

## RESERVATION OF GRAVE SPACES

It is possible for a grave space for a burial or an interment of cremated remains to be legally reserved by authority of a faculty, the jurisdiction to do so resting wholly in the judicial discretion of the Chancellor of the Consistory Court. A petition for faculty must be lodged by sending it to the Diocesan Registrar, Diocesan Registry, Minster Chambers, 42/44 Castle Street, Salisbury, Wilts SP1 3TX. Faculties for the reservation of grave spaces are not granted as a matter of course and are generally only given in exceptional circumstances.

The non-refundable fee payable is in respect of the costs of carrying out the administrative process. The fee is NOT a charge to purchase a plot of land. Any faculty granted gives permission to be buried in a specified plot but does not convey any ownership or property rights. The Churchyard Regulations will apply to the plot at all times. **Please read this note carefully before proceeding, including further notes (where marked \*) and detail overleaf.**

### The following details **MUST** be included in your petition:

1. **Full name (including all forenames), address and age of each petitioner** and if more than one petitioner, **their relationship**, e.g. husband and wife. Please note that reservations should usually only be sought by those over the age of 50 and will usually only be granted for a maximum period of 30 years.
2. The **area of space to be reserved**, given in square feet or metres. \*
3. Whether the space to be reserved is to be used for a **single-depth or a double-depth grave for full burial, or for interment of cremated remains**. \*
4. The **donation** the petitioner undertakes to pay to the Parochial Church Council towards the upkeep and maintenance of the churchyard. \*

### The following documents **MUST** accompany a petition:

5. A **plan of the churchyard (or a portion of it)** showing the exact position of the space to be reserved and giving measurements and distances from the boundaries of the churchyard or some permanent conspicuous point, and ideally the row and grave number. **This should be provided by the PCC.\***
5. A copy **Resolution of the PCC**, signed by the Chairman or Secretary, supporting the request, naming the applicant petitioner and identifying the grave space.
7. A **separate signed written consent of the Incumbent if the Incumbent has not signed the PCC resolution** (or Area Dean in the absence of an incumbent) to the reservation **to include an estimate of the burial or cremated remains spaces remaining in the churchyard (as the case may be) and the average number of burials each year for the last five years if this information is not provided on the petition. This information should be as accurate as possible as it will affect the length of the faculty permission granted.**
8. Normally each person desiring to be buried in the plot asked for should be a petitioner. However, if that is not possible for some reason, then written consent to the petition or copy of a Lasting Power of Attorney, if applicable, should be attached to the petition.
9. Any other document or statement which the petitioner may consider to be relevant to his/her request and which may assist the Court.

**Continued overleaf**

## Notes on details or documents to be provided\*

- 2.\* For guidance, an average grave space is 1m x 2m, or 2 sq m. For a space for cremated remains, the average might be 60cm x 60cm, making 0.36 sq m.
- 3.\* In order to maximise use of space in a churchyard, it is usual for double spaces to be double-depth rather than side-by-side. Side-by-side reservations (perhaps due to a high water table within the churchyard) will need two separate applications, which will incur two full fees unless agreement given otherwise.
- 4.\* This is usually a one-off, not an annual, payment, and should be agreed before a petition is lodged, although it becomes payable only when a faculty is issued and granted. The Incumbent and PCC can advise on the amounts usually paid.
- 5.\* The plan need not be elaborate, but it must be sufficient to enable the plot to be correctly identified at the time the petition is lodged and in the future.

## Length of Faculty

Each faculty is limited to the number of years decided by the Chancellor. Under the relevant legislation, section 65 of the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, no such faculty can exceed the maximum term of 100 years, but normally, a faculty will be granted for 25 years depending on circumstances particular to each applicant. The Chancellor will consider the age of each applicant, and the number of burial spaces still available. Where there is space in the churchyard for less than 25 years of anticipated burials, any faculty for a grave space reservation is likely to be for that shorter period. So, if there is only room for 15 years of expected burials, any reservation is likely to be limited to just 15 years.

**Please be aware that where there is less than 10 years of remaining space a reservation is very likely to be refused unless exceptional circumstances exist.**

## Fee payable

The **faculty fee** is set nationally each year, currently **of £327.40**, and is payable by cheque or by bank transfer/card payment to Batt Broadbent at the start of the process. Please send a cheque made payable to "Batt Broadbent" to the Registry with your completed petition and accompanying papers, or call us to obtain bank details for bank transfer or make a card payment.

**If you have any questions about the process or details needed, or wish to check the current fee, please telephone the Diocesan Registry on 01722 432390.**