

The Parish of The Sherbornes with Pamber

Graveyard Management Policy

Regulations

Introduction

1. The purpose of these regulations is to summarise the relevant law relating to churchyards; provide a framework of rules to help maintain our churchyards; deliver practical guidance relating to Health and Safety; and finally to address maintenance issues.
2. Our churchyards are an important and valued part of our church life and the heritage of our community. They remain open to the public at all times, and continue to be used and valued by large number of people. It is our desire to work with the Diocese of Winchester, the families of those interred in our churchyards and the local community to ensure they remain a resource for future generations.
3. This policy defines the right to burial within, and the management of, the churchyards in the parish.
4. The parish of The Sherbornes with Pamber contains three churchyards: St Andrew's in Sherborne St John, All Saints in Monk Sherborne and Pamber Priory in Pamber. The Parochial Church Council (PCC) has responsibility for the management of the churchyards.
5. The churchyards are consecrated ground, and as such are governed by rules defined by the Diocese of Winchester contained within the Diocesan Regulations for Memorials or Ledgers. These regulations will be followed in this parish at all times, only allowing for local decisions, custom and practice where these regulations permit.
6. The word 'Incumbent' refers to the Rector or in the case of a vacancy, the Rural Dean.

Rights of Burial

7. Parishioners on the Church Electoral Roll and others who die in the parochial parish, have a right to burial in the churchyard if there is still space available, and if the churchyard has not been closed by Order in Council. This right applies to both bodies and cremated remains (*ashes*).
8. Permission for others to be buried may be granted by the Incumbent, who must have regard to the general guidance given by the Parochial Church Council as follows:
 - 8.1 In all cases the person must have lived in the parish for periods totalling no less than 10 years.
 - 8.2 There must be close relatives who live in the parish and who would visit and tend the grave.
 - 8.3 The person lived in the parish and had moved no more than 10 miles away and still had strong connections with the village.

The Parish of The Sherbornes with Pamber

Graveyard Management Policy

- 8.4 A spouse is buried in one of the churchyards in the parish.
- 8.5 In all cases there must be space for burials for at least the next 10 years.
9. If the churchyard or burial ground has been Closed by Order in Council, no burial of bodies may take place (unless the Order makes exceptions e.g. for the burial of family members). Different rules apply to the burial of ashes.
10. The Incumbent is responsible for deciding where in the churchyard burials will take place. It is sometimes possible to reserve a particular grave space by means of a Faculty (*as below*) if there is good reason for so doing.
11. It is not possible to purchase a grave, only to reserve a grave space for a time limited period, usually of 25 years, which may be extended by the Chancellor. There is no informal reservation system in place. The PCC do not generally support applications to reserve a plot. A faculty can be requested and sent to the Chancellor of the Winchester Diocese.
12. The following exceptions to this rule apply:
1. Where a grave space has been designated by the PCC as a burial plot for multiple burials, i.e. a double or triple grave or a family vault.
 2. If a faculty has been granted by the Chancellor reserving a grave space in the churchyard.
13. The incumbent cannot grant or assure anyone of a right of burial in a particular place in the churchyard or area for cremated remains. It is possible to reserve a grave space, in exceptional circumstances, for a parishioner or non- parishioner by the granting of faculty by the Diocesan Chancellor.
14. The reservation of a grave space, the exercise of a right of burial and the erection of a memorial do not alter the ownership of any part of the churchyard, which remains the legal property of the Incumbent. Any fee paid in connection with the use of the churchyard is solely for services rendered or in return for permission granted. It is not possible to 'buy' a space under any circumstance.
15. All burials must be recorded in the Burial Register.

Erection of memorial and ledger stones

16. The introduction of a memorial or ledger stone, or any other object, into a churchyard requires the permission of the Chancellor, and must conform to the regulations. In practice the Chancellor has delegated limited authority to the incumbent for the introduction, or alteration, of a memorial or ledger stone in a churchyard that conform to the regulations.
17. No permission may be given for the erection of a memorial or ledger until 6 months has elapsed from the date of burial or interment. This is because of the problem of settlement of the excavated ground.

The Parish of The Sherbornes with Pamber

Graveyard Management Policy

18. Permission to introduce a memorial or ledger stone must always be obtained from the incumbent and PCC before any such matters can proceed. The applicant will be required to sign a memorial or ledger agreement and to pay a maintenance fee to the PCC upon application. Where the proposed stone falls outside the scope of the incumbents delegated authority, a faculty is required.
19. The PCC will normally only accept the installation of a memorial or ledger stone, that conforms to the regulations, by a recognised Funeral Director.

Interment of Cremated Remains

20. Parishioners (including all those on the Church Electoral Roll) and others who die in the parish, have a right to the burial of their cremated remains (*'ashes'*) in a churchyard, and the remains of non-parishioners can also be buried there if the Incumbent consents. Where possible, Incumbents should ensure that cremated remains are buried in an area set aside for that purpose or in a family grave.
21. Cremated remains should either be reverently poured into a specially prepared hole in the ground between 18 and 24 inches deep, strewn onto bare earth (and the ashes then covered with earth), or buried in a wooden casket. The scattering of cremated remains onto the surface of the earth is not permitted.
22. The parish do not allow any marking of a plot where cremated remains have been buried in accord with the diocesan guidelines.
23. If cremated remains are interred in an existing grave a separate memorial or ledger stone is not permitted, though an inscription may be added to an existing memorial or ledger stone after due authorisation providing the memorial or ledger stone has room for an extra inscription.
24. All interments of cremated remains must be recorded in the Burial Register.
25. The owner of a churchyard memorial or ledger stone is defined as the person who erected the monument in question and after his/her death the heir or heirs at law of the person or persons in whose memory it was erected.
26. Therefore, the primary responsibility for upkeep falls on the owners of the stone who are the heirs of the person or persons commemorated. However, when the heirs cannot be traced, because the maintenance of the churchyard in a safe state is *prima facie* the responsibility of the PCC, it must bear the responsibility for any dangerous memorial or ledger stones within the churchyard. The PCC must take appropriate steps to deal with any dangerous situations, and such action will be limited by the funds at its disposal.

Maintenance of the Churchyard

27. The maintenance of our churchyards, including the mowing of grass and control of pests and vermin, is controlled by the PCC. Maintenance of trees and shrubs in these churchyards is

The Parish of The Sherbornes with Pamber

Graveyard Management Policy

the responsibility of the PCC, and they will ensure all trees within the churchyard are safe and steps taken to remedy unsafe or dangerous tree within the churchyard.

28. Maintenance and upkeep of individual graves is the responsibility of the family.
29. No tree or shrub may be planted in the churchyard without the explicit written permission of the incumbent and PCC.
30. The regulations state that:
 1. No individual garden may be erected, or tree or shrub planted on, or adjacent to, a grave.
 2. Only cut flowers or wreaths may be left at the graveside. These must be removed when withered or decaying. No plastic or artificial flowers are permitted save in relation to:
 - a) Remembrance Day wreaths or poppies, or Christmas wreaths; these must be removed after a period of one month.
 - b) Silk flowers, appropriate to the season; these must be removed when they become faded or bedraggled.
 - c) Toys or other similar ornaments may be left at the graveside for a period of twelve months after the burial or interment. They must then be removed by the family or by the incumbent after sensitive consultation with the family, where it is possible to trace them.
 - d) Any objects left at the grave but not authorised by the Faculty or the regulations must be removed and returned to the relatives as soon as possible, where it is possible to trace them.
 3. The parish will level a new grave after a period of two years, or after the installation of a memorial stone, whichever is the earlier.

Recording the Churchyard

31. Incumbents and Churchwardens are responsible for ensuring that the Churchyard Plan and related Faculties are kept securely in the church or elsewhere, a note being kept as to where they may be found. During a vacancy in the living, it is the responsibility of the Churchwardens to ensure that any Priest-in-Charge or other clergy person responsible for burials is kept fully informed about the Churchyard Plan. Unless this course is followed, a burial could take place in a grave space which had been reserved for someone else resulting in unnecessary distress.
32. If there is no Churchyard Plan, or the existing Plan is not up-to-date, the PCC must take steps to create an up-to-date plan. It should record the location of the church in the churchyard, the location of all trees, bushes, hedges and fences, as well as the location of all memorials. The DAC is willing to give advice as to the preparation of such a plan.
33. All parishes should maintain a record of all memorials in the churchyard including the inscriptions and the names and addresses, both of the persons who caused the memorial to be erected and the mason who carried out the work. This will help the PCC both to locate the

The Parish of The Sherbornes with Pamber

Graveyard Management Policy

appropriate person should repairs to the memorial be required and to assist those carrying out family or other research. The DAC is willing to give advice as to the preparation of such a record.

Alterations

34. The PCC will wish, from time to time (and typically to coincide with the Quinquennial Inspection), to review the churchyard to see what alterations are desirable. Such a review may encompass Health and Safety, disabled access, the condition of the existing fabric, lighting, tree planning and landscaping. A Faculty is always required before any alteration can be made in a churchyard or burial ground (*other than burials and interments, the erection of memorials as provided in these Regulations and routine maintenance*).

Closure of a Churchyard

35. Where a churchyard becomes full and there is no further useable space, the Incumbent and PCC may seek to have it closed. Closure of a churchyard for further burials can only be ordered by Her Majesty in Council. Application should be made in the first instance to The Coroners Unit of the Ministry of Justice. The fact that closure is irreversible should be borne in mind, as well as the fact that closure imposes significant limits on the future use of the land, for example for any form of building. The Registrar should be consulted before any action is taken.
36. Alternatively, the Incumbent and PCC may prefer to adopt a policy for the reuse of graves where burials took place at least, say, 75 years ago. This is to be encouraged in view of the increasing shortage of land for burials, but requires very careful and sensitive treatment. It will probably involve a Faculty, as memorials may have to be moved. Advice should be sought from the Registrar as to the legal position, and the Secretary of the DAC as to the manner in which it should be carried out.

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