

IN THE CONSISTORY COURT OF THE DIOCESE OF BRISTOL

In re Minety, St Leonard

JUDGMENT

1. This is a petition for the churchyard in this parish to amend the Churchyard Regulations in relation to their parish only. The Regulations were amended in July of 2021. The petitioners wish to remove Regulation 8 and substitute a separate Regulation.
2. Regulation 8 states as follows:

8 CREMATION PLOTS

The creation of a new area for the burial of cremated remains will require a faculty and the DAC's advice is set out a separate Guidance Note. The faculty will set out the governing regulations for the cremated remains area including its extent, any landscaping to be included, and the size and materials for individual memorials.

Existing areas for cremated remains must be maintained according to the local Churchyard Rules. Cremated remains should preferably be put into the ground without a box although biodegradable containers are acceptable. They can be interred in existing family graves.

Memorial plaques over cremated remains shall be just below the level of the turf and measure no more than 450mm (18") by 400mm (16"). They should be sunk low enough to allow a mower or autoscythe to pass over them.

3. Since 1989 the Churchyard at Minety has had 16 internments in the area reserved for cremations which have had vertical memorials on them. They:
 - sit on bases of 600mm x 400mm...
 - are 600mm high by 450mm wide...
 - sit on bases that are between 250mm and 300mm from the adjacent wall.

4. They petition, therefore, to amend the Regulations by deleting Regulation 8 and substituting their own Regulation reading as follows, in substitution for the bold section above:

Requested Faculty

It is requested that the Chancellor grants permission for the incumbent to give permission for;

- the placing of a vertical headstone, but not a cross, over cremated remains where the allocated plot is directly adjacent to the wall,
- that the edge of the base under the headstone nearest the wall to be placed between 250mm and 300mm from the wall,
- that the headstone be no larger than 600mm high by 450mm wide.
- that the base be no larger than 600mm wide by 400mm deep; noting that this is larger than the size for memorial plaques over cremated remains defined in the Diocese of Bristol Churchyard Regulations, as issued by the Chancellor of the Diocese, 2021,

• and that the headstone meets all other requirements of the Diocese of Bristol Churchyard Regulations, as issued by the Chancellor of the Diocese, 2021, and, in particular, all the requirement of Section 4 other than;

- the size shown in 4.2.a,
- the requirement for the churchyard mower to pass between or behind the memorial stone shown in 4.5,
- noting that 4.2.b. does not apply

5. The parish is in an interregnum, which would mean that I would not normally consider a petition. I am informed however that a number of families currently wish to place memorials in the area to the above specification. They, understandably, are concerned that what had been the usual and acceptable form of memorialisation which they had observed for more than 30 years and which had been acceptable to the PCC and the Maintenance Coordinator has now been changed by a Diocese wide directive. The scope for pastoral problems is obvious.
6. The Maintenance Coordinator, the PCC and the DAC all support the amendment.

7. In these particular, very unusual, circumstances I am prepared to grant the Petition, allowing an amendment to the Churchyard Regulations for the Churchyard at St Leonard's Minety, in the following terms:

- the placing of a vertical headstone, but not a cross, is permitted over cremated remains where the allocated plot is directly adjacent to the wall,
- that the edge of the base under the headstone nearest the wall to be placed between 250mm and 300mm from the wall,
- that the headstone be no larger than 600mm high by 450mm wide.
- that the base be no larger than 600mm wide by 400mm deep;
- and that the headstone meets all other requirements of the Diocese of Bristol Churchyard Regulations, as issued by the Chancellor of the Diocese, 2021, and, in particular, all the requirements of Section 4 other than;
 - the size in 4.2.a
 - the requirement in 4.5,

8. This amendment does not set a precedent for any other Churchyard.

Advent Sunday 2022

Justin Gau,
Chancellor