

DIOCESE OF COVENTRY

NOTES FOR THE GUIDANCE OF PERSONS WISHING TO RESERVE A GRAVESPACE OR CREMATION PLOT IN A CHURCHYARD

Anyone resident in a parish or on the church electoral roll has the right of burial in the parish churchyard but the choice of site for the burial is at the discretion of the Incumbent unless a place has been reserved on the authority of legal permission (or Faculty) granted by the Chancellor of the Diocese, who has jurisdiction over all consecrated Church of England churchyards within the Diocese. A promise to "keep that spot" given by one Incumbent or a churchwarden has no legal value and is not binding on a successor.

The parish is only obliged to bury parishioners, those on the electoral roll, or those who die in the parish. Those persons can apply to reserve a particular gravespace. A person who is not a parishioner or whose name is not on the electoral roll may also apply for the reservation of gravespace but such persons will normally need to explain their connection with the church or churchyard in question and why it would be appropriate for a space to be reserved for them. The type of connection which would make it appropriate to grant a reservation in favour of such a person would be if they had lived in the parish or worshipped at the church for a number of years but had now moved away (perhaps due to age or ill health) or if they had family members buried in the churchyard.

You have been supplied with an application form (or Petition) which will be put before the Chancellor.

The Chancellor will be concerned to ensure that the proposed reservation does not unduly interfere with the rights of parishioners. In particular he will be concerned to avoid the situation where a gravespace is reserved and unused for some years after the rest of the churchyard has become full and where those parishioners who die before the person who has reserved the space are unable to be buried in the churchyard. The Chancellor does not normally permit the reservation of a gravespace if there is less than 10 years' space remaining in a churchyard. It is for that reason that the form requires details of the number of spaces left in the churchyard and the average number of burials per annum in the last 5 years. An application can be made even if there is less than 10 years' space but special circumstances will normally need to be shown before a reservation will be allowed.

You will see from the kind of questions on the Petition that you first need to talk things over with the parish priest. The parish priest will have to give his consent and he or she and the churchwardens will have to certify that they believe that granting you the reservation will not affect the rights of the parishioners. The Chancellor also needs to know the views of the Parochial Church Council (commonly called the "PCC") on the application. A PCC is not obliged to support an application. If the parish priest or the PCC does not support your application you can still apply and the Chancellor will consider your arguments to be allowed to reserve a space and the reasons given by the priest or the PCC for not supporting it. In some parishes the PCC has a formal policy of not supporting applications. If that is the case you can still apply and the Chancellor will consider your application on its merits but he will normally require you to show a good reason why should you be allowed to reserve a gravespace when the PCC has such a policy and where other people are not allowed to reserve spaces.

If you are a parishioner or have a legitimate reason for wishing to reserve a space in the churchyard then provided that the parish priest and the PCC support your application and that there is sufficient space left in the churchyard the Chancellor will normally approve the application but he is not bound to do so and will consider each application on its merits.

The parish priest or the PCC should be able to supply you with some of the information that the petition asks for such as how much space is available in the churchyard and at what rate is it being used up. They should also be able to supply you with an accurate plan of the entire churchyard but in any event you will need to supply such a plan (with a north pointer on it) marking clearly in red the exact space that you and your priest have agreed upon and showing where it is in relation to the church building. Accuracy is essential because this plan will eventually be attached to the faculty as a permanent record of what has been arranged.

Fees. The Registry fee for the administration of the Faculty procedure is £342.60 from 1st January 2025 inclusive of VAT. A cheque for that amount payable to ROTHERHAM & COMPANY LIMITED must accompany the application form. PLEASE NOTE this fee increases annually so if you have been given a copy of this form by the parish priest or the churchwardens please ensure that the correct up to date fee is paid.

Please note that in common with court fees and planning application fees in the lay jurisdiction, the petition fee is not refundable in the case of withdrawal or refusal of the petition.

The expense of maintaining the churchyard falls entirely on the local parish church. The Chancellor requests that applicants who wish to reserve a gravespace to make a donation directly to the PCC as a contribution towards the upkeep of the churchyard. He suggests that those who are parishioners or on the electoral roll to make a contribution of at least £125 and those who are not parishioners or on the electoral roll to make a contribution of at least £250.

Marker: The Chancellor will make it a condition of the faculty that the successful applicant will supply the parish with a small marker which will be placed on the reserved space as a permanent indication. You will need to discuss with the parish priest the appropriate form of marker for the particular churchyard. In some churchyards this will be a small wooden cross in others it will be a small stone tablet. Monumental masons can usually provide such a tablet.

When you have completed the Petition form please send it, together with a copy of the certificate from the parish priest and churchwardens, a copy of the PCC resolution, a copy of the churchyard plan, and your cheque for £342.60 to The Diocesan Registry, 8-9 The Quadrant, Coventry CV1 2EG.

IN THE CONSISTORY COURT OF THE DIOCESE OF COVENTRY

| | |
|----------------------|--|
| CHURCHYARD OF | |
|----------------------|--|

Glyn Samuel, Chancellor of the Diocese and Official Principal of the Right Reverend Timothy Thornton, Acting Bishop of Coventry

1. THE PETITION OF

(Mr/Mrs/Miss)(full name)

of (full address)

.....

..... Post Code.....

Date of Birth..... Telephone

Email address

Resident in the Parish of

2. I desire to obtain a faculty to reserve to myself and to:

(full names of any others whom it is desired should benefit from the grant of a faculty)

.....

.....

a space within the churchyard of

as shown marked in red on the plan attached to this petition

3. I am/am not a parishioner or on the electoral roll of the parish in which this churchyard is located

(delete as applicable)

4. There have not been any burials in the space desired to be reserved *(tick if appropriate)*

There have been burials in the space desired to be reserved *(tick if appropriate)*
(full name(s), date(s) of burial in each case)

.....

.....

.....

(Cont/..)

5. The adjoining space has/has not been occupied by a burial *(delete as applicable)*

6. The name(s) of the person(s) buried in that space is/are:
(full name(s))

.....
.....
.....

7. The adjoining space has/has not been reserved by a faculty (*delete as applicable*)

8. The name(s) of the person(s) in whose favour that space has been reserved is/are:
(full name(s))

.....
.....

9. I am related to that/those person(s) (*tick if appropriate*) I am their

I am not related to that/those person(s) (*tick if appropriate*)

10. I wish to reserve:

An ordinary earth grave A brick lined grave
A cremated remains plot Other (*please specify*)

(NOTE: Most churchyards do not permit the use of kerbs and it is advisable, if you wish to petition for such an item, to consult with the Incumbent before proceeding further.)

11. The exact measurements of the space I wish to reserve are:

12. The space I wish to reserve is grave/plot number:

13. My reason for making this petition is:

.....
.....
.....

14. The present population of the parish is approximately
- There are approximatelygravespaces still available in the churchyard and the average number of burials during the last five years isper year
15. The Incumbent and Parochial Church Council at a meeting held on theday of20..... approved of the reservation and I attach a copy of that Resolution.

Signed:
(*Petitioner*)

Dated:

**CERTIFICATE OF CONSENT FOR THE RESERVATION OF A
GRAVESPACE or CREMATION PLOT**

I,
being the Incumbent (or Area Dean in the case of an interregnum) of the Parish of

.....in the Diocese of Coventry **HEREBY GIVE MY
CONSENT** to the reservation and appropriation of a **GRAVESPACE/CREMATION PLOT** *(please
delete as appropriate)* in the churchyard of

.....
for the use of:
(please state full name(s) and address(es) of those intending to be buried in the space reserved)

.....
.....
.....

Signed Dated
(Incumbent/Area Dean)

WE, the undersigned being the Incumbent and Churchwardens of the Parish of
..... in the Diocese of Coventry **DO HEREBY CERTIFY** that
in our opinion having regard to the average yearly number of burials in the churchyard of

.....
aforesaid the granting of a Faculty to the aforementioned Petitioner(s) will not be detrimental to the
rights of the Parishioners.

Dated:

..... Churchwardens *(full names)*

.....
.....

..... Incumbent/Area Dean

Please ensure that you include with your petition:

1. *The Resolution of the Parochial Church Council.*
2. *The consent and certificate from the parish priest and churchwardens.*
3. *The copy of the churchyard plan showing the space you wish to reserve marked in red.*
4. *Your payment by cheque in the sum of £342.60 made payable to Rotherham & Company Limited.*