

ECCLESIASTICAL JURISDICTION AND CARE OF CHURCHES MEASURE 2018

FACULTY JURISDICTION RULES 2015

In the Consistory Court of the Diocese of BLACKBURN

In the matter of all Parishes in the Diocese with Churchyards or separate Burial Grounds

The Worshipful John Wallace MacGregor Bullimore LL.B Chancellor of the Diocese and Official Principal of the Right Reverend Julian Lord Bishop of Blackburn

To **THE VENERABLE MARK IRELAND**, Archdeacon of Blackburn and **THE VENERABLE DAVID PICKEN**, Archdeacon of Lancaster

Whereas the regular inspection of memorials and similar structures in churchyards and burial grounds is a necessary part of the responsibilities of Parochial Church Councils in respect of maintenance, and also health and safety matters, in churchyards and burial grounds, including the taking of steps to avoid or prevent danger from defects to monuments or arising from sunken graves or otherwise, and

It is desired that some general provision be made by the Court, that will enable PCCs to undertake these duties in a safe and proportionate manner, (bearing in mind that as a matter of law, memorials are not in the ownership of the church), and only after appropriate warnings are given so as to advise parishioners and others of what is intended, and for any defects found to be notified where possible to enable remedial work to be carried out by or on behalf of the owners, or representations be made to the PCC in regard to remedying the same, and

The general scheme having been considered by the Diocesan Advisory Committee, which **RECOMMENDS** the Proposals,

**IT IS ORDERED** that:

1. From the date hereof the accompanying Practice Direction will apply in the case of all churchyards and burial grounds where the PCC has the responsibility of maintenance (and where the local authority has no such responsibility by virtue of statute or otherwise), so that
2. Where a PCC proceeds strictly in accordance with the terms of the Practice Direction, it may act without further faculty authorisation, or be required to seek such in the future
3. Where work under the Practice Direction is to be undertaken, only the requirements for Notice set out in the Direction are required to be carried out
4. Nonetheless, if objection is subsequently made to work undertaken under the Practice Direction *and if the Court so orders*, the relevant PCC shall cause any further work to cease, and shall comply with any direction of the Court for repair or restoration, **THE**

**COMMENCEMENT OF WORK UNDER THIS FACULTY AND PRACTICE DIRECTION  
WILL AMOUNT TO AGREEMENT BY THE PCC TO THIS CLAUSE**

Now this Court hereby grants an Interim General Faculty authorising you to carry out the said works or purposes in accordance with the said designs, plans or other documents and subject to the conditions set out in the Schedule hereto.

In witness whereof the seal of this Court is affixed to this Interim General Faculty.

Dated this Fourth day of March 2020

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Deputy Registrar

## **SCHEDULE**

Description of Works or Purposes and any  
conditions attached to the Interim General Faculty

To allow the regular inspection of memorials and similar structures in churchyards and burial grounds as a necessary part of the responsibilities of Parochial Church Councils in respect of maintenance, and also health and safety matters, in churchyards and burial grounds, including the taking of steps to avoid or prevent danger from defects in monuments or arising from sunken graves or otherwise.

## **CONDITIONS**

None

**J W M Bullimore**

**Chancellor**

**4<sup>th</sup> March 2020**