

**Applications For Faculty To Reserve Grave Spaces/Cremation Plots
In Churchyards**

Guidance Notes For Applicants

(Updated 1st January 2024)

Every applicant should read these guidance notes carefully before making their application.

1 **The Applicant(s)**

Application to reserve a Grave Space/Cremation Plot in a churchyard in the Diocese should be made by the person or persons who wish to be buried after their death(s) in the reserved space/plot. An application by a third party can only be made where they hold Power of Attorney for the person wishing to reserve a plot.

Unless there are exceptional circumstances an application by a person under the age of 50 years will not be granted.

A joint application for a double depth space should only be made where the applicants are husband and wife or closely related by birth.

2 **The Grave Space/Cremation Plot**

Unless there are exceptional circumstances, a reservation will not normally be granted to anyone who is under 50 years of age, and the reservation will last for a maximum of 30 years. This is to avoid blocking spaces in churchyards for unduly long periods of time. There have been cases where reserved spaces are left unused which renders the space incapable of use by others, which is problematic for churchyards with limited capacity. Where there is space in the churchyard for less than 30 years' worth of anticipated burials, any faculty for a grave space reservation is likely to be limited to a shorter period, to match the expected capacity of the churchyard. For example if there is only room for 10 years' worth of burials, any reservation is likely to be limited to just 8 years.

Where limited space in the churchyard means that a reservation is granted for a period of less than 30 years, it is possible for applicants to offer reasons to explain why their particular circumstances might justify a grant of a reservation for the full 30 years. However, where this means that a considered judgment is needed, an additional fee may be incurred (see separate Guidance notes regarding Faculty proceedings and costs).

Anyone who has reserved a Grave Space/Cremation Plot and changes their plans by making a definite decision not to use the space would notify in writing both the Diocesan Registrar and the Secretary of The Parochial Church Council of the parish concerned.

At, or shortly before, the expiration of the period of reservation granted in the Faculty, the holder of the Faculty may make an application to the Registrar for renewal of the Faculty but no assurance can be given as to the outcome of that application. Each application would be dealt with on its merits and is dependent on the available space at that time.

Where a husband and wife or close family relatives are concerned, application for a Grave Space of single width but of double depth is encouraged.

The usual plot size is 6ft x 3ft for a grave space, or 1ft x 1ft for a cremation plot. This does depend on the churchyard as some differ, for example if there is sandy or loose soil plots can often be larger. The Churchwarden would be able to advise you regarding this.

On granting a Faculty, the plot is not “owned” by the applicant(s) but they have obtained exclusive right of burial for the length of time specified in the Faculty.

3 Donation to the funds of the Parochial Church Council

By way of acknowledgement of the privilege of obtaining the grant of an exclusive right of burial for up to 30 years, and the information that the churchwardens will have to provide in support of the application, the applicant may be asked to make a donation to the Parochial Church Council's funds.

Normally applicants should expect to contribute a sum of at least £150 per space/plot reserved but payment of this sum is a matter for agreement between the applicant and the PCC and it is possible for the Chancellor to grant a faculty for the reservation of a Grave Space/Cremation Plot without any donation being made.

4 Completion of application form (Petition) and payment of application fee

When fully completed and signed by the applicant(s) the application form, known as the Petition for Faculty, should be forwarded to:

The Diocesan Registrar
c/o Birketts LLP
Kingfisher House
1 Gilders Way
Norwich
NR3 1UB

The Petition should be accompanied by payment of the Faculty Fee, which is currently **£327.40** (as at 1st January 2024) and is payable to Birketts LLP. The fee is reviewed in January each year by statute under “The Ecclesiastical Judges, Legal Officers and Others (Fees) Order”. The fee relates to each space/plot to be reserved, not per person.

Alternatively you can pay by bank transfer:

Account Name: [Birketts LLP Client Account](#)
Sort Code: [12-16-39](#)
Account Number: [00136604](#)
Reference: [131401.0519 \(and as much of your surname as you can fit in\)](#)

Or by telephoning our Accounts department card payment line: 01473 299113 quoting reference number 131401.0519 and your surname.

Please note that these fees are non-refundable once the petition has been submitted and work has commenced, is refused, or the reservation (if granted) is subsequently no longer wanted.

If it becomes necessary for the Chancellor to prepare a written Judgment or form of Order, for example if any objections are made to the application, then additional fees may become due. There is further explanation regarding this in the additional “Guidance Notes - Faculty Petitions and Consistory Court Proceedings”.

As the application fee is non-returnable, before making an application the Petitioner should discuss the matter with the Incumbent and/or PCC or Churchwardens to discuss whether they are likely to approve the application before submitting the Petition to the Registry.

The Petitioner can then submit the Petition themselves just with the fee, or the incumbent or churchwarden can submit this on their behalf together with the supporting documentation required (see point 6 below).

5 Public Notice

When the Registrar has received the completed Petition form and application fee, he will then send to the Parish a Public Notice to be displayed both inside and outside the church in question for a minimum of 28 days.

At the end of this period the Parish will return the certified notice to the Registrar along with the supporting documents listed in paragraphs 6 and 7, which will be prepared by the PCC. The purpose of this is to notify others in the parish that the petitioners intend to reserve a space, and the location of that space. Anyone with an official interest in the churchyard is able to make an objection which will then be reviewed by the Chancellor.

It is important that the location of the plot and details of any existing grave that the plot to be reserved is near to is included in the Petition as this information must be displayed on the Public Notice.

6 Supporting Documents

The written consents of the following are required:

- (i) The Incumbent or Priest in Charge (If no Incumbent the Rural Dean can provide consent).
- (ii) The Churchwarden(s).
- (iii) The Parochial Church Council (by resolution at a PCC meeting signed by the Chairperson or PCC Secretary).

Also required is a written estimate of the number of years the Grave Spaces/Cremation Plots remaining will suffice within the churchyard or burial ground. This is calculated by the number of available plots and the current rate of burials.

A churchyard plan: an accurate plan must be obtained showing the precise location of the space/plot to be reserved, identified by measurements from fixed points in the churchyard and specifying any space/plot number and who the plot is next to. The churchwarden or PCC will prepare this plan.

7 Final Submission of Application

Once the Registrar receives all the supporting documents mentioned above, including the Public Notice which has been duly displayed, the application will be forwarded to the Chancellor for a decision. This is normally returned within 7 days and once approved the Registrar will be able to issue the Faculty Certificate.

The process from application to grant of faculty usually takes approximately 8-10 weeks to complete.