

## St Oswald's Collingham Churchyard Regulations

### Introduction

Incumbents and priests-in-charge are temporary custodians not merely of the church building but also, where there is one, of its burial ground. Responsibility for its care and maintenance rests with the PCC. Churchyards are an important feature of both rural and urban communities: an historic record of successive generations, a home for funerary monuments of architectural and aesthetic excellence, a setting for the church itself (many of which are listed buildings), and a place for reflection and prayer. Churchyards are consecrated and set apart for sacred use, and therefore different in their nature from municipal cemeteries.

### The nature and legal consequences of Christian burial

Parishioners (including those who live elsewhere but are on the church Electoral Roll) and those dying within the parish have a legal right of burial in the churchyard if there is room. This right is not restricted to the baptised nor to members of the worshipping community.

Other persons may be buried only with the consent of the incumbent which will be given or withheld in accordance with the general guidance given by the PCC. Consent will usually be given where there is an existing family grave with space for an additional interment but in other cases exceptional circumstances must be shown.

A grave space including that for the burial of cremated remains can only be reserved by faculty and the PCC will always be consulted as part of this process.

By seeking burial in consecrated ground the family of the deceased are submitting to the jurisdiction of the Consistory Court which regulates the type of headstone or other marker which may be erected.

Ownership of the churchyard is vested in the incumbent and neither burials nor reservation of a space confers any right of ownership. Monuments and gravestones remain the property of the person erecting it in their lifetime and thereafter of the 'heirs at law' of the person commemorated and they are responsible for its maintenance and carry the legal responsibility for its safety. However the PCC are reserve the right to take appropriate action to deal with dangerous monuments if the need arises.

A headstone is a public statement about the person who is being commemorated. Making the right choice of stone, design and inscription is important not only to the relatives or friends who are going to provide the memorial, but also to the wider community because of the effect which the headstone may have upon the appearance of the churchyard. Attractive, well conceived designs by skilled and imaginative craftsmen are encouraged. In the search for a wider range of designs than those usually seen, reference should be made to the *Churchyards Handbook*, the booklet *Memorials by Artists* and other resources which can be made available by the DAC. Sculpture or other statuary is not discouraged but must be authorised by faculty.

Also to be encouraged are inscriptions which give a flavour of the life of the person commemorated rather than blandly recording a name and dates. Epitaphs should honour the dead, comfort the living and inform posterity. They will be read long after the bereaved have themselves passed away. A memorial stone is not the right place for a statement about how members of the family feel about the deceased nor how they would address him or her were they still alive. Passages of scripture, which have a timeless quality, are to be preferred.

### Delegated authority of parish clergy

It is unlawful to introduce any item into a churchyard without written permission including the placing of memorial stones, headstones, containers for flowers or any other objects. The removal of monuments or other objects from the churchyard requires the authority of faculty. Although authority

is vested in the Bishop and through him in the Chancellor, the Vicar or Priest in Charge has delegated powers to agree certain styles of memorial. These are outlined below. Permission must always be obtained from the incumbent before any such matters proceed. During a vacancy or in the absence of a priest in charge the delegated authority is exercised by the Area Dean. Anything outside these delegated powers must be referred to the Chancellor and requires his faculty to proceed. Further details can be found on the diocesan website.

Applications for memorials should not generally be made until six months have passed from the interment.

### **Headstones which may be permitted by parish clergy**

The incumbent has authority to permit the introduction of a headstone which complies with the following requirements:

The memorial should be in the form of a headstone at the head of a grave. It should not include any raised kerbs, railings, chippings or pebbles, statuary or similar objects. There should be no photographs or other additions.

#### **Size**

##### *Memorial plate*

Height (from base)                      2ft 3 ins (min) to 4ft (max)

Width                                        1ft 8 ins (min) to 3ft (max)

Thickness                                 3 ins (min)\* to 6 ins (max)

\*except when slate is used, in which case 1.5 ins (min) is permitted

In the case of infant burials no less than 2ft high, 1ft 3 inches wide and 2 inches thick

##### *Memorial base (if included)*

Height (from ground)                 3 ins (min) to 6 ins (max)

Width                                        2ft (min) to 3ft (max)

Depth                                        10 ins (min) to 1ft (max)

The base may incorporate up to 2 integral sockets for flower vases.

The foundation slab must be fixed flush with the ground such that a mower may freely pass over it.

#### **Materials**

The following stone is permitted for a headstone, but combinations of two or more types of stone are not allowed:

Limestone

Sandstone

Slate

Granite – honed light to dark grey but NOT black, red, blue, green, white or multi-coloured

### ***Inscriptions***

Lettering must be incised and may be tinted a shade lighter or darker than the natural colour of the stone but not in gold or silver. Plastic inserted lettering is not permitted. The incumbent and the Chancellor reserve the right to ensure that any wording beyond names, dates of birth and death and occupation of the deceased are suitable for a Christian churchyard. Bronze or ceramic inserts are not permitted. Badges crests or emblems may be used provided they are seemly and appropriate for the deceased. Any representation should be designed so it may be accurately cut by a skilled craftsman. Photographs or representations of objects or motifs such as a child's toy are not permitted nor the use of 'pet names' The mason's name may be inscribed on any monument provided its position and appearance is unobtrusive having regard to the monument as a whole.

### ***Position***

No memorial may be erected within 3 metres of the outer wall of the church building save by the authority of faculty.

### ***Fixture***

Regard must be had to health and safety concerns, and to current industry standards for the fixing of monuments safely and securely.

### ***Crosses***

An incumbent may NOT consent to the introduction of a cross. Such monuments require a high standard of design. However, the incumbent may authorise the temporary introduction of a simple wooden cross no more than 12 inches in height to mark a recent burial. Such cross must be removed upon the erection of a stone memorial or after a period of 18 months, whichever be the sooner.

### ***Flower containers***

If it is desired metal flower containers may be an integral part of the base or removable sunken container (of an unbreakable material, preferably unpolished aluminium) may be buried in the ground immediately in front of the memorial. Glass vases will be removed for reasons of safety. Wreaths and cut flowers and plants and flowers in containers may be removed when withered by those authorised to do so by the incumbent.

Artificial flowers are not permitted with the exception of Remembrance poppies and Christmas wreaths - which should be removed by the beginning of February.

No containers or other objects should be placed at the foot of the grave.

Other objects, including railings, chippings, pebbles and similar materials, statues, keepsakes, solar lamps or similar, toys and other mementoes are not permitted on a grave

Graves should be allowed to grass over. This is to assist with the maintenance of the churchyard. Accordingly plants shrubs etc should not be planted into the ground. The exception is small spring bulbs which will have died down before grass cutting starts.

### ***Areas for Cremated remains***

Cremated remains must be interred in the area reserved for this purpose or in an existing family grave. They may be buried in a biodegradable container or poured reverently into the dug hole. The scattering or strewing of ashes in the churchyard is not permitted.

If desired the plot may be marked by a tablet which must be of York stone or slate and not exceed 12 inches by 18 inches. If there is a subsequent interment in the same plot any inscription should be added to the original tablet. Inscriptions and tinting of them are subject to the same rules as full

headstones. The grass should be allowed to grow to the edge of the tablet and not excavated or surrounded by chippings or pebbles. The tablet must be flush with the ground so a mower can pass over freely. One unbreakable flower container may be placed on the tablet. No plants should be planted into the surrounding ground.

Where the interment is in an existing full grave an additional inscription may be added to the headstone or if there is insufficient space one tablet may be placed flush with the ground level in front of the headstone

## **Trees**

Maintenance of trees in the churchyard is the responsibility of the PCC. Planting of trees in the churchyard is at the discretion of the incumbent and PCC and no planting should take place without prior authority.

### **Prohibitions**

11. For the avoidance of doubt, the following are not permitted:
  - i. kerbs, railings, fencing, chippings, pebbles and similar materials, and free-standing vases. These create difficulty or danger when mowing;
  - ii. memorials in the shape of vases, hearts, open books;
  - iii. memorials incorporating photographs or portraits;
  - iv. mementoes, windmills, toys or little animals, solar lamps or similar;
  - v. the use of 'pet names'
  - vi. artificial flowers.

### **Commonwealth War Graves**

Graves of the Commonwealth War Graves Commission are marked by memorial headstones of a distinctive design and size, indicating their particular significance. The incumbent may authorise the erection of these headstones where applicable.

The incumbent is authorised to permit the installation of discreet signage provided by the Commonwealth War Graves Commission denoting the presence in the churchyard or burial ground of one or more Commission graves. The following conditions however must first be met:

- i. The installation of the sign has been the subject of an affirmative PCC resolution;
- ii. The sign is of a standard design previously recommended by the DAC or adapted to the requirements of a particular location on the advice of the DAC;
- iii. The dimensions and location of the sign have the consent of the Archdeacon who may seek the advice of the DAC as the circumstances require.

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