

St Peter's Church, Lydford on Fosse

Policy on Eligibility, Maintenance and Memorials in the Churchyard

Introduction

Churchyards are special places. Their ambience comes from the memorials, the church itself, and the history of the community they serve and reflect. This policy statement is designed to ensure these special qualities are retained and advanced at St Peter's Churchyard when new additions are made.

Note: The pre-existence of tombstones or monuments in the Churchyard which do not comply with the terms of this policy are not to be regarded as precedent.

Legal Background

The Parochial Church Council (PCC) is responsible under the Parochial Church Councils (Powers) Measure 1956 for the appearance, care and maintenance of the Churchyard.

The Incumbent / Priest in Charge of a Church owns the Churchyard. Consequently, although a fee is paid for a burial or interment, this does not mean that any person or family "owns" a grave, although they may be responsible for monument maintenance, see below.

The PCC must maintain an accurate and up to date plan of the Churchyard.

Eligibility for Burial or Interment

Any person living within the Parish at the time of death may be buried or interred in the Churchyard.

In addition, at the sole discretion of the Incumbent / Priest in Charge, any person with a valid and long-standing connection with the Parish may be buried or interred in the Churchyard. Examples might include former residents of long standing, and/or strong family connections. Any such applications will be sympathetically reviewed.

It is not normally possible to reserve a space or spaces in the Churchyard, as can be the case in local council cemeteries. However, it is possible to request a space or location if there is good reason to do so – for example proximity to other family members. Such requests will always be sympathetically reviewed.

It is possible to reserve a grave space or a cremation plot by applying for and securing a formal permission known as a "faculty" from the Diocese. Any such request needs to go via the PCC for a formal consideration. The PCC should consider for how long the reservation should last – 30 or 50 years being suggested. Any request should be accompanied by £75 payable to the PCC towards the costs of ongoing churchyard maintenance. This is in addition to the faculty fee payable for the formal request (fixed nationally through General Synod (currently £311.20 in 2022)).

Petition forms and guidance on the procedure are available from the Diocesan Registry.

Introduction of Tombstones or other Memorials into the Churchyard

Each memorial is a private commemoration, but within a public setting. For this reason, any work undertaken in the Churchyard requires permission. This includes the erection of any new memorial, as well as the addition of inscriptions to existing memorials. Application to undertake work in the Churchyard in the first instance should be to the Incumbent / Priest in Charge. Neither the PCC nor the Churchwardens have power to permit the introduction of new memorials or inscriptions into the

Churchyard. In the event of there being no Incumbent / Priest in charge currently appointed, the Rural Dean or Diocesan Registrar should be consulted. Guidelines as to what is permissible can be found on the Bath & Wells Diocesan and Wheathill Benefice websites.

There are strict rules governing what the Incumbent / Priest in Charge can allow, under powers delegated by the Chancellor of the Diocese (Chancellor). If a proposed memorial falls outside these rules, then either:

- a) Application should be made in writing to the Archdeacon, who has certain powers delegated by the Chancellor to permit an individually designed monument of artistic merit. This power is given to encourage variety and the improvement of aesthetic standards. Or:
- b) Seek permission from the Chancellor by way of a “faculty” to introduce any other kind of monument or memorial into the Churchyard. This will incur statutory fees.

Care and Maintenance of Memorials

Responsibility for the safe installation of any memorial rests with the monumental mason. Thereafter the person commissioning the memorial (and, after that person’s death, the heirs of the deceased) has an ongoing liability for its maintenance in a safe condition.

General conditions for the upkeep of gravestones and memorials include:

- a) Wreaths and cut flowers may be placed on any grave or memorial, and bulbs may be planted, but the only containers allowed are those which are integral to the design of the gravestone or memorial, or those which are sunk completely into the ground. (This is to allow the Churchyard to be cut with a mower).
- b) Artificial flowers and other artefacts (e.g., gnomes / photographs / toys / wind chimes) are not allowed.
- c) Remembrance Day poppies and traditional Christmas wreaths are permitted but must be removed within two months.

Items which do not meet with the conditions described above, and which have not been approved by faculty, will be removed.

Graves will be turfed over, at a suitable interval, at the discretion of the Incumbent / Priest in Charge.

This policy was considered and approved by the PCC of St Peter’s Church, Lydford on Fosse

Date: 22 March 2022

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Chair

Rev J Durham
Priest in Charge