



REUSE OF CHURCHYARDS FOR BURIALS

Introduction

Historically, parish churchyards were re-used for burials many times over and graves were unmarked. Since the mid-19th century, the marking of individual graves has made such re-use less common. In addition, current legislation governing local authority cemeteries prevents reburials. This has resulted in increasing pressure on space for burials or cremated remains over the past decade. PCCs with full churchyards are not obliged to provide further space for burials.

Options

There are two main options that can be considered where a churchyard is short of space or is already full:

1. Purchase of additional land. Sometimes, adjoining landowners are very generous in gifting land to the PCC. However, purchase of land may not be viable for many PCCs, either on the grounds of finance or available land.
2. Allow re-use of land previously used for burials. This ancient practice may be very suitable for some parishes. A PCC should bear in mind that it may well involve disturbance to much earlier burials, previously unmarked burial vaults, or other remains of archaeological interest. Arrangements for recording may be necessary and the Diocesan Archaeological Adviser will be able to provide guidance on this point.

Before making a decision, parishes are encouraged to give careful consideration to the options above. If re-use of some of the churchyard is proposed:

1. A detailed and coherent plan for re-use should be prepared and consultation undertaken with the wider community, not just the regular congregation.
2. A faculty will be required for the removal of individual headstones and memorials or the disturbance of existing burials and the advice of the DAC should be sought at an early stage. A PCC may apply for a faculty to re-use and reorder the whole or a specified area of the churchyard. Any application should be supported by an accurate survey plan showing existing features which will not be disturbed, areas which are proposed for reuse and an indication of the number/location of proposed new grave sites. If any memorial stones are to be moved, the plan should indicate which stones and where they are to be re-sited.

Preparing the Plan

In preparing their plan, the PCC should give careful consideration to the following points:

1. Even if the churchyard is full, or almost full, there may be available space between burials which does not involve disturbing existing graves or burials. However, adequate pathways and access to graves should be maintained.

2. Areas containing burials within the last 100 years, or where spaces have been reserved by faculty, should be avoided.
3. A strip approximately 15ft (4.5m) wide should be left round the walls of buildings, to provide access for maintenance and repair, particularly where this involves the erection of scaffolding. It will also help to avoid disturbance of drains and ancient footings.
4. Where reuse of an area involves the removal of headstones and memorials, the following points must be addressed:
 - i. The headstone remains the property of the family and every effort should be made to trace and consult them before applying for a faculty to remove it.
 - ii. A suitable method must be identified to safeguard and preserve the headstones or memorials, for example by standing or laying them in an appropriate place. It is recommended that stones should not be placed against the churchyard wall, as this could present problems of future maintenance to the wall and possible damage.
 - iii. Removal of stones less than 100 years old should be avoided, as their removal could cause distress or offence to the family.
 - iv. Graves older than 100 years, where the family is still resident in the community or visit regularly, may also require special consideration and sensitivity.
 - v. War graves, graves with a War Graves Commission headstone, graves of special aesthetic, artistic or historic significance or listed monuments should not be disturbed.
 - vi. Careful diagrammatic and photographic records of the churchyard and memorials/headstones, before and after removal, should be made. A copy should be kept in the church logbook and a further copy lodged with the Diocesan Records Office.
5. It is important that any new memorial stones should be in keeping with existing stones in other parts of the churchyard, particularly with those stones amounting to attractive and interesting historic monuments in their own right and the parish is encouraged to draw up appropriate guidelines on materials, finish etc.
6. Care should be taken to avoid disturbing existing buried remains as far as possible. Where buried remains are discovered, they should be reburied decently and reverently under the authority of the incumbent or similar Clerk in Holy Orders. Careful consideration should also be given to associated health and safety and aesthetic concerns.
7. Any proposal should also give consideration to and make provision for incorporating any existing or proposed plans for a garden of remembrance or other space for cremated remains.
8. The parish should bear in mind that in granting the faculty, the Chancellor may include directions, on the lines of the following examples:

- i. That the removal of human remains be effected with due care and attention to decency, early in the morning and the grave screened from the view of the public.
- ii. A suitable disinfectant solution should be freely sprinkled over the coffin, the remains, the soil and, if found to be necessary, elsewhere.
- iii. That the remains and any article apparently buried with the deceased, when removed, shall be placed in a fresh shell.
- iv. That the remains be re-interred forthwith in a new grave and in any intervening period, they shall be kept safely, privately and decently.