

Churchyard Regulations

St. Helen's • Sandal • Wakefield Diocese

Updated January 2010

1. Introduction and General Guidance

These regulations are based on the Wakefield Diocese Churchyard Regulations 2004. The regulations have been produced to aid Funeral Directors, Stone Masons and Families wishing to erect a monument. The Parochial Church Council, which, under the Parochial Church Councils (Powers) Measure 1956 is responsible for the care and maintenance of the churchyard, is sensitive to the needs of the bereaved and wishes to make it clear what monuments are acceptable, so as not to cause distress to families. This is particularly important as the churchyard differs greatly in amenity to municipal cemeteries summarised as follows:

- St. Helen's Churchyard is a public space with multiple amenity uses
- It has historic value, and future developments must be sensitive to these
- It is in a conservation area and is integral to the listed church building it surrounds
- There is a policy to encourage wildlife in parts of the churchyard
- There is a development plan covering different interest groups needs (available on request)
- There are fine examples of memorials spanning hundreds of years

It is clear that in the past these regulations have been broken. It is possible for a situation to arise where it would be inappropriate to keep to these regulations, for instance if a monument is to be erected in an area of the churchyard where the monuments are of a particular style or material which differs from these regulations.

We therefore encourage each monument to be looked at individually and assessed on its own merit. With this in mind, we encourage Funeral Directors, Stone Masons or Families wishing to erect a monument to contact the church at an early stage to discuss the plans for a monument, preferably before written plans are made.

It should then be a formality to complete the 'Application for the erection of a grave or memorial stone' form, for final approval by the Incumbent.

2. Management and maintenance of the churchyard

b) No scheme for the removal of gravestones or monuments or other alterations to the churchyard may be undertaken without the authority of a faculty. Neither may individual stones be removed except for temporary removal for inscription or repair, without the authority of a faculty.

c) Spring flowering bulbs may be planted in the turf of any grave provided that they do not interfere with churchyard maintenance.

d) Receptacles for plants or cut flowers are allowed only where they form an integral part of the design of a headstone – except that, when a grave does not bear any memorial, a flower container may be sunk completely into the ground at the head of such a grave. Wreaths and cut flowers may be placed in such receptacles or containers or laid on any grave, but must be removed as soon as they appear to be withered.

e) The judicious planting of trees enhances the appearance of a churchyard. Attention is drawn to the Chancellor's guidance on trees in churchyards circulated to all Parochial Church Councils under Section 6(3) of the Care of Churches and Ecclesiastical Jurisdiction Measure 1991.

3. Burial in the churchyard

- a) The parishioners (including those on the Electoral Roll) and others who die in the parish have a right of burial in the churchyard. The right also extends to the burial of cremated remains.
- b) The Incumbent may also grant permission for the burial of other persons at his discretion, with the consent of the Parochial Church Council.
- c) A grave space may be reserved by faculty, but not otherwise.
- d) Neither the reservation of a grave space, nor the exercise of right of burial nor the erection of a monument, confers any right of ownership upon the relatives of the deceased or any other person. The whole churchyard is vested in the Incumbent alone, and the erection of any monument is a privilege. Monuments remain the property of the 'heirs at law' who are responsible for maintaining them. Once a monument has been introduced into a churchyard it can only be removed by faculty.

4. Powers of the incumbent

- a) Incumbents are authorised under delegated powers from the Chancellor of the Diocese to permit the placing of a monument in their churchyard provided

that:

1. The monument accords with these regulations.
2. They consider the proposed monument to be suitable.

Otherwise any proposed works require the authority of a faculty granted by the Chancellor of the Diocese. This delegated authority does not relate to monuments proposed to be erected within the Church itself.

- b) Every applicant relating to the churchyard shall in the first place be made in writing to the Incumbent stating a full description of the proposed works including designs, measurements and inscriptions. Applications for the erection of gravestones must be made on the official form. When the authority of a faculty will be required, application shall be by petition to the Diocesan Registrar.
- c) No work in any churchyard shall take place until the application has received the consent of the Incumbent in writing, or until a faculty has been received, as the case may be.
- d) During a vacancy or where there is a Priest in Charge, the authority normally exercised by the Incumbent shall pass to the Rural Dean.

5. Monuments

Introduction

The Chancellor wishes to introduce all those concerned with monuments – clergy, bereaved families, funeral directors and monumental masons – to a wider range of designs than those most commonly seen. The 'Churchyards Handbook' shows an excellent range of designs, and the Advisory Committee can help with names and details. A very wide range of design is possible within the following regulations.

General

The overall requirement is that the monument should be sympathetic with and blend into both the churchyard as a whole and the part of the churchyard where it will be situated in particular.

Materials

All memorials should be made of natural stone with no reflecting finish, or of hardwood. Stones traditionally used in local buildings or stones similar to them in colour and texture are to be preferred. At St. Helen's Churchyard this is York Stone. Unpolished granites are permitted in some areas of the churchyard where this is the predominant material used (please enquire first), but marble, synthetic stone or plastic are not permitted.

Size

Headstones shall not be larger than 1200 millimetres (4 feet) high, 900 millimetres (3 feet) wide and 150 millimetres (6 inches) thick. They should be no less than 750 millimetres (2 feet 6 inches) high, 500 millimetres (1 foot 8 inches) wide and no less than 75 millimetres (3 inches) thick. In the case of slate memorials the minimum thickness is 38 millimetres (1.5 inches). These measurements are not intended to define standard proportions of memorials, and memorials may be of any dimensions within the given maxima and minima.

Fixing

A headstone may stand on a stone base, provided that such a base is an integral part of the design and does not project more than 102 millimetres (4 inches) beyond the headstone in any direction, except where a receptacle for flowers is provided, in which case this should be flush with the top of the base and may extend up to 200 millimetres (8 inches) in front of the headstone. Due regard should be paid to the nature of the ground and the problems of settlement.

Note: Other methods of fixing the memorial in the ground are not discouraged and the base of the memorial may be so shaped that it can be inserted directly into the ground at sufficient depth to ensure stability.

Crosses

A simple wooden cross not more than 750 millimetres (2 feet 6 inches) high is allowed. In the case of a stone cross an application for faculty must be made supported by a drawing of the individual design.

Around the monument

No kerbs, railings, paving, plain or coloured chippings, built-in case containers (except those permitted in 2(d)) are permitted.

Sculpturing

Sculptures such as bird baths, hearts, horseshoes, and books are not permitted. Figure statuary, cameos, photographs or portraiture are not permitted.

Etching

Etching/sculpturing on a headstone within accepted Christian symbolism is permitted.

Inscriptions

The Christian name(s) and surname of the deceased should be given with an indication of the dates of birth and death. Inscriptions must be simple and reverent. Inscriptions should be incised, or in relief, and may be painted. Plastic or other inserted lettering is not permitted. Additions may be made to an inscription at a later date following a subsequent interment in the same grave, or for other suitable reason. However, any such addition must be separately approved. The lettering, layout and wording must be consistent with the original inscription.

Advertisements

No advertisement or trademark shall be inscribed in a gravestone. The mason's name may be inscribed at the side or the reverse of a headstone in unpainted and unfilled letters no larger than half an inch in height.

6. Cremated remains

a) Interment is the recommended method for the disposal of cremated remains. Strewing is allowed; scattering in a churchyard is forbidden (see Canon B.38 (4b)).

b) Unless cremated remains are interred in an existing grave they must be interred in a part of the churchyard specifically reserved for the purpose. The reservation of a part of the churchyard for this purpose requires the authority of a faculty. The area reserved must be strictly limited in its

dimensions, and, when full, a new area must be authorised by faculty. Not currently applicable to St. Helen's churchyard.

At St. Helen's Churchyard we provide 1/3 plots sized for the purpose of interring cremated remains. We allow a small plaque (see f.) in York Stone or unpolished granite (as appropriate to blend in with the surrounding monuments).

c) Where cremated remains are interred it is generally desirable that there shall be no memorial stone at the place of interment. Details should be recorded in a Book of Remembrance kept in the Church, but this will depend on the terms of the faculty granted in respect of each churchyard. Not currently applicable to St. Helen's churchyard.

d) Any casket in which cremated remains are to be interred should be of a perishable material. If they are presented in a nonperishable container, then the ashes should be tipped out of the container directly into the ground.

e) If it is desired to erect a memorial stone in the cremated remains area itself, then wherever possible a single communal stone as a central feature of the area, is to be preferred to individual memorial stones. It is suggested that the names and dates of individuals may be added to this communal stone and an appropriate fee payable to the PCC. Not currently applicable to St. Helen's churchyard.

f) If individual memorial stones are authorised by the faculty establishing the cremated remains area, then the Incumbent may grant permission on behalf of the Chancellor of the Diocese provided that the stone is not more than 18 inches by 18 inches nor less than 9 inches by 9 inches in size and is laid flush with the surrounding ground and is properly bedded. Inscriptions on such individual memorial tablets should be limited to the full name of the deceased, with the dates of birth and death.

g) Receptacles for plants or cut flowers are not permitted except as may be provided by the faculty authorising the interment of cremated remains.

h) In addition to an entry in the Book of Remembrance and also in the Burials Register all interments of cremated remains must be precisely recorded on a plan of the cremated remains area.

Useful Contacts

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