

Diocese of Derby

General Regulations for the Erection of Memorials and Gravestones in Churchyards

Preface

1. Any memorial needs permission before it can be placed in a churchyard. These Regulations are made by the Chancellor of the diocese of Derby to explain how to get permission, and what is likely to be permitted. If a memorial or other item is placed in a churchyard without permission, then the Chancellor can order its removal immediately.
2. This preface does not form part of the Regulations, but is provided to assist with better public understanding of the background to the Regulations.
3. Churchyards differ from local authority cemeteries in that they are attached to a church building which is often listed, or otherwise of historic or architectural interest, and used by a worshipping community. As such there needs to be more careful control over what memorials can be placed there.
4. The control is provided by the requirement for a faculty (permission) from the Chancellor before any memorial can be placed in a churchyard. It would be both expensive for those looking to install memorials (there is a fee payable on the application for a faculty) and onerous for the Chancellor if every memorial had to be individually approved, so, for that reason, these Regulations set out certain classes of memorial which are considered generally acceptable. In these cases, the decision to permit a memorial can be made by the Vicar.
5. If the proposed memorial is within these Regulations, permission can be granted by the Vicar¹. The Vicar is not obliged to grant permission for a memorial within the terms of these Regulations if he or she considers it unsuitable. If the Vicar is in any doubt, she or he is encouraged to refuse permission, so that the request can be more fully considered. If the Vicar refuses permission, then an application can be made to the Chancellor for permission. **If a memorial is not within these regulations, permission can only be granted by the Chancellor.**

¹ Vicar includes Rector, Priest-in-Charge or, during a vacancy, Area Dean.

6. If a proposed memorial does not fall within the class permitted by these Regulations, this means that it is not of a type which is considered generally acceptable and so will need detailed consideration before it can be permitted. Certain types of memorial are so out of keeping with the churchyards of the diocese that they are considered generally to be unsuitable and, as such, would only be permitted in exceptional circumstances.
7. The judgment as to what is generally acceptable or generally unacceptable is based on many years' practical experience. It is informed by wide consultation and takes account of a variety of factors. In particular, memorials in a consecrated churchyard must not be contrary to, or indicative of any departure from, the doctrine of the Church of England in any essential matter, although in a secular and multicultural age they do not have to be positively Christian in character. The appearance of a memorial is also important. It should not have an appearance which will cause it either to stand out or to detract from the atmosphere of the churchyard as a place of quiet prayer, reflection and commemoration. Since a churchyard frequently forms the immediate surroundings to a church, it is necessary to consider whether the proposed memorial will add to or detract from those surroundings. This is particularly important where the church is listed, as a listed building is given a special status by the secular law. Finally, it is important to consider the impact of a proposed memorial on practical aspects of the life of a church, such as churchyard maintenance and health and safety.
8. It must be stressed that these Regulations do not place limits on what may be permissible. If a design which does not fall within these Regulations can be justified, it may be permitted by the Chancellor. The presence of existing memorials which do not conform to these Regulations does not, however, necessarily set a precedent for further such memorials.

Introduction

9. These Regulations describe memorials which will generally be acceptable in the churchyards of the diocese. A memorial which is within the terms of these Regulations is likely to be permitted. A memorial which is outside the terms of the Regulations is less likely to be permitted. Some types of memorials will only be permitted in exceptional circumstances. These Regulations only apply to memorials and gravestones. Anyone wishing to introduce any other item into a churchyard should discuss this with the Vicar.

10. Some churchyards have their own regulations which have been approved by the Chancellor to accommodate particular local conditions. If so, those local regulations will apply in place of these ones. Parishes may seek approval of local variations to these Regulations from the Chancellor. Anyone with questions as to the applicability or operation of these Regulations should check with the Vicar or Registry Office (details below).
11. Records of burials, interred ashes and reserved grave spaces are kept by the church. These should be accurate and kept up-to-date. Questions as to the locations of burials and the availability of grave spaces should be addressed to the Vicar, in the first instance.

General principles

12. The Vicar may permit *either* an upright headstone *or* a horizontal slab on each grave, provided that it falls within the standard specifications set out in the following sections, and the sections on materials and inscriptions below.
13. Any memorial permitted under these Regulations must be fixed securely and in accordance with BS8415 and the construction dowels and fixings should be in accordance with the National Association of Memorial Masons' code of working practice.
14. These Regulations also contain provisions on commemoration after cremation, flowers and churchyard maintenance.

Standard Specifications

Upright headstones

15. In order to fall within the standard specifications, an upright headstone must be of the following dimensions:
 - a. Adult headstones between 75cm (30") and 120cm (48") in height; 50cm (20") and 90cm (36") in width; and 7.5cm (3") and 15cm (6") thick, but in the case of slate 2.5cm (1") thick;
 - b. Headstones for children may be smaller but no less than 60cm (24") in height, 37.5cm (15") in width and 5cm (2") thick.

16. In order to fall within the standard specifications, an upright headstone must be of one of the following three designs:

- a. Inserted directly into the ground to sufficient depth to ensure stability; or
- b. On an integral base which does not project above the ground by more than the thickness of the gravestone and does not project beyond the gravestone by more than 10cm (4") in any direction;
- c. On a vase base, where the receptacle for flowers shall be flush with the top of the base and may extend up to 20cm (8") in front of the headstone.

The Vicar may permit headstones, the top of which is not horizontal, provided that the Vicar is satisfied that the shape or style of top is appropriate for the churchyard.

17. Alternatively, a simple wooden cross of not more than 90cm (36") is within the standard specifications.

18. Alternatively, a flower vase, not more than 30cm (12") in height and fixed securely to a foundation stone of not more than 50cm square (20" by 20") flush with the ground is within the standard specifications.

Horizontal slabs

19. In order to fall within the standard specifications, a horizontal slab must be no larger than 210cm (84") by 90cm (35"), including the base.

20. Any base should extend no more than 12.5cm (5") around the stone and itself be flush with the ground.

Standard specifications: materials

21. Materials must harmonise with the natural local landscape and local stones are to be preferred. In certain churchyards within the Peak District National Park, sandstone only is permitted in sandstone areas and limestone only in limestone areas.

22. Subject to this, the Vicar may permit a memorial in any of the following materials:

- a. Limestones (including Nabresina, Boticino and certain suitable Portuguese stones), sandstones, Stancliffe or Darley Dale stone, grey granite (no lighter

than [Light grey] and no darker than Rustenburg grey and matt (unpolished) and slate;

- b. Wood (teak and oak).

Standard specifications: inscriptions

23. The Vicar may permit an inscription which:

- a. is simple, reverent and not contrary to the doctrine of the Church of England;
- b. is set out in plain carved lettering. Lettering may be painted a shade lighter or darker than the natural colour of the stone. On some sandstones and granites, raised lettering standing out from the cutaway stone can be effective. The mason's name may be inscribed at the side or on the reverse of the headstone in unpainted and unleaded letters not larger than 15mm (3/4") in height;
- c. includes, if desired, a scriptural text, or extract or quotation from the Book of Common Prayer, a hymn, a poem or other suitable phrase. If a scriptural text is used, it is not necessary to give the reference. The inscription should be in English.

24. The Christian name and surname of the deceased should be given, with age and date (or year) of death, or the years of birth and death. Nicknames and terms of endearment are not generally considered suitable.

25. The Vicar may also permit the uncoloured inscription of a badge or insignia from the armed forces (with written permission from the regiment or other body).

26. Additions may be made to an inscription at a later date following a subsequent interment in the same grave, but approval is required and the wording must be consistent with the original inscription.

Other designs of memorial

27. Where a memorial falls outside the standard specification set out above, the Vicar should consult the Archdeacon. If (i) the Archdeacon is satisfied that the memorial does not represent a significant or harmful departure from the terms of these Regulations; and (ii) the memorial does not fall within the lists at paragraphs 29

and 30 below, then the Vicar may permit the memorial even though it falls outside the standard specifications.

28. If these conditions are not met, then permission can only be granted by making an application to the Chancellor. Permission granted by the Chancellor is known as a “faculty”. There is a fee payable on the application for a faculty. Faculty application forms may be obtained from the Registry Office (whose contact details are given below). There is no guarantee that a faculty will be granted for a memorial which falls outside the scope of these Regulations. Individually designed memorials which fall outside the scope of these Regulations, but which will contribute to and enhance the appearance of the churchyard, are not to be discouraged.
29. The following memorials or features may be permitted by the Chancellor, however a faculty will be required:
- a. Memorials in the form of an open book or a standing cross (other than a wooden cross permitted by paragraph 12). The reasons for seeking a memorial in one of these forms should be set out in the application;
 - b. Small (not more than 10cm (4”) by 10cm (4”)) well carved and uncoloured engravings depicting some item of particular relevance to the deceased;
 - c. Inscriptions in languages other than English or Latin.
30. The following memorials or features will generally be considered unsuitable and unacceptable in the churchyards of the diocese. They will therefore only be permitted by the Chancellor in exceptional circumstances:
- a. Memorials in highly polished, brightly coloured, black or white materials, including black, blue, red, green or white granites and all polished granites; any marble, synthetic stone, terracotta, metal or plastic;
 - b. Memorials in the shape of a heart or any other object (other than an upright headstone, a horizontal slab, a cross or a book, as above);
 - c. Memorials with kerbed surrounds, railings, chains, chippings or glass shades;
 - d. Cursive script; leaded lettering; trademarks or advertisements
 - e. Images of the deceased, whether photographs, etched photographs, ceramic portraits or cameos;
 - f. Large carved or painted motifs or images;

- g. Stone, concrete, metal, plaster or plastic objects, e.g. model people, animals or toys;
- h. Freestanding containers e.g. vases or birdbaths
- i. Moving items such as windmills or windchimes;
- j. Lighting, including solar lights or candles;
- k. QR or other machine-readable codes.

Commemoration after cremation

31. It must be stressed that the scattering of ashes or unauthorised interment of ashes is never permissible in a churchyard. Cremated remains may be interred in an existing grave, or otherwise in a part of the churchyard specifically reserved for this purpose under the authority of a faculty. Where an area of the churchyard is set aside by faculty, then conditions will be laid down as to the manner in which the deceased may be commemorated. Usually and preferably this will be done by means of a Book of Remembrance kept in the church. Subject to the provisions of any faculty, the Vicar may permit stones to be laid over cremated remains, provided they are flat tablets no bigger than 40cm (16") by 40cm (16"); and laid flush with the ground.

Flowers

32. The Vicar may permit flowers to be placed in the churchyard, provided that they are:
- a. Real flowers or, if artificial, made from silk or similar fabric, but not plastic (save for Remembrance poppies); and
 - b. Not wrapped in plastic, tied with a bow or in a temporary container; and
 - c. Placed in the receptacle for flowers, where one is incorporated into the design of the memorial; or
 - d. Otherwise, laid on the ground or placed in a temporary removeable receptacle or vase which is secured to the ground. There may not be more than 3 such containers on any one grave.
33. The Vicar may remove or authorise the removal of any flowers which do not comply with these conditions.

34. The Vicar may permit bulbs to be planted in the soil on any grave, but the Vicar may not permit the planting of trees, shrubs, conifers or other perennial plants in the soil on a grave.

Churchyard Maintenance

35. The Vicar may give written permission for the cleaning, repair, renovation, altering or adding to the inscription of a memorial, including the temporary removal of a memorial for these purposes. Cleaning must be carried out in accordance with Church Buildings Council Guidelines.
36. The Vicar may remove or authorise the removal of any flowers, and any temporary receptacle or vase containing them, if they are:
- a. Wilted or dead (in the case of real flowers); or
 - b. Broken, damaged or otherwise unsightly (in the case of artificial flowers).
37. Small items, such as models or soft toys are sometimes placed in churchyards without authorisation. The Vicar may remove or authorise the removal of such items from a grave once a year has passed from the latest interment in it or two months have passed since the items were placed in the churchyard (whichever is later), on condition that:
- a. The items are retained for two months before their disposal; and
 - b. Notice is given to the relatives of the deceased and/or left at the grave that the items have been removed from the grave and where they are being kept, so that they can be collected, if required.
- Items listed in paragraph 30 above may be removed immediately, but should be treated in the same way.
38. Seasonal tributes are also sometimes placed in a churchyard without authorisation. In the case of floral tributes, these should be dealt with in accordance with paragraphs 32, 33 and 36 above. In other cases, the Vicar may remove or authorise the removal of such tributes from the grave once two months have passed, or sooner if the items are unsightly or offensive.

Contacts

39. General information about the operation of these Regulations and faculty application forms can be obtained from the Diocesan Registrar at the Registry Office, Eddowes Waldron, 12 St Peter's Churchyard, Derby DE1 1TZ (01332) 614723.