

The Churchyard Policy of Pelsall Parish

(A full copy of the Diocesan regulations can be obtained from the Vicar and/or Churchwardens)

Right to burial

In a consecrated churchyard every parishioner has a right of burial in the churchyard, provided there is space available and the churchyard has not been closed for burials by Order in Council. In addition any person whose name is on the electoral roll of the parish at the time of their death also has a right to burial. So too has any person dying in the parish, whoever that person is.

No other person can be buried in the churchyard without the consent of the PCC. If the incumbent declines to allow the burial of a person who has no right of burial, his or her decision shall be final.

There is no right of burial in any particular part of a churchyard.

Reservation of a grave spaces

Pelsall Parish policy is not to allow the reserving of grave spaces for burial in the churchyard or for interment of ashes in areas for cremated remains.

Exceptions;

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.

If a faculty has been granted by the Chancellor reserving a grave space in the churchyard.

An 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 grant of faculty by the Chancellor.

Such grant of faculty removes the right of the incumbent to position a burial in that place. Faculties are only granted however, after assurances are given of available space and evidence of support of the incumbent and the PCC that an exception to the stated policy exists. A completed form, with such evidence of support, a clearly marked plan - showing the position of the proposed reserved space and the appropriate fee once received by the Registry are forwarded to the Chancellor of the Diocese for approval and his decision in the matter shall be final.

Ownership of the churchyard

The 'ownership' of the churchyard is vested in the incumbent for the use of the parishioners (in a vacancy the 'ownership' is vested in the Diocesan Bishop)

The exercise of the right of burial, interment of cremated remains, the reservation of a grave space by faculty, the erection of a memorial do not confer any rights of ownership upon the relatives of the deceased person or upon any other persons in respect of the churchyard itself.

Ownership of memorials

The 'owner' of a churchyard memorial 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 the monument was erected. The primary responsibility for upkeep falls on the owners of the memorial 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 monuments within the churchyard. The PCC must take appropriate steps to deal with any dangerous situation, such as an unsafe monument such action will be limited by the funds at its disposal.

Erection of monuments

The erection of a memorial in a churchyard or the alteration or removal of any existing memorial, or the introduction of any object (such as, but not exclusively benches and containers for flowers) into a churchyard is a privilege not a right.

Permission must always be obtained from the incumbent and PCC before any such matters can proceed. In law a faculty is required before the erection of any memorial. But in practical terms in exercise of his jurisdiction the Chancellor has delegated limited power to the incumbent (or in a vacancy to the Area Dean) to permit the erection of gravestones and to allow simple alterations to existing memorials if and only if the Chancellors regulations relating to gravestones are fully complied with.

Gravestones

Materials, sizes, design and inscriptions of all memorials to be erected in a churchyard must follow and comply with the Chancellors guidelines for gravestones and details of all proposed memorials must be submitted to the incumbent for approval before any such work is undertaken.

Areas for cremated remains

A specific area for the burial of cremated remains is set aside. Cremated remains should be reverently poured into a specially prepared hole in the ground between 18 and 24 inches deep. The scattering or strewing of cremated remains is not permitted. If the cremated remains are to be interred in a container, it must be of perishable material, preferably wood.

The only markings which are permitted on individual spaces are such monuments, tablets, vases, or small wooden crosses as confirm to the Lichfield Chancellor's Churchyard Regulations. In particular the placing of statues, figurines or other personal items of any kind on individual plots is not permitted.

Any inscription on the monument shall be simple and reverent and be incised or in relief according to the Diocesan guidelines. The inscription on the monument should be approved by the incumbent.

If cremated remains are interred in an existing grave a separate memorial or gravestone is not permitted, though an inscription may be added to the gravestone.

Trees in the churchyard.

Maintenance of trees in the churchyard falls to the PCC and they are responsible to ensure all trees within the churchyard are safe and steps taken to remedy any unsafe tree within the churchyard.

Planting of trees in the churchyard is at the discretion of the incumbent and PCC and details of the type and proposed planting position of any tree must be submitted for their approval prior to any such action being undertaken.

Consideration to the maintenance of churchyard with regard to mowing and control of pests and vermin will be at the discretion of the PCC. Striking a balance to keep churchyards maintained and cared for, whilst having consideration to the provision of areas for wildlife to flourish in suitable areas within the churchyard.

This Policy was agreed and adopted by the Parochial Church Council on 30th June 2021

Interim Minister
Reverend Alison Morris

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Andy Chantler