

GRAVE SPACE RESERVATION

Everyone has a right to be buried in the churchyard in the parish where they reside assuming it is still used for burials. There is no right to be buried in a particular plot although many churches do operate informal systems of reservation.

It is legally impossible to buy a burial plot in a Church of England churchyard but you may apply to reserve a space on a formal basis by asking for a faculty. The grant of a faculty is discretionary rather than automatic. Before applying please read these notes and consider carefully: -

- a) whether a formal reservation is really necessary, particularly if the local church can offer an informal reservation;
- (b) whether your circumstances may change by the time you die, thus making the reservation unnecessary

If you wish to apply for a faculty, the following steps are involved:

1. If you have not already done so, you should approach the minister or one of the churchwardens to agree the location of the space you want to reserve. It may often be inconvenient to upset a "next-in-line" system and leave gaps in the churchyard. The proposal must then be put to the Parochial Church Council (PCC). If the PCC does consent, then this must be in a formal resolution passed at a PCC meeting and it must be properly minuted.
2. I enclose a faculty petition form. This is your formal application for a faculty, which, if granted, is the authority for the reservation. Please note the following:-
 - (a) the petitioners (the people asking for the faculty) must be the people whose remains are to be buried in the plot. You cannot apply on behalf of someone else
 - (b) please define the exact position of the grave space either by a plan or by row and plot number, or by compass points to a fixed and permanent object (e.g. an existing marked grave)
 - (c) please answer all the questions as fully as possible
 - (d) please ensure that the minister or a churchwarden completes the section at the end

3. Please then return to me:-
- (a) the completed faculty petition
 - (b) a copy of the PCC resolution giving consent
 - (c) the fee for the petition, which is currently £170 (no VAT). The cheque should be made payable to the "Diocesan Registrar". The faculty fee is payable on lodging the petition and is generally not refundable regardless of the outcome
 - (d) a cheque in favour of(*name of church*)..... PCC for £100 (see 4(a) below). This will be returned if the faculty is not granted
4. On receipt of the papers I will refer the matter to the chancellor of the diocese for his decision. The chancellor is generally reluctant to grant a faculty where someone is making the application **under the age of 50** or who is neither a parishioner nor on the church electoral roll. In these circumstances he will want to be fully informed of the reasons for wanting a grave space to be reserved and to be assured that there is ample other space available for the future burial of parishioners. He is generally reluctant to reserve two spaces side by side for a married couple who would normally be buried in a single double depth grave. He prefers not to reserve spaces for cremated remains, particularly in areas specifically set aside.
- In any event, if the chancellor does approve the application, he will impose two conditions: -
- (a) that you pay £100 to the PCC as a one-off contribution to the future maintenance of the churchyard
 - (b) that the reservation will lapse seventy-five years from the date of the faculty unless renewed within that period by way of a further faculty
5. If the chancellor approves, it will be subject to there being no objections from local people. I will organise the display of public notices in the church and churchyard inviting comment.
6. At the end of the notice process, assuming there have been no objections and assuming the chancellor so directs, I will issue the faculty on behalf of the chancellor and inform you and the parish accordingly.

I hope this helps to explain the procedure but if you have any queries on the process, please contact my assistant, Mrs Angela Long, (direct line: 01473 406300) or me (406270).

JAMES HALL
diocesan registrar

