EXPLANATORY NOTE

The Chester Diocesan Churchyard Regulations 2007 are to be revoked and replaced by the Additional Matters Order set out below. It is not intended that there be any significant change to the type of memorial which may be introduced into churchyards with the authority of parochial clergy. However, the procedure will be different in the future under this Order. Hitherto parochial clergy exercised a power informally delegated to them by Diocesan Chancellors to permit the introduction of memorials falling within defined types and categories. The legal basis for such informal delegation was considered insufficiently robust and there is now an express statutory power under section 78 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (as amended) for Diocesan Chancellors to make Additional Matters Orders authorising works to be undertaken in church or churchyards without the need for a faculty, augmenting those matters already included in Lists A and B. This Order therefore permits memorials which comply with the requirements in Schedule 1 to be erected in churchyards provided the minister responsible has granted permission following the procedure in Schedule 2. The process will be familiar to clergy, churchwardens and memorial masons and no substantive changes are involved, but the form to be used (which may be completed electronically) is new. The specifications for qualifying memorials have been altered (in form if not in substance). This represents a co-ordinated response by diocesan chancellors to disquiet expressed at the differences between the diocesan regulations, and the difficulty this caused for clergy moving between dioceses. Instead, a generic pro-forma has been agreed in anticipation of a universal roll-out throughout the Church of England. The pro-forma allows for minor variation including in relation to so-called 'open book' memorials. Such items were excluded from the pre-existing Churchyard Regulations for the Diocese of Chester and they remain so. Accordingly, they do not appear in Schedule 1 of the Order, and consequential references are also omitted. Conversely, horizontal ledgers continue to be included even though they are not covered by the generic draft. For convenience, and to ensure consistency with the generic pro-forma and the Orders of other dioceses, where text is omitted the numbering is retained.

In the Consistory Court of the Diocese of Chester

Additional Matters Order No 1 of 2026

Churchyard Memorial Regulations

1. This Additional Matters Order is made on 1st January 2027, pursuant to the power contained in section 78 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (as amended) and shall come into effect on the date specified in paragraph 9, when the Chester Diocesan Churchyard Regulations 2007 are hereby revoked.

2. The advice of the Diocesan Advisory Committee has been sought prior to the making of this Order as required under section 78(4) of the Measure.

3. The matters specified in Schedule 1 to this Order may be undertaken without a faculty provided the procedure specified in Schedule 2 to this Order is followed.

4. Should any question arise as to whether a particular proposal constitutes a matter specified in Schedule 1, it is to be referred to the Chancellor by the minister for determination.

5. Application may be made to the Chancellor by the minister in relation to a particular proposed memorial for directions as to matters which are not specified in Schedule 1, but which are of a similar or comparable nature. The Chancellor may direct that such matters be treated as if they were so specified.

6. This Order applies to the whole of the Diocese, save for any churchyard or burial ground expressly excluded by direction of the Chancellor. It does not extend to the consecrated parts of municipal cemeteries operated by local authorities.

7. Particular Churchyard Regulations previously authorised by faculty in respect of individual churchyards or burial grounds will continue in force where applicable until such time as the Chancellor directs otherwise.

8. For the purposes of this order, the term 'minister' shall be taken to mean the incumbent of the benefice in which the burial ground is situated. If there is no incumbent, or the benefice is for whatever reason vacant, then the person acting as priest in charge of the parish or the curate licensed to the charge of the parish shall be treated as the minister. If there is no priest or curate of that description (or if any of the aforesaid persons is unable or unwilling to act), the rural dean of the deanery in which the parish is situated shall be deemed to be the minister. In case of doubt, the matter may be referred to the Chancellor whose direction as to who shall be treated as minister for the purposes of this Order shall be conclusive.[1]

9. This order shall come into force on 1 January 2027.

10. A copy of this Order is to be filed in the diocesan registry in accordance with section 78(5) of the Measure.

The Worshipful Canon John Murray
Chancellor of the Diocese of Chester

1st October 2027

[1] This may include the designation of a Team Vicar as 'minister' in respect of a particular burial ground.

Schedule 1. Matters Not Requiring a Faculty

Part 1. General Provisions

1.1 The matters which may be undertaken without a faculty are:

(a) the introduction of a new memorial that complies with the specifications in Part 2 of this Schedule[2]; and

(b) the repair or alteration of an existing memorial as described in Part 3,

provided that they have been approved in accordance with the procedure set out in Schedule 2.

1.2 In this Schedule,

"base" means the component supporting a memorial on its foundation and which may incorporate a vase or other flower container sunk into its forward projection, provided it has adequate drain holes to prevent the collection of water[3];

"cremated remains tablet" means a rectangular stone or slate tablet placed above the cremated remains of the person commemorated, the upper face of which is flush with the surrounding ground;

"cremated remains vertical memorial" means a headstone relating to cremated remains;

"foundation" means the element that connects a memorial to the ground and transfers the load from the memorial to the ground; the top surface of the foundation being flush with the surrounding ground or below ground level;

"grave" means a place of burial below ground level;

"headstone" means a "lawn memorial" or a "monolith memorial" erected at the head of a grave;

"incised" in relation to lettering, motifs, emblems or other images, includes being cut either by hand or by machine;

"inscription plate" means a stone forming part of a memorial, into which is incised lettering relating to the person whose body is buried there or whose death is being commemorated[4];

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[2] This Order does not authorise the placing of articles on graves such as flowers, toys, tributes etc. Such items, including: any plastic flowers; other artificial flowers which represent a type of flower which is out of season, or which have decayed or faded; and withered flowers, may be removed by or at the direction of the minister.

[3] When water collects and freezes, it can damage the base.

[4] A memorial must relate to the person or persons who is/are buried or whose cremated remains are interred in the grave. However, the inscription may also refer to a family member buried or interred elsewhere.

"lawn memorial" means an independent vertical inscription plate attached to a horizontal base which is fixed to a foundation;

"memorial' means a freestanding object installed in a churchyard in memory of the deceased;

"monolith memorial" means an independent vertical inscription plate set in a concrete foundation which is set directly into the ground;

"relief" in relation to lettering, motifs, emblems or other images, refers to such being carved either by hand or by machine;

"the British Standard" means British Standard BS 8415:2018 *Memorials within burial grounds and memorial sites – Specification*[5], or any similar standard that may replace BS 8415:2018;

"wooden cross memorial" means a memorial in the form of a wooden cross erected at the head of a grave, into which is incised the name of the person commemorated and the date on which that person died.

Part 2. The Introduction of a New Memorial

Basic principle

1.3 Any new memorial is erected so as to comply with the details specified in the British Standard, so far as relevant.

The form of a new memorial

1.4 The memorial is:

(a) in the form of a headstone;

(b) in the form of a wooden cross memorial;

(c) in the form of a lawn memorial erected by or on behalf of the Commonwealth War Graves Commission;

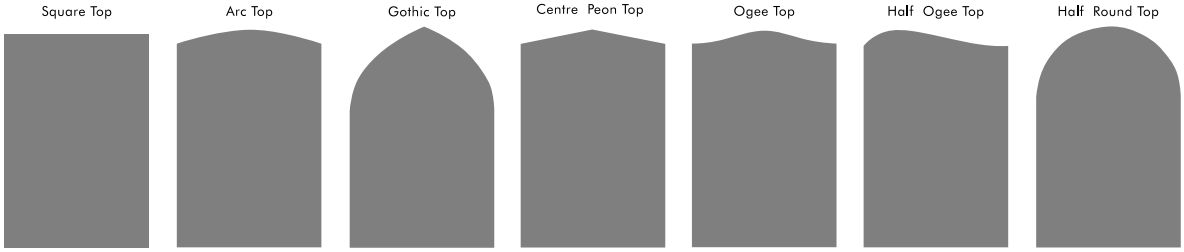
(d) a cremated remains tablet or (in a churchyard where, prior to this Order coming into force, only vertical memorials have been allowed in relation to cremated remains) a cremated remains vertical memorial;

(e) in the form of a horizontal ledger.

1.5 In the case of a headstone, the shape of the inscription plate is one of those in Diagram 1, or one similar to one of the shapes in that diagram.

[5] Copies of this may be inspected at major public libraries, or at some memorial masons.

Diagram 1



1.6 In the case of a wooden cross memorial, it is made of native hardwood and adequate provision is made to prevent premature degradation below ground level.

1.7 Paragraph 1.4(d) does not apply where cremated remains are interred in a grave that is already marked by a headstone or a wooden cross memorial, unless there is insufficient space on the existing memorial for an additional inscription and, in that event only a cremated remains tablet may be allowed.

1.8 The memorial does not include attached plaques, or kerbs, railings, chippings, statues, or other objects.

1.9 The memorial is located so that no part of it is closer than 1500mm to the wall of the church or closer than 1500mm to a boundary wall, fence or structure.

The dimensions of the memorial

1.10 In the case of a headstone:

(a) the height of the memorial is between 450mm and 1220mm or a maximum of 610mm in the case of a cremated remains vertical memorial;

(b) the width of the inscription plate is between 375mm and 915mm or a maximum of 460mm in the case of a cremated remains vertical memorial;

(c) the thickness of the inscription plate fixed to a base is between 75mm and 105mm or a maximum of 75mm in the case of a cremated remains vertical memorial;

(d) the thickness of a slate monolith is between 38mm and 105mm or a maximum of 75mm in the case of a cremated remains vertical memorial;

(e) the base, if any, is not larger than 915mm in width, 460mm in depth (front to back), and 155mm thick or, in the case of a cremated remains vertical memorial, the base shall not exceed 305mm from front to back and shall not project more than 75mm beyond the back and not more than 75mm beyond the sides of the inscription plate.

1.11 In the case of a wooden cross memorial, the size is similar to that of others in the immediate vicinity, or where there are no others in the immediate vicinity:

(a) the height of the cross is between 750mm and 1220mm;

(b) the width of the cross is between 500mm and 815mm;

(c) the thickness of the timber is between 40mm and 55mm; and

(d) the section of the memorial below the ground is at least one third of the height of the section above the ground.

1.12 In the case of a cremated remains tablet:

(a) the size and shape are similar to those of others in the immediate vicinity; and

(b) in any case the longest dimension is not more than 450mm.

1.13 In the case of a memorial in the form described in paragraph 1.4(e):

(a) the memorial is either flush with the surrounding ground so as not to impede a mower, or raised not more than 225mm above a base which must not project more than 75mm all around and which itself must be flush with the surrounding ground;

(b) the length of the memorial is between 1200mm and 1800mm; and

(c) the width of the memorial is between 600mm and 900mm.

1.14 The height of a memorial is to be measured from ground level; and in the case of sloping ground or ground that has been re-contoured to accommodate the burial, "ground level" is the level of the ground immediately adjacent to the centre point of the rear of the base once the interment has been completed.

The materials and colour of the memorial[6]

1.15 In the case of a headstone a cremated remains tablet, or horizontal ledger, it is made of slate or one of the following types of natural stone:

(a) sandstone;

(b) limestone; or

(c) granite,

save that reconstituted stone will be acceptable where it is the predominant material in the churchyard as a whole, or the area of the churchyard where the grave is located, if that is a recognisably separate area, and provided it meets British Standard BS EN 771-5:2011+A1:2015 or any similar standard that may replace BS EN 771-5:2011+A1:2015.

1.16 The colour of the slate or stone is not such as to render the memorial discordant in the context of the church and churchyard and is not white marble unless it is a memorial to a child.

1.17 In the case of a headstone, the principal surface of the inscription plate is not polished or reflective unless that is the predominant finish in the churchyard as a whole, or in

[6] In the case of wooden cross memorials, see paragraph 1.6 above.

the area of the churchyard where the grave is located, if that is a recognisably separate area.

1.18 In the case of a cremated remains tablet or horizontal ledger, the surface is not polished or reflective unless that is the predominant finish in the churchyard as a whole, or in the area of the churchyard where the grave is located, if that is a recognisably separate area.

The inscription on the memorial

1.19 Any inscription is:

(a) factually accurate;

(b) not considered by the minister to be likely to be offensive or controversial for any reason; and

(c) not inconsistent with Christian doctrine.

1.20 The inscription includes:

(a) the name of the person being commemorated (which may be or may include the name by which that person was generally known)[7]; and

(b) the date or year in which that person died; and

(c) either the date or year in which that person was born, or the age of that person at death.

1.21 Where any text in the inscription is in a language other than English, a translation has been supplied to the minister for retention in the parish records.

1.22 Any lettering is

(a) uncoloured; or

(b) coloured in one or two colours, which does not render the memorial discordant in the context of the church and churchyard.

1.23 Any lettering on:

(a) the inscription plate of a headstone;

(b) a wooden cross; or

(c) a cremated remains tablet or horizontal ledger

is either incised into the memorial or in relief and not more than 100mm in height.

[7] A memorial must relate to the person or persons who is/are buried or whose cremated remains are interred in the grave. However, the inscription may also refer to a family member buried or interred elsewhere.

1.24 In the case of a headstone, a cremated remains tablet, or horizontal ledger, any motif, emblem or other image forming part of the design of the memorial:

(a) is of a character commonly found in churchyard memorials, or is relevant to the life of the person commemorated;
(b) is a fitting complement to the wording forming the rest of the design;
(c) does not exceed 33% of the face of the memorial or, if there is more than one such, no more than 33% in total';
(d) is either incised into or in relief of the stone ;
(e) is uncoloured, or coloured in such a manner that the memorial is not discordant in the context of the church and churchyard in a single colour; and
(f) is not inconsistent with Christian doctrine.

1.25 In the case of a headstone, wooden cross, cremated remains tablet, or horizontal ledger, there is no photograph, inscribed portrait or other representation of the deceased and no trademark or advertisement except for a reference to the mason or the maker of the wooden cross (in lettering not higher than 15mm on the side or the reverse of the headstone, or wooden cross, or any raised edge of the horizontal ledger).

1.26 The memorial does not contain a QR code, or any other device intended to enable direct communication with an electronic resource.

Part 3. The Repair or Alteration of an Existing Memorial

1.27 Any existing memorial being repaired or altered has been lawfully introduced into the churchyard, or has been in place for at least six years.

1.28 If a memorial is removed and re-erected in the course of being repaired or altered, it is re-erected so as to comply with the details specified in the British Standard.

1.29 Any alteration of or addition to the inscription on a memorial is in the same style and finish as the original inscription; and the inscription on the memorial as altered complies with the paragraphs 1.19 to 1.26 above.

Schedule 2

Approval Procedure

The procedure to be followed prior to the undertaking of any matter contained in Schedule 1 is as follows.

(a) An application in the form annexed to this Schedule[8] is to be sent to the minister (as defined in paragraph 8 of the order);

(b) Such form is to be duly signed by the applicant(s) and memorial mason;

(c) If the minister or other authorised person gives permission, this is to be endorsed in writing in the relevant section of the form, whereupon the matter may proceed;

(d) If an applicant petitions for a faculty to admit the said memorial, then for that purpose, under rule 20.6 of the Faculty Jurisdiction Rules 2015 (as amended), it is directed that the form annexed to Schedule 2 may be treated as the petition.

Important Warning

Any memorial erected otherwise than in accordance with this procedure, or with the authority of a faculty granted by the Chancellor, may lead to enforcement proceedings in which the Consistory Court may order removal of the memorial at the expense of the person or persons responsible, who may also be required to pay the court costs of such proceedings.

[8] An electronic version of the form may be downloaded from the Churchyard Memorial Regulations page of the Diocesan website. Copies may also be obtained from the Diocesan Registry.

Churchyard Memorial Application Form

Diocese of Chester

Application form to introduce a memorial into a Churchyard or to repair or to replace or add to or amend an inscription on an existing Churchyard memorial

Before completing this application form, you are required to read the Diocese of Chester Churchyard Memorial Regulations (the "**Regulations**"), which can be found on the Diocesan website at *[insert hyperlink]*

If you are using this form to apply for permission to repair or to replace an existing memorial or to erect a new memorial, please complete each part of the form.

If you are using this form to add an inscription to or amend an inscription on an existing memorial, please complete parts A, D, E and F only.

This form can be completed electronically by the family and memorial mason/craftsperson and signed by each before being scanned and emailed to the Minister for consideration.

Permission is sought to erect* / repair* / replace* / add an inscription to* / amend an inscription on* a memorial (*Delete as appropriate)

Name of Churchyard and plot number/location .....

Name of Applicant .....

Address .....

.....

.....

Email address .....

Telephone number .....

Name of Deceased .....

Date of burial/interment .....

Relationship of Applicant to the Deceased .....

PART A - DETAILS OF THE APPLICANT AND THE DECEASED

I/We apply for consent to erect* /repair* / replace* / add an inscription to* / amend an inscription on* a memorial in the Churchyard named above (*delete as appropriate) and confirm that:

- I/We have read the current edition of the Regulations.
- All the factual statements to be inscribed on the memorial are accurate and are not misleading.
- I/We have used all reasonable endeavours to provide details of this application to all of the following living relatives of the deceased: spouse, civil partner, cohabitant, parent, sibling, child; and I/we confirm that

  ☐ no such person has raised an objection to the proposal; OR

  ☐ the following people have not been contacted; AND/OR

  .....

  ☐ the following people have raised an objection.

  .....
- Save in the case of the erection of a new memorial, I/we confirm that I/we am/are the owner of the memorial and understand that I/we am/are responsible for its maintenance and safe condition.
- Where this application is for the addition of any further inscription or the replacement of an existing memorial, that I/we am/are the legal owner/s of the memorial[i]
  .
- I/We understand that if the memorial becomes insecure or otherwise unsafe, the memorial may be laid flat in order to avoid the risk of personal injury and damage.

I/We agree at all times to comply with the Regulations and acknowledge the right of the Parochial Church Council to remove all items from the Churchyard that are not permitted.

I/We undertake to indemnify and keep indemnified the Incumbent (or Priest-in-Charge) and the Parochial Church Council against all costs, liabilities and expenses which he or she may suffer or incur as a result of any failure to comply with the Regulations or arising from any inaccurate or misleading statement made on this application form.

I/We believe that the facts stated in this application are true.

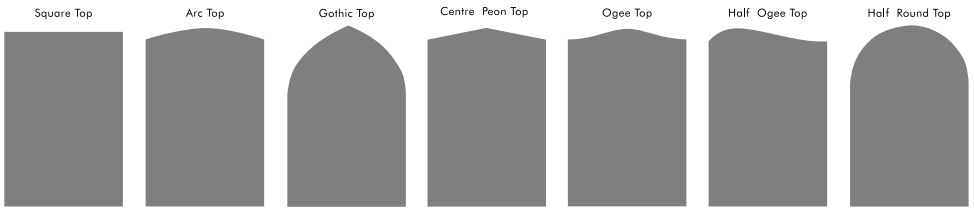
Applicant's signature .....

Date .....

[i] The owner of a memorial will be the person who commissioned and paid for it and, upon their death, the heir-at-law of the person or persons commemorated. If you are any doubt as to who is the legal owner, you should discuss the matter with the Incumbent (or Priest-in-Charge).

PART B - DETAILS OF MEMORIAL
(TO BE COMPLETED BY CRAFTSPERSON/MEMORIAL MASON)

***Delete as appropriate**

Type of memorial	Headstone memorial; Wooden cross memorial; Commonwealth War Graves Commission memorial; cremated remains tablet; cremated remains vertical memorial; horizontal ledger.]*
Type of stone (where applicable)	Sandstone; limestone; granite; marble; slate*
Colour of stone or slate (where applicable)	.....
Does this colour render the memorial discordant in the context of the church or churchyard?	Yes/No*
Type of native hardwood and means of preventing premature degradation of wood (where applicable)	.....
Surface finish of inscription plate	Matt; fine honed; fine tooled; (and not polished unless the circumstances specified in the Regulations apply); *
Surface finish of other surfaces	Natural hewn; matt; honed; tooled; (and not polished unless the circumstances specified in the Regulations apply) *
Shape	
Description of any carving or decoration	.....
	.....

(A scale drawing of the memorial showing the dimensions of the inscription plate, base and foundation, design shape, style, and colour, and relation to ground level and including the detail of the inscription and any carving or decoration must be provided)

PART C - DIMENSIONS OF MEMORIAL
(TO BE COMPLETED BY CRAFTSPERSON/MEMORIAL MASON) (Please use metric units eg 100mm)

HEADSTONE MEMORIAL	
Memorial (height measured from ground surface)	Height ..... Width ..... Thickness .....
Base	Width ..... Depth ..... Thickness .....
OR **WOODEN CROSS MEMORIAL**	
Memorial	Height ..... Width ..... Thickness of timber ..... Depth below ground .....
OR **CREMATED REMAINS TABLET**	
Memorial	Shape ..... Dimensions .....
OR **CREMATED REMAINS VERTICAL MEMORIAL**	
Memorial (height measured from ground surface)	Height ..... Width ..... Thickness .....
Base	Width ..... Depth ..... Thickness .....
OR **HORIZONTAL LEDGER MEMORIAL**	
Memorial	Length ..... Width .....
If on a base, rather than flush with surrounding ground. (The base itself must be flush).	Height of memorial above base ..... Projection of base around memorial .....

PART D - PROPOSED INSCRIPTION / MOTIF / EMBLEM / IMAGE

Existing inscription *(To be completed only where there is an existing memorial)*	.....
Proposed inscription (Note: Additional inscriptions should match the existing in style and finish)	.....
Any relevant information explaining the reason for the proposed wording and motif / emblem / image	.....
Style and size of lettering.	.....
Description of any motif / emblem / image	.....
Is the inscription and / or motif / emblem / image to be coloured? If so, please provide further details.	Yes/No* .....

***Delete as appropriate**

PART E - DETAILS OF CRAFTSPERSON/MEMORIAL MASON

Name .....

Address .....

.....

.....

Email address .....

Telephone number .....

Details of memorial fixing accreditation scheme: BRAMM, or RQMF or NAMM retail membership (where applicable) or other:

.....

I/We confirm that:

- I/We have read the Regulations and confirm that the proposed memorial complies with these Regulations.
- The memorial will not be erected until written permission has been obtained from either the Incumbent or the Chancellor of the Diocese.
- If approval is given, the design of the memorial will not be altered before it is erected.
- I/We will ensure that the grave and its immediate surroundings are left neat and tidy and level following completion of the work.
- Due account has been taken of the nature of the ground and any potential settlement problems and that the proposed method of fixing accords with the current edition of BS 8415, and I/we agree to indemnify the Incumbent, Churchwardens and the Parochial Church Council against any liability that may arise out of the failure on my/our part to construct and install the memorial in accordance with the current edition of BS 8415.
- I/We have public liability insurance in relation to the installation of this memorial to a level of at least £5m.
- I/We acknowledge that if the memorial is found to have been inadequately fixed, we will be liable at the direction of the Chancellor to meet the cost of its removal and/or refixing.
- I/We acknowledge that if a memorial is placed which does not comply with the application submitted and the permission granted, I/we will be liable for the cost of its removal.

Craftsperson/Memorial Mason's signature .....

Date .....

PART F – MINISTER[ii]'S CONSENT

Name .....

Position .....

☐ The memorial (including the inscription) described in this application complies with the Regulations and I hereby grant permission for its erection.

The parish's fee for this work will be: £.....

BACS payment details:

Name of account: .....

Sort code: .....

Account number: .....

Or a cheque for this amount should be made payable to

.....PCC.

☐ I am not able to grant permission for the introduction of the memorial described in this application as it does not comply with the Regulations for the following reason/s.

.....

.....

.....

.....

.....

☐ The memorial (including the inscription) described in this application complies with the Regulations but I nevertheless decline permission for the introduction of the memorial for the following reason/s.

.....

.....

.....

.....

.....

Minister's signature .....

Date .....

[ii] The 'minister' is (a) the incumbent of a benefice to which the parish belongs, or (b) if the parish is vacant, the minister acting as priest in charge or the curate licensed to the charge of the parish, or (c) if there is no such person under (a) or (b) the rural dean of the deanery to which the parish belongs.