk)