

Frequently Asked Questions Regarding Grave Space Reservations

What is a Consistory Court

A Consistory Court is an ecclesiastical court dealing with matters of law relating to the Church – mainly in relation to its buildings.

In the Church of England each diocese has its own Consistory Court, where the Chancellor, or Deputy Chancellor, considers matters.

Will my Petition be Granted?

In many circumstances, a reservation will not normally be granted to a petitioner who is under 50 years of age – and, if granted, the reservation will normally last for between twenty and thirty years.

Often, the capacity of the churchyard will be taken into consideration. The time limits applied to a reservation are imposed to avoid restricting spaces in the churchyard for long periods of times. In some churchyards that have less than thirty years' worth of capacity, the granting of any reservation is likely to be limited to a shorter period of time; taking into account the likely number of burials in the churchyard. If, for example, a churchyard only had capacity for eight years of burials, a reservation will be limited to eight years – unless there are exceptional circumstances which would justify a longer reservation.

When an application to reserve a grave space is lodged, the Parochial Church Council (PCC) must pass a resolution supporting the application. There is no guarantee that a PCC will support each application which they are consulted upon. When making their decision, the PCC will consider:

- The rate at which the churchyard is filling up
- The number of spaces available
- Is it appropriate to set aside the space for the application in question

Each PCC approaches this situation differently, and in some circumstances they may wish to exercise caution when space is extremely limited.

How do I submit a Petition?

Complete the form and send it to the Registry alongside the fee for lodging an application. The current fee is £311.20. When submitting an application, you should provide the following:

- Written consent of the Minister (Vicar) and Churchwardens to the proposed application (This can be completed in Part two of the form).
- A resolution of the PCC confirming its approval (usually in the form of a copy of the relevant minutes of the meeting which the resolution has been passed).

What happens if my petition is successful?

If the Chancellor is content to grant the petition, you will receive a copy of the Faculty in the post. This copy will be signed by the Diocesan Registrar and Sealed with the Chancellor's Seal. A copy will also be sent to the Parish.

What happens If my petition is unsuccessful?

If the Chancellor is not content to grant the petition, the Registry will inform you of the decision in writing. You will also receive the reasoning as to why your petition has been unsuccessful. You have the right to appeal the decision of the Chancellor.

Why does a Public Notice need to be displayed?

The Faculty Jurisdiction Rules (FJR) manage the works and alterations of church buildings and their curtilage – this includes churchyards. Part 6 of the FJR requires that a Public Notice must be displayed describing the proposed reservation. In some very exceptional cases, the Chancellor may direct that the requirement for a Public Notice may be dispensed with.

Can I choose a particular Grave Space?

The decision of the plot which is reserved is made by the Parish, and any requests should be discussed with the PCC/Incumbent/Wardens of the Parish where the churchyard is situated.