ST JAMES THE LESS CHURCH, NUTLEY

Knowing, Loving & Following Jesus

REGULATIONS AND ADVICE FOR THE CARE AND CONTROL OF THE CHURCHYARD OF ST. JAMES THE LESS, NUTLEY

Published by the authority of the Parochial Church Council

26 November 2008 pursuant to a faculty
granted by the Chancellor of the Diocese on 12 November 2008 and
updated 18 May 2016 and this version 13 March 2024.

INTRODUCTION

The Churchyard of St James the Less, Nutley serves an important purpose for the community: an historic record of successive generations, a home for funerary monuments of architectural and aesthetic excellence, a setting for the church itself, and a place for reflection and prayer.

It is important to understand the meaning and consequences of burial in consecrated ground. Two particular features arise:

First, the nature of the rite of burial is to say 'farewell' to the deceased and to commend them to the mercy and love of God in Christ to await the transformation of resurrection. There is accordingly a theological finality to the burial of all interments, including those of cremated remains, in ground consecrated according to the rites of the Church of England. The prospect of exhumation at some future date and the relocation of remains must be ruled out.

Secondly, the bereaved should understand that by seeking a burial in consecrated ground, they are submitting to the jurisdiction of the consistory court which regulates the type of headstone or other marker which may be erected. This jurisdiction exists for reasons which are in part theological and in part aesthetic, since what may be unobjectionable in a municipal cemetery might be considered inappropriate (or even offensive) in an historic churchyard.

These Regulations are designed to encourage best practice and to eliminate bad practice. It is unlawful for a monument to be introduced into a churchyard without permission.

Applications for memorials should generally not be made until six months have passed since the interment. Not merely does this allow the ground to settle, but the passage of time permits a more reflective decision to be made than is often the case in the naturally emotional state of the early stages of grief. All close family members need to be consulted and a consensus achieved. The vicar can offer help at this time in making suggestions to the bereaved of the types of memorial which might be introduced by reference to photographs or by pointing out examples in the churchyard itself. If this conversation precedes a visit to the stonemason it should avoid the difficulty and disappointment engendered by the selection of an inappropriate design from a catalogue. Although the grave itself is the property of the incumbent, any memorial will belong to the heir-at-law of the person commemorated and that person carries the duty to maintain it and the legal liability for its safety.

A headstone is a public statement about the person who is being commemorated. Making the right choice of stone, design and inscription is important not only to the relatives or friends who are going to provide the memorial, but also to the wider community because of the effect which the headstone may have upon the appearance of the churchyard. Attractive, well conceived designs by skilled and imaginative craftsmen should be encouraged. In the search for a wider range of designs than those usually seen, reference should be made to the Churchyards Handbook, the booklet Memorials by Artists and other resources which can be made available by the Diocesan Advisory Committee. Sculpture or other statuary is not discouraged but must be authorised by faculty.

Also to be encouraged are fulsome inscriptions which give a flavour of the life of the person commemorated rather than blandly recording a name and dates. Epitaphs should honour the dead, comfort the living and inform posterity. They will be read long after the bereaved have themselves passed away. A memorial stone is not the right place for a statement about how members of the family feel about the deceased nor how they would address him or her were they still alive. Passages of scripture, which have a timeless quality, are to be preferred.

These Regulations explain who may be buried in the Churchyard, who is responsible for the upkeep of the Churchyard and what regulations and advice apply to graves and memorial stones.

REGULATIONS

1. Burial and interment of cremated remains in Nutley Churchyard is restricted to:
    a. Parishioners (which term includes persons dying in the parish or resident in the parish at the time of death)
    b. Persons on the electoral roll at the time of death and minor children of such persons.
    c. Close relatives of parishioners, i.e. parents, siblings or children.
    d. Those to be buried or interred in family graves which are to be opened for that purpose.
    e. Others closely connected with the parish, if the Vicar so agrees.

2. The Parochial Church Council has the duty of maintaining the Churchyard and keeping it in good order together with the walls and fences. The Parish Council may be asked to contribute towards its upkeep.

3. The authority of the Chancellor of the Diocese (hereafter "the Chancellor") is required for the introduction of any monument in the Churchyard. The Vicar has delegated authority from the Chancellor to permit the introduction of any monument which complies with these Regulations.

4. Anyone wishing to erect a memorial stone and inscription on a grave or to place a marker stone in the Garden of Remembrance must apply in the first place to the Vicar at The Rectory, High Street, Maresfield, TN22 2EH - tel. 01825 508352 - and obtain his prior written consent before ordering from any stone mason. An application form is appended.

5. The Vicar must also be consulted on any additional inscription to an existing memorial or marker stone and his prior written consent obtained before placing an order.

6. It is open to individuals to petition for a faculty for the erection of any memorial or placing of a marker stone which does not comply with these Regulations. Each case will be considered on its individual merits by the Chancellor and the views of the Vicar and PCC will be taken into account.

7. Headstone Size
    - No more than 4ft nor less than 2ft 6in high (1200mm, 750mm);
    - No more than 3ft nor less than 1ft 8in wide (900mm, 500mm);
    - No more than 6in nor less than 3in thick (150mm, 75mm), unless slate is to be used in which case a thickness of 2in (50mm) is permitted;

    In the case of infant burials, headstones must be no less than 2ft x 1ft 3in x 2in (600mm x 375mm x 50mm).

    A base forming an integral part of the design of a headstone may be included, provided it does not project more than 2in (50mm) beyond the headstone in any direction and provided that it is fixed on a foundation slab of an approved material which itself is fixed flush with the ground and extending 3in to 5in (75mm to 125mm) all round so that a mower may freely pass over it.

    Up to two integral sockets for flower vases are permitted in bases, in which case the base shall be of the following dimensions:
    Height (from ground) 3 ins (min) to 6 ins (max)
    Width 2ft (min) to 3ft (max)
    Depth 10 ins (min) to 1ft (max)

8. Headstone Materials

   The following stone is permitted:

   - Limestone: Portland Hornton
   - Purbeck or Horsham Nabresina
   - Derbyshire Caen/Normandy
   - Hopton Wood Aura/Aurisina
   - Sandstone: York
   - Slate: Blue/Black (Cornish) Green (Westmoreland)
   - Grey/Blue (Welsh)
   - Granite: Light to medium grey

9. Headstone Position

   No memorial may be erected within 5 yards (4.57 metres) of the outer wall of the church building save by authority of a faculty.]

10. Headstone Appearance

    Polished stone or mirror finish is not permitted. Coloured lettering is not permitted save as follows:

    - Nabresina limestone may have the lettering picked out in contrasting matt;
    - Slate may have the lettering picked out in off-white matt;
    - Granite may have the lettering picked out in off white matt.

11. Inscriptions

    Incumbents should require an accurate design of the proposed inscription before approving an application. Photographs or representations of objects or motifs such as a child's toy are not permitted nor the use of 'pet names'. Bronze or ceramic inserts are not to be used.

12. Emblems

    Badges, crests or emblems may be used provided they are seemly and appropriate for the deceased. Any representation will need to be designed so that it may be accurately cut by a skilled craftsman. Masons' or carpenters' names, signs or marks may be inscribed on any monument provided their position and appearance are unobtrusive having regard to the monument as a whole.

13. Fixture

    Regard must be had to health and safety concerns, and to current industry standards for the fixing of monuments safely and securely.

14. Horizontal Ledgers

    Either flush with the turf or raised not more than 9in (225mm) above a base, extending not less than 3in (75mm) all round and itself flush with the turf; inclusive measurements not more than 7ft (2100 mm) by 3ft (900mm).

15. Crosses

An incumbent may NOT consent to the introduction of a cross, for crosses have been too freely used in burial grounds in the past. Such monuments require a high standard of design.

However, the incumbent may authorise the temporary introduction of a simple wooden cross to mark a recent burial. A brass plaque bearing the name and dates of the deceased may be affixed to the cross. Such cross must be removed upon the erection of a stone memorial or after a period of 18 months, whichever be the sooner.

16. Prohibitions
    For the avoidance of doubt, the following are not permitted:
    - kerbs, railings, fencing chippings or other infill;
    - memorials in the shape of vases, hearts, open books;
    - memorials incorporating photographs or portraits;
    - mementoes, windmills, toys or little animals;
    - the use of 'pet names'
    - artificial flowers.

17. In the event that any breach of this Regulation occurs, the infringing items may be removed by such persons as the Vicar authorises

18. Cremated Remains
    Provision has been made for the interment of cremated remains in the Garden of Remembrance in a designated part of the Churchyard (as shown on the plan of the churchyard appended to these Regulations). Ashes must be interred in this Garden, unless it is desired that ashes should be buried in an existing grave or it is desired that, with the Vicar's prior written consent, they be buried in a grave space in which it is anticipated that a close relative will be buried.

19. Cremated remains shall be committed directly into the earth, not in any casket or any form of container. The Garden of Remembrance is laid out in rows and it is intended that interments shall follow the previous interment at the next point in the row, or at the start of the succeeding row; but it shall be within the Vicar's discretion to choose the place of each interment.

20. The place of interment may be used for the interment of other ashes after a lapse of 25 years, always provided that reasonable attempts shall be made by the Parochial Church Council to enquire from members of the family of the deceased whether they object and, should such objection be made, re-use will be deferred for a further 25 years. If such re-use is to occur, any memorial stone at the place of interment shall be removed and disposed of as the Vicar shall direct.

21. Individual memorial stones are permitted. They must be:
    - laid into the ground
    - flush to the surface
    - no more than 200mm in length, 200mm wide, and not less than 50mm deep.

- They must be in Limestone (Portland, Hopton, Purbeck, Nabresina, Derbyshire, French, York or Portuguese).
- Inscriptions shall be the Name and Year or Date of death of the deceased, with additionally permitted inscriptions being either or both of the following: the year or date of birth, and the expression “In Loving Memory”.
- Inscriptions shall be in one of the following fonts: for upper and lower case, Roman, Roman Italic and Script; for upper case Block; for lower case Old English and Celtic.

22. In the event that the place of interment is used for the ashes of a person related to the person whose name is recorded on a memorial stone, the stone may be altered or replaced to add the name of that person; in the event that a stone is to be replaced, it shall be removed and disposed of as the Vicar shall direct.

23. Paragraphs 11, 13, 15 and 16 apply to places of interment in the same way as they do graves.

24. A Book of Remembrance is kept in a display case in the Church. The Vicar or Churchwardens will be pleased to advise on how an entry may be made.

25. The Vicar must be informed of any proposal to erect a monument or memorial, or to place a marker stone using a copy of the appended application form, such form to be received by him not less than four weeks before the intended date for works to commence. No works shall be commenced without the Vicar’s prior written consent.

26. When headstones are removed for the re-opening of any grave, any surplus stone foundations or concrete should be cleared away, and should be re- erected as soon as possible after re-opening of a grave.

27. All debris must be removed after a headstone has been erected or marker stone placed.

28. The Vicar must be informed in advance of the time of completion in order that inspection can be made by him, or such person as he may authorise, before the workmen leave. It is intended that each bereaved family should receive two copies of these regulations, or more if required, and that one copy be sent to the monumental mason selected.

Ben Sear
Vicar 13 March 2024

APPLICATION FOR INTRODUCTION OF A MEMORIAL INTO NUTLEY CHURCHYARD

This form is to be completed in duplicate.

To: The Reverend:

Vicar of the Parish of St James-the-Less, Nutley

1. I / We apply to you for permission to introduce into the churchyard known as St James-the-Less the monument or marker stone described overleaf.
2. I / We have read Regulations and advice for the care and control of the churchyard of St. James the Less, Nutley published by the authority of the Parochial Church Council 26 November 2008 and claim that you have power under those Regulations to permit the introduction of the proposed monument or marker stone into the churchyard.
3. I / We undertake that if you grant permission, the proposed monument or marker stone, when erected, will conform with the description overleaf and also to indemnify you or your successors against all costs and expenses to which you or they may be put if the monument or marker stone is not so erected.
4. I / We undertake for myself/ourselves and our successors to be responsible for the maintenance and stability of the monument.

Name(s) of applicant(s)

Address(es) of applicant(s)

Date	Signature of Applicant(s)

I / We repeat paragraph 2 above and give you and your successors the same undertaking as is given by the applicant(s) in paragraph 3 above.

Name(s) of Monumental Mason

Address of Monumental Mason

Date:	Signature of Monumental Mason:

For use by the Vicar

*I consent /*I do not consent /*I consent subject to the conditions endorsed overleaf to the introduction of the monument or marker stone described overleaf into the churchyard named above.

Date	Signature

Note: The Vicar should keep one copy of the form and give the other back to the Applicant.

Full sketch of memorial showing ground level and height above ground level, width, depth and all other material dimensions. The sketch should also show the method of stabilising the memorial, by a ground anchor or otherwise.

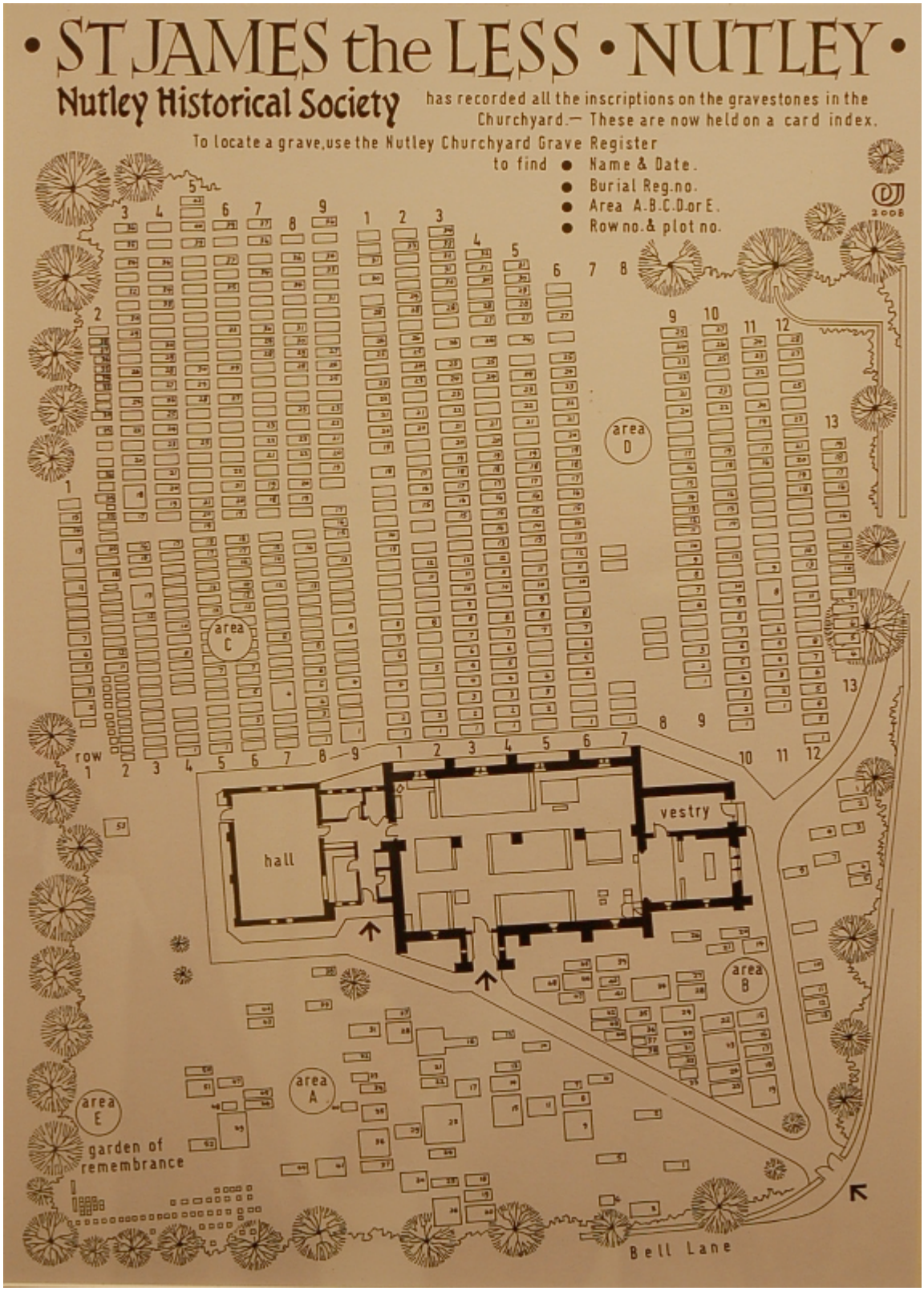
Type of Stone or other Material to be used

Surface finish

Description of any carving or decoration

Wording of inscription

Style, size and colour of lettering


• ST JAMES the LESS • NUTLEY •
Nutley Historical Society
has recorded all the inscriptions on the gravestones in the Churchyard.— These are now held on a card index.
To locate a grave, use the Nutley Churchyard Grave Register to find
Name & Date.
Burial Reg.no.
Area A.B.C.D.or E.
Row no.& plot no.
area D
area C
area B
area A
area E
hall
vestry
row 1
garden of remembrance
Bell Lane