



**APPLICATION TO INCUMBENT FOR PERMISSION
TO INTRODUCE A MEMORIAL
INTO A CHURCHYARD**

**To be Read in Conjunction with
Chancellor's Regulations
for the Erection of
Graves and Memorial Stones
in Churchyards
and Completed In Duplicate**

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DIOCESE OF SALISBURY

**APPLICATION TO INCUMBENT FOR PERMISSION TO INTRODUCE A MEMORIAL INTO
A CHURCHYARD (To be completed in duplicate)**

NAME OF CHURCHYARD

NAME AND ADDRESS OF APPLICANT

.....

TYPE OF MEMORIAL MEASUREMENTS

MATERIAL TO BE USED SURFACE FINISH

DESCRIPTION OF ANY CARVING OR DECORATION

.....

WORDING OF INSCRIPTION

.....

.....

TYPE OF LETTERING SIZE OF LETTERING

PARTICULARS OF ANY VASE INCORPORATED IN THE MEMORIAL

.....

1. A full sketch of the memorial is attached.
2. I have read the Regulations issued by the Chancellor of the Diocese (printed overleaf)
3. I apply to the Incumbent for permission to introduce the memorial herein described and I undertake that if permission is granted by the incumbent, the monument will be erected in exact conformity with that description.
4. I undertake to pay the statutory fee of £
5. I further undertake to indemnify the Incumbent against any costs and expenses to which he may be put in respect of any deviation from the undertaking numbered 3 above.

DATE SIGNED
(The personal signature of the applicant)

We undertake to abide by the above

DATE SIGNED
(Monumental Mason)

By signing below the Incumbent authorises the introduction into the churchyard of the monument described above. He or she returns one copy to the applicant and retains one for himself or herself.

DATE SIGNED
(Incumbent)

CHANCELLOR'S REGULATIONS FOR THE ERECTION OF GRAVES AND MEMORIAL STONES IN CHURCHYARDS

Background

Churchyards are legally owned by the incumbent of the church, during his or her (further references to he/him/his include she/her) term of office.

As with all other consecrated church property changes, including the installation of any form of fixed object on the land above a burial, may only be made with the permission of the chancellor, as judge of the court of the diocese, called the consistory court.

Every parishioner however, every person who dies in the parish and every person whose name is on the electoral roll of the church has the right to be buried or have his ashes interred in the churchyard, provided that it is still legally open for burials. Others may be buried in the churchyard if there is ample space and at the discretion of the incumbent.

Grave spaces may be reserved for future use but this always requires permission for the consistory court (a faculty), and a payment towards the upkeep of the churchyard.

In practice the chancellor delegates the normal regulation of the churchyard to the incumbent, who is allowed to authorise straightforward graves and memorials within the guidelines set out in this leaflet. This means that in such cases there is no need to obtain a faculty. For the purposes of this delegation incumbent includes priest-in-charge, and where a church is within a team the team rector or team vicar having responsibility for the church in question. If there is no incumbent the rural dean should exercise this function.

The maintenance of any object placed above a grave is the responsibility of those who installed it, and their heirs.

There has to be regulation over what is installed in a churchyard because churchyards are public places, very often of significant historical interest. It is important that there is nothing within them which conflicts with the surroundings, either in the materials or design used, or in the wording of the inscription.

It must not be thought however that designs or inscriptions which are outside the guidelines are automatically forbidden, although they would require a faculty. There is a long standing tradition in this country of excellent and innovative gravestone design, and the organisation "Memorials by Artists" can often give useful advice (the address is at the end of this leaflet).

Unless there are exceptional circumstances nothing should be fixed over a grave or ashes for the first six months after the burial. This is to allow ideas to crystallise and the ground to settle, and at this time the mound will normally be levelled. After that time

application should be made to the incumbent on the form provided by the Diocesan Office. The applicant must be told not to make any arrangements with a stonemason, funeral director or anyone else before permission has been granted.

The Incumbent's Discretion

The incumbent may, but is not obliged to, give his or her approval within the following guidelines:

Memorials

- "Headstones", which includes those made of oak, not exceeding 150cm (5 ft) high nor 90 cm (3 ft) wide.
- Crosses, whether simple or celtic and whether of stone or oak, not exceeding 180 cm (6 ft) high nor 90 cm (4 ft) wide.
- Flat stones not exceeding 150 cm (5 ft) long nor 90 cm (3 ft) wide.
- Plain open books (that is without wings, elaborate supports or other ornamentation) not exceeding 45 cm (1ft 6 inches) high nor 75cm (2ft 6 inches) wide.
- Fixed memorial vases not exceeding 30cm by 20cm by 20 cm (1ft by 8 inches by 8 inches).
- Flat stones over cremated remains not exceeding 30cm (1 ft) by 37 cm (1 ft 3 inches). For the avoidance of doubt it must be understood that no fixed vase or other object may be placed on stones over cremated remains.

Please note: Stones over ashes must be laid flush with the surrounding grass so that a mower may pass easily over them. In the case of a churchyard where there has been a tradition of stones which are not so laid the incumbent should apply, via the registry, to the chancellor for advice.

Bases

Any base must be sunk 5cm (2 inches) at least below the surrounding ground, so that a mower can pass over it. Any flower container must also be sunk in the same way.

Plinths

A headstone or cross may stand on a stone base or plinth of the same stone as the headstone, provided that it is an integral part of the design and does not project more than 100mm (4") beyond the headstone in any direction, except where a receptacle for flowers is provided, in which case this must be flush with the top of the base or plinth and may extend up to 150mm (6") in front of the headstone. The base or plinth must be fixed on a foundation slab which is flush with the ground so that a mower may pass freely over it. The foundation slab must extend from 75mm (3") to 150mm (6") all around the base.

Materials

Stone should be natural and with a non-reflecting finish. The type and colour of the stone should be in keeping with what is commonly used locally, and in particular with that used for the church itself, if stone built. If granite is used it must not be polished above eggshell, and dark grey, black or any colour not in keeping with the local environment are prohibited.

Inscriptions

Because a churchyard is a public place, and because gravestones will remain in place for many years, some degree of control has to be exercised over inscriptions. They should be simple, dignified and reverent. If a nickname is to be included it should appear after the given name and in brackets or inverted commas as follows:Robert (Bob) Smith. Requests for use of such names as "Mum" or "Dad" to be treated as being within the incumbent's discretion (see below) and will be sympathetically considered. Messages addressed to the deceased person may not be allowed by the incumbent but the chancellor will give consideration to an extension of the discretion as seems appropriate to him in individual cases.

There should be no inscription on the arms of a cross.

A badge or insignia of the armed forces is allowed provided that the incumbent has a letter of authority from the branch of the forces in question.

Trademarks and company names are not allowed on the face of any stone, but the name of an individual craftsman may be incised on the reverse in letters no more than 13mm (½ inch) high.

Things specifically prohibited except by faculty

The incumbent does not have authority to allow any of the following:

- Kerbs, railings, fencing, chippings, statues or any stone in the shape of a heart.
- Anything fixed to or hung upon any monument, including insignia, crosses, images, models, paintings or photographs.
- Plastic and other synthetic materials.
- Artificial flowers except remembrance poppies between 20th October and 20th December in any year.
- Any carving other than flora, fauna and small crosses.
- Any badge or insignia other than of the armed forces.

Procedure

No agreement should be entered into with any stonemason or funeral director before either a faculty or the written authorisation of the incumbent has been obtained.

In the first instance an application to the incumbent should be made on the form provided by the Diocesan Office.

If the incumbent takes the view that what is asked for is outside his authority to allow, he should tell the person making the application to contact the registry with a view to applying for a faculty. Similarly, even if he considers the matter to be within his delegated discretion he is not obliged to grant permission but may require a faculty to be applied for if he thinks it appropriate.

Churches may make their own regulations for graveyards provided that they do not purport to give the incumbent greater authority than is set out in this leaflet. The regulations may however be more restrictive than set out here, such as in allowing certain types of memorial only in certain parts of the churchyard, or in allowing certain materials only. If it is desired to install something which comes outside local regulations it would be necessary to apply for a faculty, which might or might not be granted.

If the incumbent thinks that the matter requested is outside his discretion, but is acceptable and inoffensive he may, if he has a positive motion in favour from his PCC, approach the registry which will ask the chancellor if the request can be treated as being within his discretion. The chancellor in any individual case may agree to such a request, but may require the advice of the Diocesan Advisory Committee for the Care of Churches (DAC) before coming to a decision.

In any case of difficulty or where a query arises please approach the Diocesan Registry, which is always ready to give advice.

Authority

These regulations are made by the Diocesan Chancellor with the approval of the DAC, and have been noted by the Diocesan Synod.

His Honour Judge Samuel Wiggs
Chancellor of the Diocese of Salisbury

May 2008
May 2008

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