

DIOCESE OF BRISTOL

PARISH OF WROUGHTON & WICHELSTOWE

LOCAL CHURCHYARD RULES

1 GENERAL

1. These Rules apply to the churchyard of the parish of Wroughton & Wichelstowe. They came into force on 1st January 2019 and remain effective until revoked.
2. The Parochial Church Council (PCC) is responsible for the care and maintenance of the Churchyard under the Parochial Church Council (Powers) Measure 1956.
3. These Rules are subject to any Diocesan Faculties, Orders or Regulations (whether particular or general) which may be made or issued from time to time by the Chancellor of the Consistory Court of the Diocese. In particular they are subject to the Chancellor's Churchyard Regulations which apply throughout the Diocese.
4. A copy of these Rules, or a **summary of their requirements**, should be permanently displayed in the church porch or entrance.
5. Copies of these Rules should be sent to local monumental masons, undertakers and others who may be involved in the supply or ordering of memorials, indicating the need to obtain written consent from the incumbent before any monument is commissioned.

2 RIGHTS OF BURIAL

Provided the churchyard has not been closed by Order in Council:-

1. Parishioners (including those on the church electoral roll) and others who die in the parish have a right of burial in the churchyard, if there is space remaining.
2. The incumbent, PCC and churchwardens may also grant permission for the burial of other persons at their discretion.
3. A grave space may be reserved by faculty, but not otherwise. However, it is the PCC's policy that it will not support an application for a faculty to reserve a grave space due to the lack of space remaining.
4. The whole churchyard is vested in the incumbent alone. No right of ownership is conferred upon the relatives of the deceased (or upon any other person) by any of the following:-
 - the reservation of a grave space;
 - the exercise of the right of burial; or
 - the erection of a memorial.

3 PROCEDURE FOR THE INTRODUCTION OF MONUMENTS

The erection of a monument is a privilege, not a right. The appropriate permission must be obtained for the introduction of any monument or memorial. Any application must be made in writing to the incumbent in the first instance, with a full description of the proposed work (including the inscription; style of lettering; full particulars of the materials; the dimensions; and details of the proposed foundation work). Applications should be sent on the standard form and addressed to the Parish Office. Until the appropriate permission for any tombstone or other monument has been obtained, no estimate should be accepted and no contract entered with a funeral director or stonemason. Applications for additional inscriptions should include a photograph showing how the additional inscription will fit with the existing text.

Powers to permit a monument are as follows:-

- 1 THE INCUMBENT has powers delegated by the Chancellor which allow him/her to give permission for a monument *provided that* it complies with certain fixed criteria. (Full details of these criteria are listed in Appendix 1). Where the incumbent and PCC decide not to allow the erection of a memorial, the applicant must be advised of the right to make an application to the Chancellor for a faculty.
- 2 CHURCHWARDENS have no power to permit the introduction of any tombstone or other monument into a churchyard. (During a vacancy the Chancellor's delegated powers may be exercised by the Archdeacon concerned, unless the Bishop rules otherwise.)
- 3 THE CHANCELLOR has power to allow by faculty the introduction of any kind of tombstone or other monument into a churchyard. A statutory fee will be payable for the faculty. Fuller details and application forms can be obtained from the Diocesan Registry.

If any tombstone or other monument is introduced into the churchyard without the written consent of the incumbent or a faculty granted by the Chancellor - whichever is applicable - those responsible may be required to remove the item and pay the costs of both its removal and the legal proceedings.

4 POWERS OF THE INCUMBENT TO PERMIT MONUMENTS WITHOUT FACULTY

A minimum period of six months should elapse between the death of the person to be commemorated and the approval of the monument by the incumbent.

The incumbent then has discretion to allow a monument to be erected in the churchyard without a faculty **provided that** the criteria listed in the Chancellor's Churchyard Regulations are met (see Appendix 1 of this document). These criteria cover materials, form, advertisements or trademarks, bases, and spacing. Only monuments which conform to **all** of these requirements can be permitted by the incumbent. For example, statuary or monuments depicting images or including kerbs or edgings (with or without chippings), railing or chains are *not permitted*. Marble, synthetic stone, polished granite, and granite in colours apart from grey are *not permitted*.

Any headstone or stone cross shall be supported by a ground anchor in accordance with BS 8415 unless the lower part of the headstone is to be buried in the ground sufficiently to support it, for example by using a method approved by the National Association of Memorial Masons (NAMM) or the British Register of Accredited Memorial Masons (BRAMM).

A monument which falls outside these criteria can be erected only with the Chancellor's permission. This permission – called a faculty - will involve payment of additional statutory fees.

5 ALTERATION TO GRAVESTONES OR MONUMENTS

Monuments remain the responsibility of the heirs of the person that the memorial commemorates. No gravestone or memorial may be permanently moved or removed without permission in the form of a faculty. Where repairs are proposed, the Diocesan Advisory Committee (DAC) will advise whether the proposed works are substantial and require a faculty. However, gravestones and memorials may be laid down where they are deemed unsafe on inspection.

6 CREMATION PLOTS

There is no obligation on any churchyard to bury cremated remains. However, designated cremation plots have been made available. The current cremation plot is the Garden of Remembrance. Cremated remains may also be interred into existing family graves.

All ashes are buried directly into the ground, and no caskets or other containers are used. Each plot can be identified, using a grid system, so that a partner's ashes may be buried together.

Where they are permitted, memorial plaques over cremated remains shall be just below the level of the turf and measure no more than 18 inches by 16 inches. They should be sunk low enough to allow a mower or strimmer to pass over them.

Plaques, memorials and vases are not permitted in the **Garden of Remembrance** as there is insufficient space between the plots. For those wanting a memorial, an application may be made for the names of those whose cremated remains are interred in the Garden to be entered into the Book of Remembrance in the church.

7 FLOWERS & PLANTS

Except where the design of a headstone includes an integral vessel for plants or cut flowers, flowers on graves may only be placed in a removable unbreakable container, Glass vases are not permitted.

Wreaths and cut flowers may be placed in such containers or laid on any grave, but will be removed as soon as they appear to be withered or dead.

Due to lack of space, vases are not permitted in the Garden of Remembrance. Cut flowers (with no wrapping) may be placed on any part of the garden - but no other plants or flowers are permitted.

Artificial flowers are not permitted, and the PCC may in its discretion at any time remove and dispose of any artificial flowers placed in the churchyard.

Bulbs and **small** annual plants may be planted in the soil of any grave.

Remembrance Day wreaths or poppies may be placed on the six War Commission Graves and other service graves.

8 TREES

The planting of a new tree in the churchyard may only be undertaken after consultation with the Diocesan Advisory Committee.

9. BENCHES

The introduction of a new bench into the churchyard may only be undertaken after consultation with the Diocesan Advisory Committee. The inscription on any plaque shall be of a form that would be permitted on a monument in the churchyard under the applicable churchyard regulations.

10. CHURCHYARD MAINTENANCE

The churchyard is in constant use by the community and a sexton is appointed who is responsible for carrying out clearance, grass cutting and maintenance to ensure that it is tidy, safe and cared for.

Formal inspection of the churchyard takes place twice a year by the Churchyard Committee and any necessary repairs undertaken, once approved by the PCC. In addition, an annual inspection of headstones takes place, and any deemed unsafe are laid down.

11. WORKS WITHIN THE CHURCHYARD

Works (including the introduction, renewal or alteration of any item) may only be carried out in accordance with the Chancellor's Churchyard Regulations.

12. RIGHTS OF WAY

There is a public Right of Way on foot that runs from east to west through part of the churchyard from the gate at the end of Church Hill to the Elcombe path.

Appendix 1: Permitted Materials, Size and Design of Monuments, as per Diocese of Bristol Chancellor's Churchyard Regulations 2017

1 *Materials* The memorial must be in one of the following materials:-

- a) English limestone or pennant stone; or
- b) Unpolished grey granite; or
- c) Nabresina (Roman stone); or
- d) English oak; or
- e) English or Welsh slate.

2 *Form* The memorial must consist of:-

- a) A headstone not more than 4' (120 cm) high; or
- b) a cross not more than 4'6" (135 cm) high; or
- c) a horizontal slab sunk so that the surface of the same is sufficiently flush with the surrounding earth to allow a mower or autoscythe to pass over it.

3 *Advertisements or trademarks* No identification of the maker or supplier must appear on the memorial other than the name only of the craftsman or designer in letters not more than half an inch (13 mm) high.

4 *Base* Any base upon which a headstone (or other memorial) is fixed for stability must be sunk low enough into the ground to allow a mower or autoscythe to pass over it.

5 *Spacing* Headstones must be placed conveniently for the churchyard mower to pass around them.

6 *Additional features* A memorial shall not include any photograph, metal or plastic inserts, railings, chippings, statuary, bird baths or other artefacts or any images or carvings that are not explicitly consonant with orthodox Christian belief. A badge or insignia of the Armed Forces of the Crown is permitted provided that the incumbent has a letter of authority from the branch of the Forces in question.

Only memorials which conform to these requirements can be permitted under the powers delegated to the incumbent.