



St Giles Churchyard, Oxford

# Churchyard guidance



*Wishing to explore the potential in your churchyard?  
We're here to help...*

## Introduction

Churchyards are unrivalled in the wealth of built heritage and local history they contain. They offer a tranquil space for peace and quiet reflection and are home to a rich diversity of plant and animal life. They are spaces to cherish and explore but can be overlooked in the shadow of the church.

The purpose of this guidance note is to provide practical support and guidance for parishes wishing to take on repairs, conservation or boost the biodiversity within their churchyard. You will also find an overview of the legal permissions and procedures involved with the care of churchyards.

If you have any specific queries about your churchyard, please contact the DAC.

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## Access and safety

The purpose of a churchyard is to provide a place for burial, mourning and reflection. They are peaceful havens in the heart of urban and rural communities to rest, explore, exercise or just simply sit and enjoy the fresh air and nature. Churchyards are also sometimes used for local events, such as summer fairs or heritage tours. It is vital that churchyards are kept open and accessible for the entire community.

There are several factors that can lead to accessibility problems in churchyards. Low light levels can result in anti-social behaviour or make visitors feel vulnerable. A good lighting scheme will help to resolve this. It is recommended that path routes are lit along their length so visitors do not have to walk through darkness. Lights on posts are a practical method of lighting the path and the area around. Recessed path lights tend to only illuminate the ground and uplighters can dazzle visitors. We would advise against floodlighting the church if this is the only lighting, as it can produce a strong illumination contrast causing the churchyard to appear darker. A church lighting specialist will be able to advise on the most appropriate lux levels so as

to ensure safe access whilst not dazzling visitors and neighbours.

If you have particular issues with anti-social behaviour, you may wish to consider security cameras. It is advisable to position cameras along string courses or behind parapets, so that they do not stand out. Think about how the power feed will exit the building so as to not cause damage to the church.

You may wish to consider resurfacing your churchyard paths, to ensure prams and wheelchair users can easily access the church and churchyard. Self-binding gravel surfaces, as you may find in many National Trust properties, provide a compact surface with a light stone colouring and require minimal excavation. We advise against tarmac in historic churches, as it is often at odds with the materials and character of the church setting and its application involves heavy machinery which may cause damage to graves and gates.

Older tombs can fall victim to structural failure and pose a danger to visitors. If you are concerned about the stability of a tomb in your churchyard, please contact the DAC. It may be advised to cordon off the tombs

until the tomb is professionally inspected.

The laying of tombs results in the destruction of historic monuments and the loss of heritage. Laying tombs without faculty consent is a criminal offence. All monuments are placed to mark a burial and are of personal or historic significance.

The DAC are happy to provide advice on repairing tombs and possible funding routes.

### Churchyard Monuments

The term monument covers all churchyard memorials, including headstones, pedestals, table and bale tombs. Monuments offer to anyone passing, a unique insight into the past of a community and its inhabitants. Older monuments can be subject to movement and fracturing owing to the expansion of rotten iron cramps and the growth of ivy or shrubs from beneath. It is advised that ivy is cleared and rechecked every 6 months, in order to ensure it does not damage the monuments. Churchyard monuments are vulnerable to deterioration owing to their exposure to the elements so care must be taken to address any signs of structural weakening at an early stage. Monuments may also deteriorate as a result of a vault collapse below ground, causing tombs to slump. Early detection and attention, potentially with the help of a structural engineer, can save monuments from collapse. Inappropriate and short-term repairs can also cause damage to the stone e.g. the use of cement mortar traps moisture and accelerates the decay of adjacent stone.

It is vital to treat any signs of deterioration early to avoid the greater issues that occur with long term neglect. If there are several tombs that need attention or there is a tomb of particular significance e.g. a table tomb, it would be advisable to commission a conservation report. These reports are very useful for obtaining funding for the

recommended repairs. A good conservation report can be obtained from a specialist conservator and will contain a description of the monuments, a photographic record and an explanation of the recommended conservation treatment. Please get in touch with your DAC to obtain a list of conservators that have carried out work within the diocese.

### Permissions and responsibilities

The primary responsibility for the safety and repair of a monument rests with the owner of the monument i.e. the heirs at law. In the familiar scenario where the heir at law is unknown, uncontactable, or there is no heir, the onus falls to the body responsible for the upkeep for the churchyard. Thus, if a churchyard has been closed by Order in Council, the designated local authority would be responsible for the monument. If the churchyard has not been closed, then the onus for its care stays with the PCC. Thus, it is safe to deduce that unless the heir at law comes forward, the care falls to the body responsible for the care of the churchyard.

All repairs to monuments over 50 years old require a faculty due to the requirement to consult the heirs at law. The resetting of a headstone can be covered by an Additional matters order. There are different application procedures depending on the party applying for permission. If you are unsure or desire more information, please contact the DAC.

### Walls and fences

#### Walls

The Diocese contains a wide variety of local building materials and methods. The north of the diocese processes rich iron stone whilst Cotswold limestone is common in the west. Travel southeast and you will find walls of flint amongst the chalk hills. Dry stone walling is also present, particularly in rural communities.

From time to time these walls require maintenance and repair. Inappropriate

and cheap past repairs can lead to deterioration and the need to repair or rebuild. We ask that materials are replaced on a like for like basis, unless, like cement, the material is causing damage. Minor repairs such as repointing will require List B permission by the Archdeacon through the online faculty system; significant repairs, such as rebuilding or work that affects underground, will necessitate a faculty. Please contact the DAC directly if you are unsure.

Wall building is a specialist skill and must be undertaken by a professional with experience in the task. Always involve a conservation accredited architect or surveyor with significant wall repairs or rebuilding.

### Railings and fences

Historically, churchyards were enclosed with fences and walls to keep out animals or if the church kept grazing animals, to keep them in! Some fences in the diocese are fantastic survivals dating back hundreds of years and thus are considered to be greatly significant. Works to fences and rails are treated the same as walls in terms of faculty



*Bale tomb at Burford*



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permissions. Minor repairs require List B permission and significant repairs, replacement or works that affect underground, will necessitate a faculty.

**Trees**

The level of permissions required for tree works can be found at [Schedule 1 List A and B matters](#). If your plans are not mentioned within this list, it is safe to assume the works will require a faculty. Please get in touch with your DAC if you are unsure.

All work to trees must be done by a qualified arboriculturist. It is not always easy to establish if a tree is dead, dying or dangerous. This is a professional judgement that must be made by a professional and in writing.

If you undertake a repetitive programme of tree works, it is possible to obtain a faculty to cover an ongoing task. For example, a faculty may be sought to prune yew trees back annually over a 5-year period.

It is an offence to disturb birds while they're nesting, building a nest, in or near a nest that contains their young according to the Wildlife and Countryside Act 1981. Thus, the felling or major pruning of trees and shrubs must take place outside of the nesting season which starts in February and ends in August.

If you are dealing with a mature tree, with cavities, you will require a bat survey, before you start (see advice in BS 8596:2015 Surveying for bats in trees and woodland). Contact the Bat Conservation Trust, to see if they can recommend a specialist ecologist, who can undertake an initial bat survey.

Always check whether you are in a conservation area or whether the tree affected has a tree preservation order (TPO) as you may have to obtain formal consent from your local authority.

If you would like to find out whether you have an ancient tree recorded by the Woodland trust, visit the Ancient Tree Inventory map at: [Ancient tree interactive map](#)

The Ancient Tree Forum raises awareness of the value of old trees, records their locations, provides advice on their management and training for those who look after them. [Ancient tree forum website](#)

The planting of new trees in churchyards requires a List B application, unless the planting is part of a greater proposal e.g. a new memorial garden (which would require faculty permission). Consider a tree with a shallow and non-invasive root system (e.g. such as a cypress, maple) if you are planting by a wall or structure. Consider how big the tree will be in 50-100 years' time and whether its position is sustainable.

The success of the tree will depend on the type of soil and sun exposure, so always consult a qualified arboriculturist on the best choice of tree for your churchyard.

**Wildlife and biodiversity**

Our churchyard survey 2017 found that the churchyards of the diocese hold an abundance of wild flowers and creatures including: wildflowers purple ramping fumitory, cowslips and lady's smock, many species of bat, kingfishers, jays, badgers, roe fallow, muntjac and red deer, adder and grass snakes, toadstools, rare species of fungi, hedgehogs and a great variety of bee and butterfly species. Older churchyards provide unique ecosystems and are home to many lichens, an average churchyard containing over 100 species.



*Lady's Smock*

**Pollinators**

Churchyards are very important habitats for pollinating insects. Pollinators support healthy ecosystems by helping plants to produce fruits and seeds which

birds and other animals rely on. Pollinating insects include honey bees, bumblebees, solitary bees, wasps, hoverflies, butterflies, moths and beetles. One of the most rewarding ways of encouraging pollinators is to grow flowers rich in pollen and nectar.

Different pollinating insects like different flowers so it is best to plant a diverse range of seeds in the churchyard.

Bees tend to be attracted to blue flowers as such as lavender, catmint, bluebells, cornflower and globe thistle.

In general, open-flower varieties of flower tend to be more popular with pollinators than round or enclosed varieties as the pollen is easier to reach.

**Wildflower gardens**

Tall vegetation is good for a wide variety of plants and pollinators. It provides a nesting habitat for some bees such as the common carder bee and food plants for the caterpillar of several butterfly species including meadow grown, gatekeeper, ringlet, speckled wood and several others. Butterfly plants you could grow include sorrel (for the small copper) and birds-foot trefoil (for the common blue). Blues-foot trefoil is one of the best forage plants for bees, along with red clover, white clover and knapweeds, all which are suitable for a wildflower meadow.



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**Equipment**

Churches have limited storage so it may be practical to install a shed to contain your churchyard maintenance equipment. The installation of a shed will require a faculty. Try to think of a location that does not intrude on the churchyard yet is not so isolated it is vulnerable to thieves. If you are particularly concerned about security, please contact your DAC for advice. Always contact your local planning authority to ask whether your shed requires planning consent.

Sit on lawn mowers are not acceptable as they cause damage to tombs.

**Sites of Special Scientific Interest**

Natural England Sites of special scientific interest (SSSIs) are protected by law to conserve their wildlife or geology. Natural England can identify land you own or occupy as an SSSI - this is called being designated. Check to see if your church is in a site of special scientific interest via the following link:

[Sites of Special Scientific Interest Map](#)

**Churchyard management**

The purpose of a churchyard management plan is to set out the priorities, objectives and opportunities relating to the care of the churchyard. Without long term objectives, the task of churchyard maintenance can be overwhelming and engaging volunteers can be difficult. Like a garden, the churchyard requires upkeep all year round to ensure the tasks remain manageable. A management plan should cover a 2-5 year period. It should include areas of priority and key conservation features, including listed structures, wildlife areas etc. The plan must include monthly aims and directions, e.g. when to mow, dead head flowers, prune shrubs etc. It may include a long-term proposal to restore an area of the churchyard e.g. by the creation of a butterfly garden in an overgrown, weedy area. See '[Suggested reading](#)'.



*Blessing the butterfly bee and nectar garden at St Peter's Church, Brimpton*

We encourage all parishes to keep a comprehensive ground plan and record of their churchyard, including headstone locations, boundaries, wildlife and lawn areas.

Some churches have undertaken projects to record the inscriptions of churchyard monuments. A local history society or school could become involved to discover past inhabitants and uncover stories. Recording the inscriptions is also helpful for when the time comes to undertake repair or conservation to a monument or carry out research into the heirs at law (see [Churchyard Monuments](#)).

The quinquennial inspection must include an examination of the churchyard to determine whether any monuments, walls, gates or pathways are in need of repair. This will help parishes to treat signs of deterioration early and avoid major structural failures. If your churchyard is closed, we recommend sending the QI findings to the council responsible for the upkeep of your churchyard, so they are aware of new and ongoing maintenance issues.

**How to engage new volunteers**

Engaging new volunteers, especially young people, can be a struggle. Parishes may have to use innovative ideas to recruit interest. Invite congregation members and the wider community to weekend events that aim to undertake an enjoyable task in the churchyard. For example;

- The planting of spring or summer bulbs throughout the churchyard.
- The planting of a wildlife meadow.

If arranged and advertised a month or 2 in advance for a spring or summer day, with refreshments and lunch standing by, such events can be productive and social and in the long term can inspire people to continue with the care of the churchyard. Such events can also help reduce labour costs for more major tasks, for example, the creation of a memorial garden.

**Friends groups**

A friends group is a general term for a group of volunteers, that may not necessarily be involved in the church, but take on the task of caring for the churchyard. Setting up a friends group can help to raise funds and provide more pairs of hands to help with the physical tasks.

**Closed Churchyards**

A closed churchyard is a churchyard that has been closed for burials by Order in Council as there is no longer any grave space available. A closure order does not prohibit the interment of cremated remains provided that this can be done without disturbing burials. Once a churchyard has been closed by Order in Council, the legal responsibilities for the maintenance and repair of the churchyard can be passed on by the PCC to the local parish council under Section 215 of the Local Government Act 1972. The local parish council may then pass on the duty to the Local District Council if required. The



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designated council are responsible for the maintenance and care of paths, trees, walls and fences, monuments (see [Churchyard Monuments](#) for details), gates and grass cutting. The legal duty of the local authority is one of substantive maintenance and not merely management of decline nor is it conditional on adequate funds being available. There are many funding opportunities to support councils undertaking conservation and repair in churchyards (see [Funding and Links](#)). Works to churchyards cared for by the local authority still fall under faculty jurisdiction and are subject to the same permissions as an open churchyard.

It is the responsibility of the local authority to make contact and apply for permissions for any work they wish to carry out. Please get in touch with the DAC if you wish to discuss works within a closed churchyard.

### Funding and links

The **Church Buildings Council** offer grants for the restoration of churchyard monuments: [CBC grants for monuments](#)

The **Heritage Lottery Fund** also has two grant programmes which are relevant to churchyard conservation, *Sharing Heritage* and *Our Heritage*. See [HLF grant programmes](#) for more info.

They will require you to develop and deliver community activities around the project. This may seem like extra work but can be an effective way of involving your wider community in your church and bringing new volunteers on board.

The **Big Lottery** offers similar community-based funding. Projects in the diocese funded by the Big Lottery include the introduction of a shed and tools, the creation of a butterfly garden and a local historic trail. See [Big Lottery website](#)

The **Monuments Society** website also provides specialist advice and resources related to monuments. See [Church Monuments Society website](#)

The **Alan Evans Memorial Trust** funds projects that promote the permanent preservation of beauty or historic interest including countryside, churchyards and historic buildings. See link for details: [The Alan Evans Memorial Trust](#) or call 0207 663 6825.

It is always worth contacting your county's Historic Churches Trust to establish whether they have a grant programme applicable for your project.

**Friends of the Earth** provide grants for bee and habitat conservation. Click on the link for the [Friends of the Earth website](#). Use the interactive map to find a group in your area.

Your local parish council may be able to provide a one-off or annual grant for the upkeep of the churchyard.

The **War Memorials Trust** administer a series of grants for the conservation of war memorials. Contact them at: [War Memorial Grants](#)

**Viridor** provides small and large funding grants for a range of community, heritage and biodiversity programmes. See [Viridor website](#).

### Links for further guidance

Caring for God's Acre is a non-religious charity dedicated to conserving and celebrating burial grounds and encouraging a holistic approach to management. They provide education packs, training and guidance on churchyard management and publicise events, projects and case studies from around the country. See [Caring for God's Acre website](#)

You can find very helpful advice on managing conservation projects on the Church Buildings Council website: [CBC - Art Artefacts and Conservation](#)

Historic England provides three comprehensive guidance pages for the care of historic burial grounds. Their guidance gives an introduction to historic burial grounds and provides advice on their management. The guidance also covers the topics of condition surveys, cleaning and repairing churchyard monuments.

To view Historic England's burial grounds guidance [click here](#).

### Suggested reading

- *Wildlife in Church and Churchyard* by Nigel Cooper. Amazon.
- *FSC Guide to Common Churchyard Lichens*. Field Studies Council (FSC).
- *Wildlife in the Churchyard, the Plants and Animals of God's Acre* by Francesca Greenoak. Published by Little, Brown and Company.

### Churchyard Regulations

The Churchyard regulations are a framework of rules shaped by the Chancellor of the Diocese of Oxford, that narrate the way in which the departed are commemorated in churchyards.

The regulations are developed after consultation with the archdeacons of the diocese, the DAC and the diocesan registry.

The framework of rules acts to achieve a balance between the need for individuals and families to mourn and to commemorate those they love and the needs of the community as a whole, including the needs of others whose relations and friends are also buried in the churchyard.

The current Churchyard regulations can be found at: [Diocese of Oxford Churchyard Regulations](#)



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