



A guide to churchyard regulations

This leaflet includes a brief summary of the regulations laid down by the Diocese of Derby. For the full regulations, please visit the website of the Diocesan Registrar or our parish website:

www.derbydiocesanregistry.co.uk
www.dronfieldteamministry.org

✚ **Churchyards exist for the benefit of all. They are beautiful and sacred places which are important to the local community and to those who have loved ones buried there.**

They are also places steeped in history, with many of them in local authority designated 'conservation areas'. St. Swithin's Churchyard is no exception. The curtilage of the church and churchyard is an ancient historic site with important monuments that need to be preserved in their setting. Historic England (the national heritage body which oversees the protection of our built heritage) delegates the care of historic churches and churchyards to Church of England dioceses, with laws and regulations which we must abide by.

St. Swithin's, Holmesfield currently has an 'open churchyard', which means there is space for both the burial of bodies and the interment of cremated remains (ashes).

The information within this leaflet is designed to help you understand what is (and is not) permitted within our churchyard.

✚ **Can I buy/reserve a plot? Can our family all be buried in the same grave?**

Anyone who was a resident in the ecclesiastical parish of Dronfield with Holmesfield (plus those with other specific connections) may be buried in the churchyard. We do not reserve specific plots unless there is a family connection to an adjacent grave. The grave itself remains the property of the church, but headstones and plaques are the property of the deceased's family – and they are responsible for its upkeep.

Graves can be dug deep enough for up to three burials. In addition, we are usually able to arrange for a limited number of interments of ashes on the site of an existing grave. The scattering of ashes on the surface of the ground is not allowed. Plots solely for the burial of ashes in the Peace Garden are also available but there is very limited space for new interments. In exceptional circumstances a grave plot may be used only for the burial of ashes, at the Vicar's absolute discretion.

✚ **When can headstone be erected?**

The soil level takes several months to settle after a burial. The grave will, in due course, be allowed to grass over. In order to give memorial stones a solid foundation, no memorials may be erected for six months following a burial. No permission will be granted until the six month period has passed.

✚ **Can I have the headstone of my choosing?**

There are laws and guidelines relating to the size, shape, materials, inscriptions, motifs, etc., of memorials, which take account of the Church's responsibility for this historic site. The Chancellor of the Diocese of Derby, the Bishop's Chief Legal Officer sets out and monitors these regulations.

The main purpose of these regulations is to ensure that new headstones do not detract from the older headstones. It is also important that the churchyard retains its essentially Christian nature, reflecting the resurrection hope we have in Jesus Christ.

Local stonemasons should be aware of these guidelines and will help you with your choices, prior to obtaining written permission from the Vicar.

Kerbstones or other surroundings to a grave are not permitted. Although popular in times past when churchyards were tended by hand, they make it difficult for grounds staff to maintain the grass. Stone chippings are often scattered by birds and animals.

The existence of a memorial in the graveyard which does not conform to these guidelines does not mean that a similar memorial will be approved. These memorials were usually erected prior to the regulations coming into force and to some extent were the reason why they are necessary. Any memorial erected without permission or contrary to the guidelines will, after a period of notice, be required to be removed and amended.

Before you agree to the design or place any memorial on a grave, you must have permission from the Vicar. There is a formal application process, which your stonemason will complete with you. There is also a statutory fee, revised annually by the Church of England.

If requests are made for memorials which do not conform to the guidelines, **the Vicar does not have the authority to agree to them.** The Archdeacon is able to make certain exceptions but for anything which differs substantially there is a formal process, called a Faculty, by which you can request an exemption from the Chancellor. There is a statutory charge (of more than £300) for this and it is unlikely that such requests will be granted.

✦ **What if I want to add to a memorial, or replace it?**

No changes are permitted without going through the same application process already mentioned.

✦ **Can we leave items on our loved one's grave or in the Peace Garden?**

The regulations also proscribe what items may be left on graves and in the churchyard generally. **Flowers** may of course be placed but please remove all packaging. Unfortunately, **small items**, such as models or soft toys, and seasonal tributes, other than flowers, should not be placed in churchyards without permission. *The Vicar may, at their discretion, authorise such items to be placed and left on a grave for such period **not exceeding a year from the last interment or two months from their placement.*** If such items are placed on a grave, the Vicar may authorise the removal and disposal of such items from the churchyard, however long the items have been present.

Artificial flowers made from silk or similar fabric, and wreaths for Christmas, Remembrance Sunday and anniversaries of death are permitted. These must then be removed within one month. Items still remaining after this point will be removed by authorised representatives of the church council.

The planting of trees, shrubs, bushes, or bulbs; or the leaving of benches, flowerpots, stones, bird feeders, windchimes, and all similar items is not permitted.

✦ **Who is responsible for care of my loved one's grave?**

Memorials remain the property of the person who paid to have it erected or their immediate family. The upkeep of memorials is the responsibility of the owner (but please note the information above regarding making changes to a memorial). If no family exists, the Church will assume responsibility for ensuring that gravestones are safe, by lying them down if they become unstable.

The church council (which includes the Vicar) is responsible for our churchyard, together with the Chapel Lands Trust. The cost of maintaining the churchyard is met by the church, with the assistance of an annual grant from the Parish Council. We pay a contractor to keep the grounds in good order but the administration falls to the Vicar, the Parish Office, and a small band of volunteers. *The churchyard can only remain open to new interments if new volunteers come forward to help with this work. **Is this something you could help with?***

✦ **I still have questions...**

If you require clarification on any matter relating to our churchyard, please contact: **The Parish Office** on 01246 412328 or email: office@dronfieldteamministry.org

