



## CHANCELLOR'S REGULATIONS CHURCHYARDS AND CHURCHYARD MEMORIALS

### A. INTRODUCTION

1. In the Fourth Edition of "The Churchyards Handbook" at page 23, it is rightly said "The most striking feature of any churchyard is likely to be the monuments, whether these are elaborate chest tombs or simple headstones. Monuments are a solace to the relatives of the people they commemorate, visitors come to look at them and passers-by pause to read the inscriptions. They embody the social history of a community and form a tangible expression of its roots. Most important, they express the purpose of the churchyard, as a place where the mortal remains of past generations of Christian people are reverently laid and their earthly lives recorded".
2. The passage continues:  
"The law regulating what monuments may be erected and also what may happen to them later has important implications for Christian ministry. Regrettably, monuments can sometimes cause dissension or misunderstanding, particularly where relatives are not allowed to erect the type of stone, or to have carved the inscription, they have chosen. The designs proposed may not only lack aesthetic distinction, but may take little account of the essentially Christian nature of the churchyard. On the other hand, it may be pastorally difficult to refuse an unsatisfactory memorial if that is likely to cause resentment and distress".
3. The purpose of the present document is to respond directly, within the Portsmouth diocese, to these difficulties and related problems. I hope that it gives sensible, practical advice to all those who may be concerned with memorials in churchyards. The document has been written with the assistance and encouragement of the Archdeacons and the DAC. It replaces any previous directions.

### B. SUMMARY

- **Any proposed memorial not covered by the standard guidelines needs permission of the Chancellor or Archdeacon (C2). In straightforward cases this may be done on an informal basis, so that the bureaucratic procedure of seeking formal faculty approval can be avoided. With controversial proposals, this will not, however, be feasible. No Incumbent should feel under pressure to agree to a proposal – if he/she is in any doubt, the proposal ought to be referred to the Chancellor or Archdeacon.**
- **The objective is to seek a harmonious appearance in a churchyard (C3). This does not mean uniformity. Attractive, artistic designs are welcomed, whereas headstones which are out of place by virtue of their material, colour or finish are to be discouraged.**
- **The "Standard" measurements (D).**

- **Proposed memorials in the shape of a heart or an open book, or with kerbed surrounds, are non-standard and need careful consideration by the Chancellor in the light of particular circumstances (E1/2).**
- **The same applies to proposed memorials in dark granite, marble or synthetic stone, or in polished stone (E3). However popular they may have become in municipal cemeteries, such memorials are often out of keeping with the appearance of a churchyard.**
- **Acceptable stone (E4).**
- **Photographs and ceramic portraits require a faculty, which is most unlikely to be granted (E6). The same applies to plaster models, plastic/wooden edging, windmills and other trinkets.**
- **Any proposal for an engraving needs to be considered with particular care (E7).**
- **Reaching agreement on an appropriate inscription requires a sensitive, pastoral approach but, if agreement is impossible, the Chancellor or Archdeacon should be asked to intervene (F).**
- **Guidelines on Gardens of Remembrance (G) and Re-use of parts of Churchyards (I).**
- **Guidelines on Flowers (H). No artificial flowers are permitted.**

### C. GENERALLY

1. There is no specific right given to anyone to have a memorial erected in a churchyard or to have any particular inscription on that memorial. Appropriate permission must always be obtained first. In practice, however, Incumbents (and for the present purposes, this expression is intended to include Rectors, Vicars and Priests-in-Charge and, where there are vacancies, Rural Deans) have for many years been authorised to approve memorials and inscriptions, **provided such memorials or inscriptions comply with certain standard guidelines.** The guidelines that now apply in this Diocese are set out in this document, which is intended to be read primarily by Incumbents, Churchwardens and Stonemasons. If thought appropriate, grieving relatives may be shown the document, but it is intended that they will, in any event, receive an Archdeacon's letter setting out a sympathetic understanding of their position, but stressing the need to be aware that there are guidelines for churchyards which can be explained by the Incumbent and/or Stonemason.
2. **In general, any proposed memorial or inscription which is not covered by the standard guidelines requires permission from the Chancellor or Archdeacon.** In relatively straightforward cases (involving, for example, uncontroversial departures from the standard dimensions set out below) this may be done on an informal basis. If appropriate, the Chancellor / Archdeacon may respond by suggesting alterations to the proposal which would allow for permission to be granted informally. Where an issue of principle is raised, however, or where the original proposal, if pressed, seems likely to provoke opposition, a formal application for faculty permission may well be required. If in doubt, consult with the Diocesan Registrar who will be in a position to assist on how to take the matter further. For convenience, subsequent references in this document to "faculty permission" will include situations where a matter is, in the event, dealt with on an informal basis by the Chancellor / Archdeacon.
3. The general approach is that each churchyard should be **harmonious** in appearance, and it should form a worthy setting for the church in its midst. Harmony does not mean uniformity. Headstones need not be restricted to a conventional rectangular shape. Attractive, well-conceived new designs by skilled and imaginative craftsmen are genuinely encouraged. Harmony does, however, mean that no memorial should stick out like a sore thumb. A churchyard is not a private place in which anything is acceptable. It is a place

where many people have a shared interest in its appearance. Nobody wants to see the appearance of a much-loved churchyard, or part of it, spoilt by the introduction of an inappropriate new headstone or other memorial. That this has happened in various places, even in recent times, cannot be denied. One of the objects of the present document, however, is to help prevent it happening again; and it should be remembered that the Chancellor has the power to require the removal of any inappropriate memorial, or an inappropriate feature in a memorial, placed in a churchyard without proper permission.

4. In addition to the standard guidelines, some churchyards have regulations or guidelines approved on a local basis by Parochial Church Councils. Proposed memorials or inscriptions in those churchyards must comply with the relevant localised regulations or guidelines, or otherwise be referred to the Chancellor or Archdeacon.
5. Where a memorial to an individual already exists, a second memorial (whether in the same churchyard or elsewhere) to that individual can only be authorised by faculty. This situation may arise where cremated remains are not all interred in the same place.
6. The guidelines set out in this document apply not only to new memorials but to existing ones for which an alteration or addition is proposed.
7. Any memorial which it is proposed should have features not covered by these guidelines requires a faculty.

#### **D. THE STANDARD MEMORIAL**

1. Upright headstones should be:
  - (a) **No more than 4 feet (1200mm) high** (measured from the surface of the ground), **or less than 2 feet 6 inches (750mm) high** (measured from the surface of the ground);
  - (b) **No more than 3 feet (900mm) wide, or less than 1 foot 8 inches (500mm) wide;**
  - (c) **No more than 6 inches (150mm) thick, or less than 3 inches (75mm) thick, except in the case of slate memorials which may be thinner, but no less than 1.5 inches (38mm) thick.**
2. For a **child** the headstone may be **smaller**, but should be **no less than 2 feet (600mm) high, 1 foot 3 inches (375mm) wide and 2 inches (50mm) thick.**
3. **Horizontal stones or ledgers** should be **no larger than 7 feet (2100mm) by 3 feet (900mm), including the base.** They may be either flush with the ground, set at a slight angle to enable rain water to run off, or **raised** not more than **9 inches (225mm).** **Any base should extend no more than 3 inches (75mm) all round** and itself be flush with the turf.
4. **Headstones** may be of three types:
  - (a) So shaped that they can be inserted directly into the ground at sufficient depth to ensure stability
  - (b) On an integral base, **no more than 9 inches (225mm) high, 3 feet (900mm) wide or projecting 4 inches (100mm) in any direction;**
  - (c) On a vase base, **no more than 4 inches (100mm) on either side; the base being no more than 1 foot 3 inches (375mm) front to back.**
5. These measurements are no more than guidelines which will be familiar to every reputable stonemason. It is **only when a proposed design departs significantly from the standard dimensions that permission will need to be sought from the Chancellor / Archdeacon.**

## E. PARTICULAR DESIGNS OR FEATURES

1. The **standard guidelines do not include memorials in the shape of a heart or an open book, or with kerbed surrounds.** Memorials in the shape of a **heart** give a particularly sentimental impression. A churchyard memorial should not look like a St Valentine's Day card. Those in the shape of an **open book** have been traditionally discouraged, although there would now seem to be no good reason in principle against a memorial in this shape. **Kerbed surrounds** used to be popular, but they often contain chippings which birds scatter over the grass.
2. In many churchyards, however, designs or features of this kind have at some stage been allowed, almost invariably without faculty permission. In such circumstances, Incumbents occasionally ask for, and are sometimes given, specific permission to allow new memorials of this kind at their discretion. Where this authority has been granted, it is important that local stonemasons should be informed. Alternatively, if faculty permission is requested for a new memorial of this kind, account is always taken of the proposed site in relation to similar existing memorials. But the mere fact that there are memorials of this kind in a churchyard, or in part of a churchyard, is no guarantee that faculty permission will be granted. All depends on the particular circumstances and the application of the general principle set out in Paragraph C (2) above.
3. Similar considerations apply to proposals for memorials in **dark granite, in synthetic stone or in marble, or in highly-polished, reflective stone, which require faculty permission** because they are **outside the standard guidelines.** Memorials of this kind have become very popular in municipal cemeteries in recent years. Unfortunately, black or red granite. Or white marble, particularly if polished. Tends to stand out in a churchyard. Such stone rarely blends well with the church itself and looks out of place amongst memorials made from the more traditional kinds of stone used in Hampshire or the Isle of Wight. The contrast between Purbeck limestone, on the one hand, and polished black granite on the other, can seem very uncomfortable and off-putting. So the fact that memorials of the latter kind may already exist in a churchyard is no indication that another one will be permitted. All depends on the particular circumstances.
4. Subject to any other consideration, a memorial in the following types of stone does not require faculty permission: **Limestone** – Portland, Purbeck, Derbyshire, York, Hopton, Nabresina, French, Portuguese; **Slate** – Light Grey, Blue/Black, Green; **Granite** – Light Grey. **Granite** in Rustenberg (Charcoal) Grey is also permitted, provided the stone is rubbed to a matt finish rather than polished.
5. Memorials in the form of a **natural boulder** taken straight from a quarry are becoming quite common. With a single, sloped face to carry the inscription, the result may well be attractive and pleasing. **Faculty permission** for such a memorial must be sought.
6. Under **no** circumstances will a **photograph or ceramic portrait of the deceased** be permitted on a churchyard memorial without a faculty; and the prospect of a faculty being granted in the present climate of opinion is extremely unlikely. Such items may be common enough abroad, but they are not part of the English tradition and tend to become unsightly when exposed to our damp climate. To put it another way, they are out of harmony with the overall appearance of the average churchyard. The same principle applies to **stone, concrete, metal, plaster or plastic objects**, such as model people, animals or toys, to **plastic or wooden edging**, and to **windmills or jangling trinkets** designed to make a noise when the wind blows. No such object may be permitted on a grave without a faculty, and

such a faculty is most unlikely to be granted. The fact that this kind of object has become quite common in municipal cemeteries (particularly on the graves of children) does not make it acceptable in a churchyard.

7. **Engraving an image** on to a headstone raises different considerations. In recent years it has become fashionable and, perhaps, generally acceptable for a stonemason to be asked to engrave a motif on a headstone. Frequently the motif is a traditional Christian symbol such as the Cross or a fish, or decorative items such as flowers. Sometimes, however, the engraving reflects something of particular interest in the life of the person who has died, such as a dog, a bird, a fishing rod, a tractor, a musical instrument or a motorcycle. Provided the motif is **small** (i.e. no larger than approximately 6 inches (150mm) in height or width) **and well carved**, there can be no intrinsic objection. After all, our churches are full of small, often irreverent, but interesting designs and symbols, which can be seen in gargoyles, stained-glass windows and misericords. If, however, the proposed engraving is comparatively **large**, faculty permission must be sought; and it can be said with some degree of confidence that, even in the twenty first century, permission is unlikely to be granted for a headstone dominated by a proposed engraving of an electric guitar, a teddy bear or a sports car, however much the object in question featured in the life of the deceased individual. Nor is permission likely to be granted for **large painted engravings**. Small painted engravings may be acceptable, but care should be taken to choose a colour or colours which blend in well with the surroundings. A proposal for a bright, perhaps brash, colour should be referred to the Chancellor / Archdeacon for consideration.
8. Any proposed memorial with **railings, chains, chippings or glass shades must be authorised** by faculty.
9. In past times objection has sometimes been taken to a headstone in the shape of a **Cross**. This is no longer the position. Provided the size is not unduly large, any proposal for a well-designed cross, including a Celtic cross, to form a headstone **requires a faculty** but is likely to receive sympathetic consideration.
10. A **temporary wooden cross** to mark a grave may be allowed by an Incumbent without faculty. If it is intended that a **wooden cross** should be a **permanent** memorial, **faculty permission** must be sought.

## F. INSCRIPTIONS

1. An inscription should aim to be the most appropriate in all the circumstances and to commemorate accurately the existence of the person who has died. It should, therefore, record either his or her full name or else the surname and the Christian name by which he or she was generally known (for example “Thomas Joseph Smith” or “Thomas Smith”). Today there can be no reasonable objection to including, as well, any particular term of affection or widely-used nickname (“Dad” or “Tommy”), perhaps in brackets or inverted commas.
2. Secondly, however, a name on its own says little. A memorial is possibly the only place to say something publicly about the person who has died. It may, therefore, be appropriate to record what he/she did (“farmer in this village for fifty years”) or some feature of his/her character (“a much-loved father and grandfather” or “a kind and gentle daughter”). And some may wish to add a scriptural text or an extract from a poem or some other suitable phrase.

3. Trite or over-sentimental expressions on headstones should be discouraged, if possible. It is recognised, however, that this may not be easy. Whereas even fifty years ago many biblical or literary quotations were familiar to a broad cross-section of the population, this is probably true no longer. Nowadays, phrases picked up from popular songs (“He did it his way”), or television shows, may well be in the minds of grieving relatives – witness the “Deaths” columns in local newspapers. So, an understanding, sensitive approach from the Incumbent is to be encouraged. Careful, yet diplomatic, persuasion may be needed before agreement is reached upon appropriate wording. In undertaking this sometimes difficult task, the Incumbent should point out that memorials in churchyards are of a relatively permanent nature and, by their inscriptions, ought to reflect wherever possible the Christian approach to life and death. It should be emphasised that, simply because a grieving relative doggedly insists on a particular expression, no Incumbent must feel obliged to agree to an inscription on a headstone which he or she genuinely feels is inappropriate. **If at the end of the day no agreement can be reached, the matter should be referred to the Chancellor/Archdeacon for resolution.**
  
4. Inscriptions should be incised into the stone or carved in relief. The purpose of painting cut lettering is to make the inscription more easily legible over a longer period. If a headstone is regularly cleaned, however, an unpainted inscription may remain legible for a very long time – witness the graves maintained by the Commonwealth War Graves Commission. Inscriptions may be painted black or white or in a colour that harmonises or blends in with the underlying stone. Until now, gold-painted or gilded lettering has not been permitted, but this rule has been honoured in the breach more than in the observance. Gold lettering is now used extensively in municipal cemeteries and has been applied, without faculty permission, to headstones in many churchyards. A continuing blanket ban is therefore unrealistic. Incumbents now have a discretion to permit gold lettering. In exercising that discretion the Incumbent should bear in mind that, because of damp and frost, gold-painted or gilded lettering may deteriorate quite rapidly, particularly in low-lying churchyards. Where there is a real risk of this happening in relation to any particular headstone, an Incumbent may quite reasonably refuse permission and inform the Chancellor/Archdeacon of the reason for such refusal. Before any decision is made in future, an Incumbent should take the opportunity to discuss with the deceased’s relatives and/or the stonemason any proposed painting of the inscription. **If the Incumbent considers that gold-painted or gilded lettering, if proposed, is for whatever reason inappropriate in the circumstances, the matter should be referred without delay to the Chancellor/Archdeacon.** Remember that the Chancellor can order the removal of an offending inscription or painted inscription, if the deceased’s relatives have gone ahead and instructed the mason to undertake the work, without the Incumbent’s consent, and in circumstances where the Chancellor agrees with the Incumbent that the work in question is inappropriate.
  
5. No advertisement or trademark may be inscribed on the face of a headstone. The stonemason’s name may, however, be discreetly inscribed on the side or on the reverse. Affixing a small plastic plate with the stonemason’s name to the reverse of the headstone is not permitted.

## **G. COMMEMORATION AFTER CREMATION**

1. For various reasons cremation has generally become far more popular than burial. To reflect this trend, almost every churchyard now has a Garden of Remembrance for the interment of cremated remains. Each Garden of Remembrance is governed by its own set of rules approved by the Chancellor. These rules tend to be fairly standardised, but may be

individually tailored to a particular churchyard or the wishes of a particular church community.

2. Any proposed memorial tablet for a Garden of Remembrance must comply with the relevant rules. Experience suggests that, if tablets are permitted, they should be small tablets affixed to a wall or laid flush with the ground. In some old churchyards the prevalence of raised memorials in Gardens of Remembrance is beginning to look very unsightly. A large number of small visible memorials in the style of polished stone “boxes” or “school desks” does not add to the ambience of a much-cherished, ancient churchyard. Further, a small tablet laid flush with the ground should not contain a vase holder. A large number of small vases containing cut flowers in varying stages of decay gives an extremely “tacky” look to what would otherwise be an attractive Garden of Remembrance.
3. An alternative method of commemoration appropriate in some circumstances may involve an additional inscription to an existing headstone elsewhere in the churchyard. Where cremated remains are to be interred into an existing grave and there is insufficient space to allow for further inscription on the existing headstone, a small tablet may be placed on the grave provided it is laid flush with the ground.

## H. FLOWERS

1. Except where the design of a headstone contains an integral receptacle for plants or flowers, flowers should be placed in a removable container sunk into the ground. Bulbs may be planted in the soil of any grave, unless there are ecological reasons for preserving undisturbed, and ancient pasture.
2. If a flower vase is the only memorial, it should be no more than 12 inches (300mm) in height, width or length and fixed securely to a foundation stone flush with the ground.
3. After careful consideration, it is felt that, at least for the time being, the rule should remain that, with the exception of Remembrance Day poppies and perhaps Christmas wreaths, **no artificial flowers** should be allowed in a churchyard. This applies to flowers made from plastic, silk or any other material.
4. An Incumbent, Churchwarden or whoever is entrusted with the task of overseeing a churchyard is permitted, indeed encouraged, to remove unsightly flowers from any grave. To avoid unnecessary resentment, however, he or she should, wherever possible, contact in advance the relatives of the deceased, or leave an appropriate note on the grave, to indicate his/her intention. If there is any disagreement, the Incumbent’s decision is final.

## I. CHURCHYARD MAINTENANCE

1. Except in the case of recent graves, a churchyard should be kept free from gravemounds. As far as possible, the surface should be level, the churchyard should be kept tidy and nay turf should be regularly mown during the growing season. Many parishes run a sensible and enjoyable system whereby, perhaps once or twice a year, a day or a weekend is given over to a voluntary “blitz” on the churchyard to keep it reasonably tidy and attractive.
2. A mound over a grave should normally be levelled after about a year, but provided the grave is regularly tended, the mound may remain for such longer period as the Incumbent and the Churchwardens think appropriate.

3. An Incumbent may give written permission for the temporary removal of a headstone from a churchyard for the purpose of cleaning, repair, renovation or altering, or adding to, the inscription.

## **J. RE-USE OF AREAS OF CHURCHYARDS**

1. Where the churchyard is filling up, active consideration should be given to the re-use of parts of it. Traditionally, old churchyards have been re-used again and again over the centuries. There now exists a presumption that any part of a churchyard largely or entirely occupied with graves over a hundred years old should be considered for re-use. The reason can be stated simply. Parishioners of the present generation, and of future generations, should not be deprived of the opportunity of burial in their local churchyard simply because it is filled with ancient tombstones.
2. Any proposal for re-use of part of a churchyard will need to be looked at very carefully. In making such a proposal it would be helpful for a Church Council to prepare and produce a detailed survey of its churchyard. Before permission for any stones to be moved is given, the Chancellor will need to consider all the circumstances, including: the views of surviving relatives, the age of the stones, their intrinsic attractiveness and historical importance, any effect on the setting of the church itself, and so on. Nevertheless, in a number of churchyards in the Diocese successful schemes have been implemented which, without causing offence or any aesthetic difficulty, have released significant areas for new burials. In the event that closure of a churchyard seems likely or inevitable, early consultation with the Archdeacon is advisable.

## **K. FACULTIES**

1. Faculty forms may be obtained from the Diocesan Registrar at West End House, 288 West Street, Fareham, PO16 0AJ. During normal working hours, she and her staff are very ready to try to answer any queries over the telephone (01329 236171) and to give assistance of the kind referred to in Paragraph C2 above. In an emergency she can be reached out of hours.

*Christopher Clark Q.C.  
Chancellor of the Diocese*

*July 2004*