

## **DIOCESE OF ROCHESTER**

### **CHURCHYARD REGULATIONS 1981(adapted for Russell Stoneham Memorial Churchyard, Crayford)**

(Issued on the direction of the Chancellor of the Diocese)

#### **1. BURIAL IN THE CHURCHYARD.**

(a) The parishioners (including all those on the Church Electoral Roll) and others who die in the parish have a right of burial in the churchyard if there is one and if there is room.

(b) The Incumbent may also grant permission for the burial therein of other persons at his discretion.

(c) Neither the reservation of a grave space, nor the exercise of neither the right of burial, nor the erection of a monument confers any right of ownership upon the relatives of the deceased or upon any other person in respect of any part of the churchyard. The whole churchyard is vested in the Incumbent alone, and the erection of any monument is a privilege.

#### **2. THE CHANCELLOR'S JURISDICTION AND THE INCUMBENT'S DELEGATED POWERS.**

(a) Nothing shall be erected or placed in a churchyard or be removed therefrom and no work shall be carried out therein without a faculty granted by the Chancellor of the Diocese or, in cases where the Chancellor's authority is specifically delegated to him as set out in paragraph 3 below, the written consent of the Incumbent of the parish. (Where the benefice is vacant, such delegated authority is vested in the Priest-in-Charge, or, if none, the Area Dean).

(b) Every application shall be made in the first instance in writing, in duplicate, to the Incumbent using the form CR1 including forms and regulations for the erection of monuments and memorials approved by the Chancellor and obtainable from the Parish Office, 8a Iron Mill Lane, Crayford, 01322 557532. If the application comes within the limits set out in paragraph 3 and if the Incumbent approves, the Incumbent may give his consent to the application. If however, the application is not within his power to grant or if he does not think fit, in his discretion, to approve it, he will so inform the applicant, signifying his decision in either case on form CR1 Where indicated. In the event of the Incumbent being unable or unwilling to give his consent, the applicant may, if he wishes, petition the Chancellor for a faculty. A form of petition may be obtained from the Registrar of the Diocese, Mr Owen Carew-Jones, The Diocesan Registry, Minerva House, 5 Montague Close, London SE1 9BB (020 7593 5110). (See description of Faculty Procedure in the Diocesan Directory).

(c) In the event of any monument, tombstone or other memorial being erected or being placed in the churchyard without the written consent of the Incumbent or a faculty granted by the Chancellor (as the case may be), those responsible may be required to remove the same and pay the costs of the legal proceedings compelling them to do so.

### **3. THE EXTENT OF THE INCUMBENT'S DELEGATED AUTHORITY.**

The Chancellor of the Diocese has delegated to the Incumbent authority to permit the introduction of the following monuments which comply with the following requirements:-

#### (a) Design

(i) Simple headstones not more than 4 ft. (1200mm) high, 3 ft. (900mm) wide and 6 ins. (150mm) thick, nor less than 2 ft. 6 ins. (750mm) high, 1 ft. 8 ins. (500mm) wide and 3 ins. (75mm) thick.

NOTE: A base forming an integral part of the design of the headstone is permitted and may, if thought appropriate, incorporate a vase for flowers, such vase being so arranged that the top of it is level with or below the surface of the base. A base anchored according to the local authority standard, shall not project more than 2 ins. (50mm) beyond the headstone in any direction, except where a vase is incorporated when the base may extend a maximum of 8 ins. (200mm) in front of the headstone. The base itself shall be securely fixed on a foundation slab (preferably of concrete) which shall be fixed flush with or just below the surface of the turf so that a mower may pass freely over it. The foundation slab shall extend beyond the base by between 3 and 5 ins. (75 to 125mm) all round.

(ii) No monument shall include any kerbs sets railings, plain or coloured chippings, figured statuary, pictorial etchings or photographic representations, or be in the form of an open book or a heart.

#### (b) Materials

(i) Monuments must be in weathering natural stone, Portland, Nabresina, light grey granite or slate. Care should be taken to see that stones blend with the setting of the church, churchyard and locality. Stones shall not be mirrored, polished, or polished beyond a good smooth finish.

(ii) No monument shall be of red, black or dark grey granite, marble, synthetic stone or plastic.

#### (c) Inscriptions

(i) The Christian, surname and any title of the deceased should be given, with age and date (or year) of death or, of birth and death. The terms of any epitaph should be approved by the Incumbent and valuable advice is contained in chapter 8 of The Churchyards Handbook (4<sup>th</sup> ed.- ISBN 0 7151 7583 1), published by CIO Publishing, Church House, Great Smith Street, London SW1P 3NZ. Lettering, preferably incised, should not be gilded or silvered. If the Incumbent cannot accept the proposed wording of an inscription, he must so advise the applicant, who may, if he wishes, petition for a faculty.

#### **4. MANAGEMENT AND MAINTENANCE OF THE CHURCHYARD.**

(a) The Parochial Church Council which is, under the Parochial Church Councils (Powers) Measure 1956, responsible for the care and maintenance of the churchyard, is encouraged to make its own rules to meet the needs of the local situation. These must be submitted to the Chancellor of the Diocese for approval and must be kept within the limits laid down in these Regulations. All existing rules will be superseded by these Regulations and should be resubmitted for approval, suitably amended if necessary. Any power exercised by the Parochial Church Council under these Regulations may be delegated by that Council to a person or persons deputed to care for the day to day upkeep and maintenance of the churchyard.

(b) No scheme for the removal of gravestones or monuments or other alterations of the churchyard may be undertaken neither may individual stones be removed without the authority of the faculty from the Chancellor. Subject thereto, the churchyard should be kept so far as possible level and free from grave mounds so that the grass can be mown by machine. The Parochial Church Council may, at their discretion, level any mound 12 months after the latest interment in the grave.

(c) No Bulbs and small plants may be planted in the soil of a grave. Freshly Cut flowers (no artificial or silk) may be placed in the vase which is incorporated in the headstone. The Parochial Church Council may treat the grave as part of the turf and mow over it.

(d) Wreaths or freshly cut flowers (no artificial or silk) may be laid directly on any grave. The Parochial Church Council may remove them when they appear to be withered. No wind chimes or artificial decorations will be allowed and the Parochial church Council have the right to remove them.

(e) No artificial or silk flowers may in any circumstances be placed in the churchyard, and, if they are so placed, will be removed upon instructions from the Parochial Church Council.

(f) An area of the churchyard may be set aside for the interment of cremated remains but only by faculty which will itself contain relevant provisions regarding interment and memorials.

## **5. GENERAL.**

(a) A copy of these Regulations shall be kept in the vestry of every church where burial rights exist and be available for inspection. A notice issued by the Archdeacon drawing attention to these Regulations shall at all times be exhibited in the church porch or on the notice board.

(b) General advice regarding the operation of these Regulations may be obtained from the Archdeacon and advice regarding any particular proposed memorial is readily available from the Diocesan Advisory Committee (The DAC Administrator, Diocesan Office, St. Nicholas Church, Boley Hill, Rochester, Kent ME1 1SL – 01634 560000).

(c) These Regulations replace the Churchyard Regulations 1981. Any query regarding their interpretation should be referred to the Registrar for a determination by the Chancellor.

(DAC. Churchyards.Chan.Reg.81)  
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