



BURIAL GROUNDS

URC Burial Grounds are the responsibility of the local church in the same way as any other land or property owned by the local church. There are however some specific matters that arise with burial grounds.

It is very important that records should be kept of all burials. This should include a plan of the burial ground on which each grave is shown and annotated with the details of those buried therein. The contact name and address of the next of kin or other relative should be obtained and recorded as a contact for the future. An indication of the depth of each grave is also advantageous.

It may be possible to obtain assistance from local family history societies to map and record burials. Follow this link to the Federation of Family History Societies: www.ffhs.org.uk.

Local churches should consider adopting a management policy for their burial ground. This would determine charges for burials. These should cover matters such as a service in the church, burial of a body or alternatively ashes in the burial ground. If churches are uncertain about the level of fees those charged by the Church of England are published annually at www.churchofengland.org/weddings-baptisms-funerals/fees.aspx or can be obtained from your Synod Office. Churches may also wish to consider an annual charge for the ongoing maintenance of the burial ground, the cost of which can be considerable.

A burial ground is private property unless there is a legal right of way. It is normal to permit access to burial grounds for relatives or friends wishing to visit deceased's graves. There are hazards in burial grounds such as unstable headstones, walls, trees, etc. It is important therefore that regular inspections are carried out to identify and rectify hazards. Notices should be erected stating that the burial ground is private property and warning of danger and/or trespass.

It is important that a church owning a burial ground has adequate public liability insurance. If there are doubts about this the church insurer should be consulted.

Gravestones and memorials are the property of the relatives of the deceased. When conducting regular inspections of the grounds, church officers may be made aware that a piece of memorial masonry has become hazardous or unsafe. They should record their findings and contact the descendants of the deceased, who should be asked to make arrangements for any repair or remedial work within a reasonable period of time. It is good practice to ensure that any work carried out conforms with the industry code of practice to ensure that appropriate standards of safety are maintained. The standards are specified in the National Association of Memorial Masons (NAMM) Code of Working Practice – and the British Standard 'Monuments within burial grounds and memorial sites Specification' document BS 8415.

If however the repair is not undertaken then the headstone should be pushed flat to avoid anyone suffering injury. It should be recognised that if a headstone is pushed flat the lettering will deteriorate fairly quickly.

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Further guidance on conducting health & safety inspections of burial grounds and in particular memorial masonry is available from the Department for Justice: www.justice.gov.uk/downloads/burials-and-coroners/safety-burial-grounds.pdf.

Burial grounds can be a rich resource within any church community. Projects can be centred on them to engage a wide range of local interests. *Caring for God's Acre* provides a wealth of advice and ideas:

www.caringforgodsacre.org.uk/advicesheets.aspx.

A local church may decide not to permit any further burials. In these circumstances the Church Meeting should pass a resolution to this effect, and this should record the date of the last burial. A certified copy of the resolution should then be passed to the trustees for filing with the property deeds. The Church Meeting may decide to close the burial ground with the exception of burials for which agreement has already been given. In these circumstances the burial ground cannot be formally closed until these agreements have been honoured or released.

Special rules apply when a burial ground contains a war grave. If any action is being considered, the Commonwealth War Graves Commission, 2 Marlow Road, Maidenhead, Berkshire SL6 7DX must be consulted.

The Disused Burial Grounds (Amendment) Act 1981 permits the erection of buildings and other forms of works in disused burial grounds. The procedures that have to be followed are complex, and if a church is considering action, the trustees must be consulted at an early stage. It may also be necessary to obtain professional advice.

A burial ground may be sold, but before this is done, the Synod and trustees need to be fully consulted. If it is sold, the buyer becomes responsible for the maintenance of the burial ground and for ensuring compliance with all legal requirements. In cases where the burial ground is situated remotely from a redundant church site, it may be possible to sell to a local community group or community council. They would represent the interests of their local community in retaining the ground and managing it for future generations.