

# DIOCESE OF YORK

## NOTES OF GUIDANCE by the Registrar of the Diocese

### RE-ORDERING MEMORIALS IN CHURCHYARDS

There are several matters to consider before the Petition for Faculty is submitted. Two copies of a large scale plan of the churchyard (it must be possible to identify the exact location of particular graves) and a schedule listing each grave affected need to be attached to the Petition; you should make copies of each for your retention.

- 1 The plan should show the mounds and kerbstones to be removed and the memorials to be moved or removed (if they are defaced, eroded, broken or dangerous). If table tombs have become unsafe and it is intended to lower the memorial to ground level, these should be indicated.
2. The schedule should list for each grave to be affected:
  - (a) the name(s) of the person(s) interred in the grave and the date(s) of the death or burial; or, if the name(s) are illegible, the grave should be listed as such
  - (b) the name(s) of person(s) commemorated on a headstone or kerb but whose body or ashes are not interred in the grave
  - (c) the inscription, if any, in addition to (a) and (b)
  - (d) the condition of the headstone and/ or kerbstones
  - (e) whether it is proposed to lay the headstone flat, move it to another part of the churchyard or dispose of it
  - (f) whether it is proposed to sink the kerbstones to ground level, to move them to another part of the churchyard or to dispose of them.
3. Where stones are to be moved to another part of the churchyard, the place to which each stone will be moved should be shown on the plan by a suitable symbol with a number corresponding to that of the stone prior to removal (e.g. 1 and 1(a) ). Consultation with the archdeacon and/or D.A.C. Secretary is likely to be useful as to the moving and re-siting of stones.
4. The plan and the schedule need to be tied together by a marking on the plan (e.g. by numbers) the position of each grave. If the kerbstones only are to be moved and all headstones left standing in their present positions, then this should be clear. Any headstones which it is proposed should be left standing in the present position need to be shown and distinguished on the plan.
5. A faculty is not usually given in respect of a gravestone where there has been a burial within the last fifty years, except where only the kerb is to be moved or lowered.

If your application includes a gravestone where there has been a burial within the last fifty years you should try to trace the nearest surviving relatives of the person buried and obtain his or her written consent to what you propose to do to the gravestone. A list of all such consents should be submitted with the Petition.

6. Headstones or kerbstones with unusual and interesting inscriptions should not be disposed of, and the inscriptions must be fully set out in the schedule.

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7. It is necessary to advertise your intentions to alter the churchyard in a newspaper circulating in the neighbourhood. A form of advertisement which can be adapted to meet the circumstances is set out at the foot of these Notes. A copy of the published advertisement together with the name and date of the newspaper needs to be attached to the Petition.
8. You should write to the Commonwealth War Graves Commission at 2 Marlow Road Maidenhead, Berks SL6 7DX, informing them that you are making this application so that the Commission may consider whether any of their graves are affected. A letter should be written to the Commission giving them notice even though you may be completely satisfied that the Commission is not concerned with any of the graves. Depending on what works you have in mind, it may be advisable not to interfere with any graves of the Commission.
9. Churchyard re-ordering schemes can be controversial and you may feel it wise to discover whether the scheme will meet opposition before submitting the Petition.
10. If the scheme involves the exhumation of human remains, then special additional procedures or requirements must be followed; and you should write to me for further instructions. You should investigate whether there are any known close relatives, and if so send me the names and addresses of such persons.
11. If the scheme is for lowering of mounds only (there being no kerbstones) and the gravestones and memorials are not to be moved, then a newspaper advertisement and notification of the Commonwealth War Graves Commission is not required, but a faculty is still required.
12. The completed form of petition should be sent to the DAC Secretary.
13. After the Petition has been considered by the D.A.C., it will be forwarded to the Chancellor. The Chancellor will direct whether the petition should be specially cited, i.e. published by being served or sent to any particular persons or displayed in any place other than the Parish Church or further advertised in a newspaper. In every instance it will have to be published at the Church, the churchyard of which is to be the subject of the Petition. After public notice it will be for the Chancellor to decide whether to grant a Faculty and if so whether to exclude any particular gravestones from the Faculty or to impose any conditions.

**November 2004**

**L P M LENNOX, Registrar**

**Form of newspaper advertisement**

*(name of churchyard)*

The Vicar/ Rector/ Team Rector/ Team Vicar and Parochial Church Council propose to remove certain mounds, memorial stones/ kerbstones in this Churchyard. A plan of the churchyard and list of the graves affected by the proposals may be seen at:

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and any person having objections to the said proposals should register such objection in writing to the Diocesan Registry, Stamford House, Piccadilly York YO1 9PP within 28 days of the publication of this notice.

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