DIOCESE OF ST EDMUNDSBURY AND IPSWICH

CHURCHYARD RULES

PART I - GENERAL

1. Nothing shall be erected or placed, and no work shall be done in the churchyard without the consent of the chancellor of the diocese or of the parish priest acting within the authority delegated by the chancellor. The extent of that authority is set out in Part II below.
2. Any consent must be in writing. Any consent given by the chancellor will normally be by faculty (a formal document issued by the diocesan registrar).
3. Every application for consent shall be made in the first instance to the parish priest on the form prescribed by the chancellor, accompanied by the appropriate fee. If the application is not within the priest's power to grant, or if they decline to grant it, they will inform the applicant, who may then apply to the diocesan registrar for a faculty.
4. No work should start until a faculty or other consent has been given. Applicants for monuments should ask the memorial supplier to confirm whether the memorial falls within the scope of the authority delegated by the chancellor under Part II below, or if a faculty will be required. Any contract between the memorial supplier and the client is conditional on the appropriate approval being obtained.
5. A parish priest may not give consent to a monument outside the scope of Part II below even if there are existing monuments in the churchyard that are broadly similar. The chancellor is not bound by past practice in the churchyard.
6. If there is any evidence of disagreement within a family about a proposed monument, the matter will be referred to the chancellor.
7. Applications for earth-burial (as opposed to cremation) monuments are unlikely to be considered until at least six months after a burial. Applicants are advised to discuss their proposals informally with the parish priest first.
8. The chancellor has power to require the removal of unauthorised memorials and to make orders for costs and impose fines.
9. No burials may take place in any churchyard that has been officially closed by an order in council unless the order so provides. The only exception is the burial of cremated remains where this has first been authorised by faculty.
10. Even if an application falls within Part II, the parish priest may decline to approve it or may refer it to the chancellor to decide.
11. All applications for consent for a memorial inside a church must be referred to the chancellor.
12. In these Rules: DAC means diocesan advisory committee; PCC means parochial church council; parish priest means incumbent or priest in charge, or in the absence of either, the area or rural dean.

PART II - HEADSTONES AND MEMORIALS

The erection of a headstone or other memorial is a privilege and not a right. The chancellor has delegated to the parish priest the authority to permit headstones and other memorials for persons whose remains are buried in the churchyard or who are not commemorated elsewhere, provided that they satisfy the following conditions:

1. Headstones

(a) Both faces must be flat and not curved and the stone must be erected vertically. The dimensions shall not be more than 4ft (1200mm) high, 3ft (900mm) wide and 6ins (150mm) thick, and not less than 2ft 6ins (762mm) high, 1ft 3ins (375mm) wide and 3ins (75mm) thick (slate 2ins). These measurements include the base. A headstone shall not be erected within 4ft (1200mm) of the outer wall of the church.

(b) The preferred style is a traditional monolith headstone, but lawn-style headstones may be permitted. A base forming an integral part of the design of a headstone is permitted. The base shall not project more than 4ins (100mm) beyond the headstone in any direction. Not more than two vases (not glass) may be incorporated in the base. In such case the base may extend a maximum of 8ins (200mm) in front of the headstone. The base shall itself be fixed on a foundation slab (which may be reinforced concrete) which should be positioned just below the turf so that a mower may pass freely over it. The foundation slab shall extend beyond the base by between 3 and 5ins (75 to 124mm) all round.

(c) The headstone must be fixed in accordance with the current National Association of Memorial Masons' Code of Practice and in strict accordance with British Standard 8415 (as amended or replaced from time to time). The person carrying out the work must have adequate public liability insurance and produce evidence of it if so required. A certificate of compliance in the form approved by the chancellor must be issued to the family and to the PCC following the memorial's erection.

2. Headstones for children under 10

It is acknowledged that these are a special case, but headstones should be large enough to be seen easily so that they are not damaged inadvertently, and they should be strong enough to survive accidental knocks. In these cases, the minimum size is 1ft 6ins high, by 1ft wide by 3ins thick (460mm x 300mm x 75mm) for all materials other than slate which must have a minimum thickness of 1½ ins (30mm).

3. Cremated Remains

(a) Subject to (b) below, these may be commemorated by a memorial (including a wedge-shaped one) not exceeding 1ft 9ins (535mm) square, upright or flush with the turf. A single vase may be incorporated.

(b) However, where a part of the churchyard has been specially set aside by faculty for the burial of cremated remains, nothing shall be introduced into that area except in accordance with the terms of the faculty.

4. Materials

Headstones and other memorials must not be garish in colour, nor darker than Welsh slate, nor lighter than Portland limestone or Cornish silver-grey granite. They must be of natural stone, but not marble of any colour, and not black, red, or pink granite.

Stones traditionally used in local buildings or closely like them in colour and texture are to be preferred. The stone, including the lettering surface, shall not be so highly polished as to reflect, or honed finer than 220-grade. Solid wood memorials are permitted with a natural matt finish.

All other materials are prohibited, including concrete, synthetic and/or composite stone, plastic, fibreglass, and metal.

5. Prohibited items

Kerbs, surrounds, railings, stone or other chippings, statues, sundials, bird baths, portraits, wind-chimes, windmills and the like, candles, trees, shrubs, photographs, holograms, laminated cards, seats, lights, toys, horizontal ledgers and slabs, and other things not specifically permitted by these rules are prohibited.

6. Shape and inscriptions

Memorials should have a simple (basically rectangular) shape and shall not be in the form of something else, e.g. a figure, heart, or book.

Words may be incised on one side only, as may small, discreet designs of a simple nature.

Inscriptions must not be profane or offensive. The parish priest has discretion to allow familiar or idiomatic expressions or to refer the inscription to the chancellor (see Part III).

All lettering must be incised. Uncoloured lettering is preferred, although black, silver or gold may be allowed, but not leaded. Further inscriptions may be added with the written consent of the parish priest, usually where there is a second interment in the same grave, and in such cases, existing lettering may be renovated to match the new, but not otherwise.

No advertisement or trademark shall be inscribed on the memorial, but the name of the mason may be inscribed at the side or on the reverse in letters no more than ½in (15mm) in height.

7. Crosses

(a) Because the cross is the supreme Christian symbol, every application for a memorial in the shape of a cross (other than a temporary wooden marker) will be considered on its individual merits.

(b) Informal guidance shall be sought as early as possible from the DAC or the diocesan registrar, who will consult the chancellor.

(c) If the proposed cross is of a shape, height and stone similar to other memorials in the churchyard and is clearly in keeping with the appearance of that churchyard, the chancellor may remit the matter to the parish priest's delegated discretion without the need for a faculty.

(d) All other applications involving crosses shall proceed by way of faculty and the DAC's formal advice shall be obtained as part of that process.

8. Coffins and caskets

These should be made of wood or other biodegradable material.

9. Temporary grave-markers

The parish priest may allow a plain wooden stake not exceeding 16" (400 mm) in height above ground. The stake may be in the shape of a cross, but the cross-piece should be no longer than 8" (200

mm). The name of the deceased may be painted or stamped on it. Alternatively, the stake or cross may include a wooden plaque not exceeding 5" by 3.5" (130 mm by 90 mm) with an attached brass or brass-effect plaque not exceeding 4" by 2.5" (105 mm by 65 mm).

PART III – CHURCHYARD MANAGEMENT

1. As far as possible the surface of the churchyard shall be kept level and free of grave mounds. The PCC may level any mound at its discretion at any time more than twelve months after the latest interment in the grave if the family has not already done so.
2. Bulbs and small annual plants may be planted in the soil of a grave, within the area previously excavated, but nothing else. Plants or flowers may be placed in a removeable container (not glass). Unless the surface of the grave is kept tidy by others, the PCC may treat it as part of the turf and mow over it.
3. Unwrapped wreaths and cut flowers may be laid on a grave.
4. No artificial flowers, other than "silk" flowers, i.e. having a mixture of polyester/cotton, may be placed in the churchyard and if they are, the PCC may remove them without notice.
5. The PCC may without notice remove flowers and wreaths of any kind if they become unsightly or untidy, and any superfluous vases.
6. The PCC may without notice remove any other object not authorised by these rules or by faculty.
7. The PCC may delegate the exercise of its powers in respect of the churchyard to an individual or individuals.
8. Primary responsibility for the repair and safety of monuments rests with those who erected them, and with their successors. In exercising its general responsibility for the churchyard, the PCC is entitled to reimbursement by such persons of its proper and reasonable costs in keeping monuments and graves safe and in decent order.
9. Dogs must be kept under control and not allowed to foul the churchyard. The PCC may require dogs to be kept on leads and may exclude them.
10. Subject to obtaining a faculty to authorise them, a PCC may have its own churchyard rules and/or set aside certain areas of the churchyard where specific conditions will apply, e.g. for burial of cremated remains. A faculty is unlikely to be issued if the PCC's rules or conditions would conflict with the diocesan rules.

PART IV - APPLICATIONS FOR FACULTIES

The chancellor has issued the following general guidance about applications for faculties for the installation of memorials which fall outside the Churchyard Rules.

Applicants must provide:

i) written confirmation that they have read the Churchyard Rules and any local churchyard rules.

ii) a short explanation as to why they seek to install a memorial which falls outside the Rules. This need be no more than a short letter or statement setting out the pastoral or other reasons why the applicant wishes to depart from the Regulations.

iii) evidence that the matter has been raised with the PCC of the churchyard, and the PCC's response. It should be emphasised that the PCC's view is not determinative one way or the other, but it will assist the chancellor in judging what local opinion is on the application.

iv) where the text of an inscription may be controversial, an explanation as to why the words have been chosen. Applicants should take note the following:

"The question I have to address is whether the proposed wording is such as can be permitted in the particular circumstances of this case. My consideration of that question must be undertaken in the context of the nature and purpose of a churchyard. Churchyards are consecrated to God, Father, Son, and Holy Spirit and what is set out on memorials therein must be consistent with that consecrated status. It follows that inscriptions must be consonant with orthodox Christian belief. Not only is this because of the purpose of the churchyard, but also because inscriptions convey a message to those who visit churchyards. It is important that the message that such visitors receive is one which proclaims, or at the very least is not inconsistent with the message of hope and faith being given to them by Christ's Church. (emphasis added)

In addition, it is to be remembered that the memorial will be read not just by those who knew the deceased in question, but by those who did not. Indeed, the message conveyed to those who did not know the deceased is in many ways more important than the message being given to those who did know him or her. Moreover, the memorials placed in churchyards must be fitting and appropriate not just for today but also for the future.

That does not mean that there has to be a characterless uniformity in the inscriptions in a churchyard. Human individuality and diversity — indeed human eccentricity and non-conformity — are gifts from God and are to be celebrated as such. Accordingly, individuality and diversity in churchyard inscriptions reflecting the diversity and different characters of those commemorated are to be encouraged. Very many churchyards are enhanced, and their purpose reaffirmed by inscriptions which are varied (and often quirky

or eccentric) and which convey something of the character or life of the departed person. The message that we are individuals and are loved by God as individuals with our God-given differences and eccentricities is an important part of the Christian message proclaimed in our church buildings and to which our churchyards should bear witness.

In short individuality, even quirkiness, is to be encouraged in the inscriptions on memorials, but what cannot be permitted is anything which can be seen as inconsistent with the Church's message. In addition, there is a difference between quirkiness and humour, which are to be welcomed on memorials, and flippancy and irreverence, which would be impermissible".

Applicants should note the following:

(1) The Churchyard Rules are not capricious or arbitrary. They are designed to acknowledge, with humility and with due pastoral sensitivity, that churchyards are not just an important part of our heritage, but also a setting for an appropriately Christian reflection on death and a reverend memorial to the dead. Memorials should not be a demonstration of the worldly or material wealth of the deceased, nor should they reflect the vagaries of fashion. The Churchyard Rules also make it very clear that the fact that one memorial has been erected is not to be taken as a precedent that another similar memorial will be “nodded through”, or indeed an indication that no faculty would be required.

(2) It may be that there will be strong pastoral reasons for allowing a particular memorial, in which case a faculty should be applied for, setting out those reasons. It is then the chancellor’s decision, after receiving the advice of the DAC, the parish priest, and the PCC. It is not for a parish priest or stonemason to decide on their own.

(3) If a memorial is erected that does not comply with the Churchyard Rules and has not been authorised by faculty, the chancellor will encourage the archdeacon to initiate proceedings in the consistory court, and will make relevant people party to the proceedings, with the consequent costs to be borne by those parties as appropriate.

(4) Stonemasons and funeral directors should make themselves aware of the Churchyard Rules. It is within the chancellor's powers to ban people from erecting memorials in churchyards, and, if satisfied that there has been a deliberate decision to erect a memorial without applying for a faculty, the chancellor will have no hesitation in exercising those powers.

Any query on the interpretation of these rules and any application for faculty should be referred to:

Diocesan Registrar, Birketts LLP, Providence House, 141 – 145 Princes Street, Ipswich IP1 1QJ, Tel. 01473 232300

BY AUTHORITY OF THE CHANCELLOR OF THE DIOCESE

1 May 2009, updated 2 September 2013, revised 18 June 2024.