

# **DIOCESE OF HEREFORD**

## **THE CHURCHYARD REGULATIONS 2008**

*These Regulations which repeal and replace the existing Regulations apply throughout the Diocese of Hereford and have been approved by the Chancellor after consultation with the Diocesan Advisory Committee on 22nd October, 2008 and shall come into force with immediate effect*

### **INTRODUCTION**

Churchyards are set apart for the reverent burial of parishioners: those whose names are on the church Electoral Roll and those who die in the Parish. These churchyards are therefore part of our Christian faith and heritage and are, usually, full of character. But, like people, they are all different. Just as a memorial that might be entirely suitable for one person would be altogether wrong for someone else, so a headstone that is appropriate in one churchyard may be unsuitable for another. So a memorial should respect its surroundings: it should be in harmony with those around it and with the churchyard as a whole. The character of the churchyard depends on that of all the memorials within it: no one of those should spoil that general appearance.

Churchyards have to be maintained by the parish for centuries to come. This means that memorials should be designed to allow for that maintenance to be as simple as possible. **That is why kerbed surroundings, railings, chains and chippings are not allowed.**

Inscriptions should be the most appropriate in all the circumstances, accurately commemorating the person who has died. Wording and symbols are best kept simple and dignified.

You will want the very best to commemorate your loved one, so do not become totally committed to any particular idea until you have thought it through carefully and do not actually commission any work until you have the Vicar's formal approval. You would be in a very difficult position if permission were not given for a memorial that had already been completed. The Vicar is only allowed to approve monuments which comply with the Regulations set out in the following pages. These Regulations are intended to encourage good practices in order to create and maintain a place of peace, dignity and respect for the departed.

## **THE REGULATIONS**

### **INTRODUCTION**

#### **1.1 General**

Our churchyards are part of our Christian faith and heritage, and we need to do our best to look after them and embellish them to the glory of God. Modern techniques present new possibilities but also new threats to this heritage. These Regulations are intended to encourage good practices in order to create

and maintain a place of peace, dignity and respect for the departed.

## **1.2 Regulation**

Parish Priests have authority at their discretion to allow memorials into churchyards provided that they comply with the Regulations. They may consult with the Diocesan Advisory Committee or the Chancellor (via the Diocesan Registrar). Any departure from these Regulations requires permission under the Discretionary Procedure set out below (Regulation 4).

## **1.3 Reservation of Grave spaces**

A grave space may be reserved by faculty, that is, with the permission of the Chancellor. Further details may be obtained from the Diocesan Registrar.

## **1.4 Working Practice**

All work should comply with the code of working practice of the National Association of Memorial Masons insofar as compatible with these Regulations.

# **2. Memorials and Graves**

## **2.1 General**

A small mound of earth will usually be left immediately after the interment. About a year after this the grave should be levelled. Once this is done an application may be made for the introduction of a memorial.

Subject to any local restrictions imposed by the Parochial Church Council, the planting of flowering annual plants is to be encouraged as a symbol of the gift of creation and the brevity of life. The planting of perennials, shrubs and bushes is not encouraged as they impede the maintenance of the churchyard.

## **2.2 Approval of gravestones**

The design of gravestones and the wording and lettering of the inscription on them must in every case be submitted in the prescribed form for prior approval to the Parish Priest, either by those wishing to introduce the memorial or by the stone mason. The prescribed form should be obtained from the Parish Priest, or failing him from the Diocesan Registry. No action should be taken in respect of the application until written permission has been given.

## **2.3 Permitted designs**

Headstones, crosses or ledgers only may be introduced and must be simple in design. For permitted dimensions see Appendix below.

Columbaria, raised curbs, railings, plain or coloured chippings or stones in the shape of hearts, figures, or bird baths are not permitted. Photographs (or equivalent) and other mementoes similarly are not permitted.

Individually designed memorials with appropriate and interesting features and texts are strongly encouraged, provided they fall within these Regulations or are permitted by Faculty under the Discretionary Procedure (below).

People should see a memorial as an opportunity to make an individual statement about the deceased. The organisation Memorials by Artists helps people to commission interesting individual memorials.

See also Regulation 1.2 above.

## 2.4 Materials for Memorials

Natural materials only should be used, preferably those which are traditionally used in local buildings, e.g. stone, slate, or oak. The materials selected should be in sympathy with the colour and texture of the church building, fabric and any adjacent buildings and walls.

In any individual churchyard the Parish Priest has authority at his or her discretion to allow the types of stone listed below (underlined).

<b>Sandstones</b>	Forest of Dean, Serena (Italy), York
<b>Limestones</b>	Hopton Wood, Hornton, Nabresina (Italy), Portland
<b>Slates</b>	Welsh, Cumbrian
<b>Granites</b>	may be grey or red and should be: no lighter than honed Cornish and no darker than honed Rustenberg Grey

Where stone types are no longer available, carveable re-constituted stone may be a suitable alternative. **The use of black or pearl granite, of all-polished granite of whatever colour, of white marble or of plastic is not permitted. The finish of all stones should be non-reflective.** For guidance, samples may be inspected at the Diocesan Office.

For any other type, colour or finish of stone, permission must be sought through the Discretionary procedure set out below.

## 2.5 Inscriptions

Dedications should be simple, reverent and appropriate. The purpose of the epitaph is to identify the resting place of the person's mortal remains, to honour the dead, to comfort the living and to inform posterity. The engraving should harmonise with the selected material. Inscriptions (on the front only) should be incised or may be in relief and may be picked out in black, silver or gold. Flush or raised lead is also permitted. Plastic or other applied lettering is not permitted. Hand-cut lettering is encouraged. There are good examples in "The Churchyards Handbook".

The name only of a mason or firm may be inscribed low down at the side or on the reverse of a headstone or cross in unpainted and unleaded letters not more than 13mm (1/2") in height.

## 2.6 Flower Vases

**A flower vase may be incorporated in the base of headstones or crosses, but separate vases must not be placed elsewhere in the grave space,** except where it is intended that no headstone, cross or other memorial will be erected; then, a fixed vase, in permitted stone material, not more than 300mm (12") high x 200mm (8") wide x 200mm (8") deep with a memorial

inscription may be placed in the approximate position where the headstone, cross or other memorial would have been, had there been one.

Plastic and glass containers are not permitted as they are safety hazards.

## **2.7 Flowers**

Fresh flowers are encouraged as the symbol of the gift of creation and the brevity of life. Artificial flowers are inappropriate and should be discouraged. Exceptionally, Remembrance Day poppies and Christmas wreaths may be placed on graves. After one month, the PCC may remove dead and artificial flowers to keep the graveyard tidy.

## **2.8 Removal of a memorial stone**

The removal of a memorial stone for further interment or its removal for repair, maintenance or inscription is permitted with the consent of the Parish Priest. In all other cases a Faculty is required. Memorials remain the property of the family.

## **2.9 Detached Churchyards**

In the case of a detached churchyard, Parochial Church Councils may petition the Chancellor (after consulting the Diocesan Advisory Committee) for permission to vary the requirements of Regulation 2.4 above in an appropriate case as part of a Local Management Scheme, reflecting the colour and texture of surrounding buildings.

### **2.10 Installation**

To ensure that the memorial is properly and safely installed, it should only be installed by members of the National Association of Memorial Masons.

## **3. Gardens of Remembrance**

### **3.1 Introduction**

Normally, cremated remains may only be buried in a part of the churchyard set aside for the burial of cremated remains or in an existing grave with the consent of the Parish Priest. In exceptional circumstances, the Parish Priest may allow interment in other parts of the churchyard if this is reasonably practical.

In all cases, cremated remains should be interred direct into the earth (and covered) or in a perishable or other bio-degradable container.

### **3.2 Archdeacon's Authority for small parishes**

If:

- the parish in which the churchyard is situated has less than 600 persons on its Roll; and
  - the Parish Priest and the Parochial Church Council both agree that an application be made to the Archdeacon under this Regulation; and
- the Parish Priest and the Parochial Church Council are able to satisfy the Archdeacon that the number of burials of cremated remains does not average more than three each year during the previous three years:

the Archdeacon at his/her discretion may authorise a part of the churchyard to be set aside without the authority of a Faculty.

### **3.3 Memorial Stones**

Memorial stones, incorporating vases if desired, may be introduced with the permission of the Parish Priest. The stone:

- should be of a material permitted for memorial stones under Regulation 2.4;
- must be laid flat with the ground, not exceeding 450mm (18") square, and should respect the character of the Garden of Remembrance as a whole;
- should not be covered with Perspex or other protective material;
- should not be placed in churchyard walls.

### **3.4 Removal of a memorial stone**

Paragraph 2.8 above applies also to Gardens of Remembrance.

## **4. Discretionary Procedure**

Proposals which fall outside these Regulations may be put forward for consideration as follows:

- 4.1** The Parish Priest will ask the proposer to complete the standard Diocesan form of application for permission to erect a memorial in a churchyard which should be completed showing accurate and detailed drawings and inscriptions of the proposed memorial as under Regulation 2.2 above.
- 4.2** The Parish Priest should then send this completed application to the Diocesan Advisory Committee ("DAC") asking it to advise the Archdeacon on the proposals. The Parish Priest should also send a copy of the application to the Archdeacon.
- 4.3** When he/she has received the DAC's advice, the Archdeacon may, in an appropriate case, decide to authorise the Parish Priest to permit the memorial if the Parish Priest wishes to do so. Alternatively he/she may refer the matter for consideration to the Chancellor who will indicate that the Parish Priest may permit the memorial if the Parish Priest so wishes, remit the matter to the Archdeacon for his/her decision, direct that the applicant should petition for a Faculty or grant a Faculty if he feels appropriate.
- 4.4** In this Procedure no fee is charged except where the Chancellor directs the applicant to petition for a Faculty or grants one (in which case the Faculty will be conditional on payment of the fee) [2008 fee: £200.80].

## **Appendix to Regulation 2.3 above**

### **A.1 Headstones**

Headstones must not exceed 1200mm (4ft) in height (measured from ground level) 900mm (3ft) in width and 150mm (6") in thickness. However, if slate is used the headstones may be thinner but must not be less than 50mm (2") thick.

Headstones may be of three types:

- so shaped that they can be inserted directly into the ground at sufficient depth to ensure stability
- on an integral base no more than 900mm (3ft) wide or projecting more than 100mm (4") in any direction and not more than 225mm (9") high
- on a vase base not more than 900mm (3ft) wide or projecting more than 100mm (4") on either side or projecting more than 175mm (7") in front of the headstone or more than 100mm (4") high. The base should not be more than 375mm (1'3") overall from front to back.

### **A.2 Crosses**

The height of a cross (measured from ground level) should not exceed 1500mm (5ft) nor be less than 900mm (3ft). The thickness of the shafts and arms should not exceed 150mm (6") or be less than 65mm (2½").

No cross shall stand on more than two steps. The step, or lower of the two steps, should measure no more than 900mm (3ft) in width and 375mm (1ft 3") from front to back and no less than 600mm (2ft) in width and 300mm (1 ft) from front to back.

The steps may be replaced by a boulder but the above measurements shown for the steps still apply.

### **A.3 Ledgers**

Ledgers must not exceed 2100mm (7ft) in length and 900mm (3ft) in width.

### **A.4 Ground Levels**

So far as adjacent ground levels reasonably permit, the foundations of a headstone or cross and the whole of a ledger shall be at or below the surface of the ground so that a mower may pass freely over it. They should be so constructed and placed as to ensure safety and stability.

**MEM1**

**EXAMPLE**

**DIOCESE OF HEREFORD**

**Application to introduce a memorial into a churchyard**

To the Reverend .....

Name of Churchyard .....

Name of Deceased .....

Date of death .....

Name of the Applicant .....

Address of Applicant .....

.....

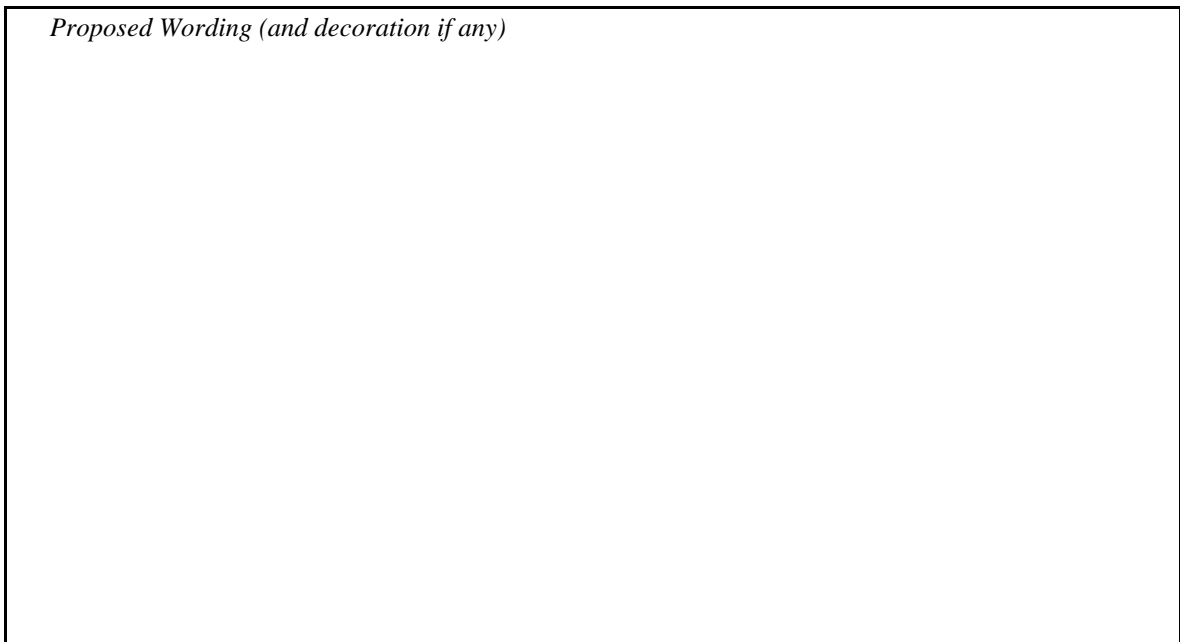
.....Telephone No .....

Relationship to the deceased person .....

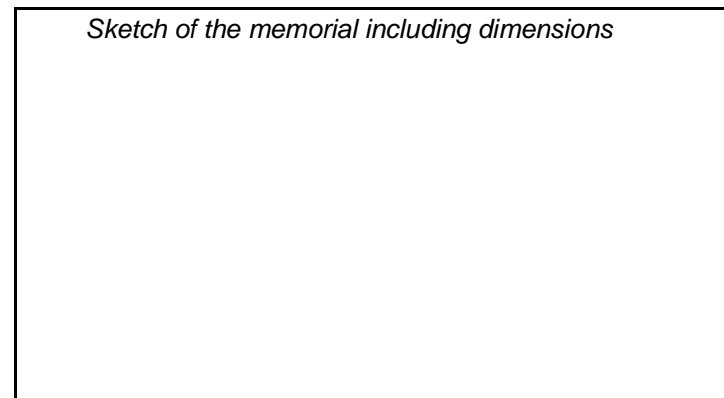
Signature of Applicant ..... Date .....

**Details of the proposed monument**

*Proposed Wording (and decoration if any)*



*Sketch of the memorial including dimensions*



Type and colour of stone or other materials .....

Surface finish .....

Size, style and colour of lettering.....

**Monumental Mason/Funeral Director** .....

Address ..... Telephone No .....

I undertake to carry out the above work on behalf of the applicant. I have read the Diocesan Regulations for Churchyard Memorials and I believe the proposed memorial complies with/does not comply with the Regulations. I undertake that: the memorial will not be manufactured or erected until written approval has been obtained; if consent is granted the design of the memorial will not be altered prior to it being erected; I will ensure that the grave and its surroundings are left neat and tidy following completion of the works.

Signed ..... Date .....

Name ..... Position .....

**EXAMPLE For use by the Incumbent or Priest-in-Charge**

The memorial complies with the Churchyard Regulations (2008). Therefore I consent to the introduction of the memorial described above into the churchyard.

The memorial does not comply with the Churchyard Regulations (2008). However I support its introduction into the churchyard and recommend that a Faculty should be granted.

I cannot give my consent to the introduction of this memorial into the churchyard.

Signed ..... Date .....

Name ..... Position .....