

## **Guideline Leaflet PC07: Burial Grounds**

Many older Baptist churches have their own burial grounds. These may be either part of the chapel grounds or a separate plot some distance away. This leaflet provides guidance on burial grounds generally, their maintenance, burial records, War Graves, moving headstones, health and safety, building on a burial ground and other related matters.

This Guideline Leaflet is regularly reviewed and updated. To ensure that you are using the most up to date version, please download the leaflet from the BUGB website at [www.baptist.org.uk/resources](http://www.baptist.org.uk/resources)

The date on which the leaflet was last updated can be found on the download page.

# PC07: Burial Grounds

**These notes are offered as guidelines by the Legal and Operations Team to provide information for Baptist churches.**

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[L17 Legal and Operations Team – Regulatory Information](#)

**These notes can never be a substitute for detailed professional advice if there are serious and specific problems, but we hope you will find them helpful.**

**If you want to ask questions about the leaflets and one of the Baptist Trust Companies are your property trustees, you should contact them. They will do their best to help.**

**If your church property is in the name of private individuals who act as trustees they may also be able to help.**

## HISTORY

Many older Baptist churches have their own burial grounds. These may be either part of the chapel grounds or a separate plot some distance away. Some will be in remote rural settings and others in the heart of a town or city. There will be some which are quite small with just a few burials while others will cover large areas and contain hundreds or thousands of graves.

These burial grounds date from a time when there was a sharp distinction between the Church of England and other denominations. It would not then have been possible for those who were part of the dissenting or non conformist tradition to have been buried in the grounds of the local parish church.

## SENSITIVITY

Down the years those burial grounds have continued in use. Many Baptist churches are concerned about them – particularly the continual problem of maintenance. It must be remembered, however, that the burial ground is an important part of the heritage of the church – and the community. The need for extreme sensitivity in dealing with a burial ground cannot be emphasised too strongly. There are all too many cases where irreparable harm has been done to the church's reputation and message in a community because those responsible for the burial ground have not been careful to consider the deep and personal emotions of those who might be affected by their action. In these days of greater mobility family members may live at great distances from the place where their parents or grandparents are buried. They may visit the burial ground very infrequently but will nevertheless feel very hurt if changes are made without consultation. When changes are proposed the church must make every effort to ensure that all interested parties are fully aware of the proposals being made in relation to the burial ground. This will require clear notices being put up inside the church, out in the community, and in the local newspaper.

People in the community, or even from elsewhere, may consider that they have a right to be buried in the Baptist burial ground 'when their time comes'. This is particularly so when a deceased partner or other family member is already buried there. Unless a right of burial has been granted in writing by the church it is very unlikely that there would be any legally enforceable right of burial, but many people will not be aware of this fact.

## MAINTAINING BURIAL GROUNDS – RESPONSIBILITY AND IDEAS

As with all Baptist church properties it is the Charity Trustees (normally the minister, deacons and elders, or Leadership Team) who have overall responsibility. See Guideline Leaflets:

*T01 Baptist Trusts – Beginnings and Patterns*

## T02 *Modern Model Trusts*

## T03 *Appointing Property Trustees – Baptist Trust Corporations*

### C01 *Charity Legislation and Churches*

Charity Trustees have responsibility for the administration of the church and this will almost always include the burial ground. Sometimes there may be a separate trust for the burial ground or there may be a burial ground committee who are a group who have accepted responsibilities for maintenance and management similar to those of the Charity Trustees. Whatever the arrangement, if a church has a burial ground, it should feature regularly on the agenda of those who are responsible for it. They should make sure that the maintenance of the burial ground is dealt with properly. An untidy and poorly cared for burial ground is a bad witness and poor advertisement for any church.

The church may be fortunate to have some members who are willing to keep the burial ground tidy and deal with maintenance regularly. If that is not the case the church may have to employ a local person to do the work. It may be possible to make arrangements with the Local Authority although they are often unwilling to take on the maintenance for burial grounds without some kind of financial contribution. However, Local Authorities may be more willing to maintain burial grounds where the burial ground is still open and has space for further burials.

Burial grounds can be difficult to maintain especially in relation to keeping the grass trimmed and one way to avoid costly grass cutting is to have sheep or goats on the burial ground. Churches will obviously want to consult with members and the community before decisions are made as not everyone will be happy about sheep or other animals being in the burial ground. Please also note that animals are likely to eat any flowers that are left on graves and this will therefore need to be considered as well as the appropriate gate being put in place to prevent the animals being able to escape. Any church considering keeping sheep or any other livestock within their grounds will need to ensure that they have the necessary license, (normally free) to keep livestock. The Local Authority also need to be informed that sheep or other livestock are being kept on the grounds. Any church considering this should contact the Department for Environment, Food and Rural Affairs helpline on 08459 335577.

Where a grave has a memorial or headstone, these are the property of the heirs to the deceased and should be maintained and repaired by the heirs. It may be possible to carry out work on dangerous headstones or memorials and invoice the relatives of the deceased. However, the church would be advised to contact the relatives or personal representatives with their plans for the headstone prior to carrying out the work. Obviously if the church does not possess up to date records for the relatives or personal representatives of the deceased then the church will need to bear the cost of repairing the headstone or memorial.

Churches could also consider setting up a 'friends' group for their burial ground. This would be a group of volunteers who would take over the task of maintaining the burial ground. If a group of volunteers can operate informally sometimes they are willing to take responsibility and ownership for the burial ground. If this is planned the group will probably want to register themselves as a charity.

Once the group are a 'charity' the ownership of the burial ground can sometimes be transferred for a nominal sum subject to Charity Commission consent. Should any church wish to consider setting up a 'friends' group for their burial ground then they are advised to contact their property trustees to notify them of their plans.

### **SCATTERING ASHES**

Requests will sometimes be received for permission to scatter or inter ashes of a deceased person at a burial ground, sometimes one which is disused. There is no reason why permission should not be given. The scattering or interment of ashes is not, a burial, but it is prudent for details to be noted in the burial records.

Churches are advised to have a policy for dealing with cremated remains which should include identifying suitable places where cremated remains are to be interred, the method of interment, types of memorial and where exceptions to the standard rules can apply. The church should note that scatterings of ashes are normally visible for some time afterwards and, therefore, pouring the majority into a pre-prepared hole is the best option, with a thin layer scattered on the surface.

## WAR GRAVES

The War Graves Commission is responsible for the conservation of war graves and particular rules apply when a burial ground contains a war grave. They can also offer support with maintenance problems. Further information is available from the Commonwealth War Graves Commission, 2 Marlow Road, Maidenhead, Berks SL6 7DX.

They must be consulted if any action is proposed which affects a burial ground containing a war grave. Please note that the Commission can require the church to exhume, reinter and remove headstones to a site of the Commission's choice if changes are proposed.

## KEEPING BURIAL RECORDS

As well as the physical maintenance of the burial ground it is a statutory requirement that a record of every burial is made. This can be done by using a printed Burial Register. The Church of England produces a bound register F1 which can be purchased from Church House Bookshop, 31 Great Smith Street, London, SW1P 3BN, [www.chbookshop.co.uk](http://www.chbookshop.co.uk), but at £39.50 (as at January 2009) this is expensive. An alternative approach would be to use a hardback bound book, creating appropriate columns as needed.

In addition to maintaining the register a well drawn plan should be kept suitably indexed which shows the depth of each grave and the details of each interment.

It is best practice to draw up plans as well as take photographs of the graves. For more information about taking and preserving photographs please refer to the Guidelines Leaflet LB09 *Photographic Recording*. The church should ensure that the records are regularly updated.

It is also important that the church creates suitable records about the burial ground. A checklist for churches is included at the end of this leaflet. It is better not to rely on the memory of an individual or small group of people. If records have not been kept or have been lost then a burial ground survey can still be undertaken. An example of a burial ground survey can be found at the end of this leaflet.

The records must include the deceased's full name, age, former address, date and location of burial, along with the name of the officiating minister. It is also important to ensure that a separate record is kept of cremated remains. Churches should try and maintain records of the relatives of the deceased in order to know who is responsible for each grave.

It is important that the local church understands its responsibilities and does not rely on one person's memory. A checklist is included at the end of this leaflet to help a church that wishes to collate or update its records.

## MOVING HEADSTONES

A church may wish, for aesthetic or practical reasons, to move some or all the headstones and memorials in a disused or a burial ground with space available that is open to future burials. The usual preference is for the headstones and memorials to be relocated at the side of the burial ground or elsewhere in the church grounds.

Before any plans are made to remove headstones or memorials, and certainly before decisions are made or any action is taken, the records must be brought up to date in the manner already mentioned. An up to date plan with an index and a record of inscriptions is essential. Extensive efforts must be made to discover precise details of who has been buried and when. If any burials have taken place within fifty years, notice should be served on the personal representatives or relatives of the deceased person in so far as the names and addresses can be determined upon reasonable enquiry.

Notices indicating what is proposed should be displayed in a prominent position at the burial ground and elsewhere in the community for a reasonable period. At least two months is advised.

Similar notices should be published in the local press for two successive weeks during the time the notice at the burial ground is displayed.

A notice of the proposal should also be served upon the Commonwealth War Graves Commission even if

the church does not think there are any war graves in the burial ground.

The notices must give the name, address and telephone number of the person (usually the church secretary) from whom further details of the proposals can be obtained and to whom representatives should be addressed.

The notices should also contain a statement as to the right of the personal representative or relatives of any deceased person. This statement needs to include that the relatives has the right to remove the headstone, memorial and the remains from the burial ground. The period during which representation should be made must be at least six weeks although you should only begin to remove headstones two months after the notice has been placed.

As already mentioned headstones and memorials are probably legally the property of those who first erected them. If representations are received in respect of headstones which have been in place for less than fifty years it would be unwise for the church to act against the wishes of the family without very careful and sensitive discussion with them and then only after obtaining legal advice.

Should any relatives or personal representatives respond to the notice and wish to remove the headstone, memorial or the remains the family may ask for the church to pay for the removal and/or re-interment. The Commonwealth War Graves Commission are also entitled to ask that the church pay for the removal or disposal of any memorial erected or owned by the Commission.

If there are no objections and the church wishes to dispose of headstones or memorials, the church must ensure that they are photographed and a sketch plan made of the layout, and a record of the inscription, following which they should be broken and defaced before disposal if it is not possible to move them to the side of the ground or to an alternative site.

If the church is removing the headstones or memorials from the burial ground the church must deposit with the District Council a record of the removal with a description of the memorial including a copy of any inscription, date and manner of the removal, details of disposal or details of the place that it has been transferred to.

The church will need to send a copy of such records to the Registrar General to be placed with the miscellaneous records of the Registrar General.

When considering moving headstones thought needs to be given to whether the headstones have lichen or moss which will be destroyed by removal. Certain lichen and moss are protected species under Schedule 8 of the Countryside and Wildlife Act 1981 and it is an offence not to take reasonable care to prevent damage to certain lichen and moss. It is advisable for an expert to undertake a survey of the lichen and moss. More information can be obtained from the British Lichen Society.

If the headstone or memorial is not being removed from the burial ground but will be inaccessible once the changes are carried out, the church should take a record of every grave with the inscriptions and copies of these records are to be sent to the District Council. As for removals if the church site has any individual monuments that are listed, consent must also be obtained from the Listed Buildings Advisory Committee (or perhaps from the Local Authority – the church must check this carefully).

Where the headstones or memorials are particularly old, or perhaps illegible, the church might decide that they wish to break them up. It is for the individual church to decide how to deal with headstones and memorials but it is not appropriate for headstones to be sold.

## **HEALTH AND SAFETY**

It is vital that churches are aware that the health and safety requirements and responsibilities that apply to the church premises will also apply to burial grounds. It will, therefore, be necessary for churches to carry out risk assessments of burial grounds and ensure that any memorials or trees that are potentially dangerous are repaired and pruned at the earliest opportunity.

The Ministry of Justice offers useful guidance on undertaking a risk assessment of a burial ground. Their guidance recommends the overall assessment should include a visual and hand test of memorials 'Managing the Safety of Burial Ground Memorials':

<http://www.justice.gov.uk/downloads/burials-and-coroners/safety-burial-grounds.pdf>

Churches will also need to ensure that they have the appropriate insurance to cover the church if anyone is injured while visiting the burial ground even if the burial ground has been closed.

Further details on the law relating to health and safety and obligations can be found in Guidelines Leaflet L10 *Health and Safety and Fire Precautions*.

## **TREE PRESERVATION**

Churches should remember that the burial ground may contain trees that are subject to preservation orders or if the burial ground is in a conservation area then this will provide the same protection to the trees as a preservation order. Should the church wish to undertake any work on the burial ground that might affect trees subject to orders then the church will need to contact the Local Planning Authority. Trees that are dying or dangerous may be subject to protection and advice should be sought from the Local Authority before any work is undertaken.

## **LISTED BUILDINGS**

It is possible for individual graves and memorials to be of particular historic or heritage importance. If a memorial or headstone is specifically listed then listed building consent will be needed before it is removed or relocated. Boundary walls and gates can also be subject to protection and be listed features in their own right. Again permission for any alteration would be needed.

Some chapel buildings and sites are listed. This means that any headstones or memorials within the burial ground, boundary walls and gates on the same site are also covered by the listing. Specific listed building consent will be needed before any headstones are moved and for landscaping work that changes the appearance of the site. Baptist churches with listed sites or specially listed monuments should look at the series of leaflets about listed buildings, in particular LB01 *Introducing the Listed Buildings Advisory Committee* and LB02 *Applying to the Listed Buildings Advisory Committee*, as well as dealing with the requirements for notices and resolutions and the requirements of the Disused Burial Grounds (Amendment) Act 1981.

## **BUILDING ON A BURIAL GROUND**

Any proposal to build on a burial ground, even a disused burial ground, must be approached with caution. It is a common law offence to disinter a body without lawful authority even if this happens during the course of building operations. It is also unlawful to remove human remains from a burial ground without the necessary authorisation or other lawful authority.

A church wishing to build upon any part of a burial ground that is still in use should contact us for further advice on a case by case basis.

Subject to compliance with all relevant legislation (eg obtaining a licence from the Ministry of Justice relating to the disinterment of human remains that may be disturbed etc) a church may build upon a disused burial ground for the limited purposes of enlarging a church, chapel, meeting house, or other place of worship. In such circumstances we also recommend that the church deals with the movement of any headstones or memorials in accordance with the provisions described above. No works should commence until all affected human remains and headstones, monuments and memorials are dealt with appropriately.

If it is intended to build upon a disused burial ground for any purpose other than the enlargement of a place of worship a church must also comply with the detailed requirements of the Disused Burial Grounds (Amendment) Act 1981. These include the giving of notices and publication of advertisements.

If any interment has ever taken place in the burial ground, building other than to enlarge a place of worship will not be possible if a personal representative or relative of any deceased person whose remains have been interred in the land during the previous fifty years objects and does not withdraw their objection. Even if no interments ever took place or if there are no objections to the building proposals then the church would have to comply with the requirements relating to the re-interment or cremation of affected human remains and the relocation of tombstones monuments and memorials. The church must give the family of those buried an opportunity to relocate the human remains at the

church's cost.

Where building work that will disturb human remains is to be carried out, all remains MUST be exhumed and re-interred, whether or not relatives have come forward. The church must pay for this and the process is expensive.

If building work for purposes other than the enlargement of a place of worship will not disturb any human remains, the Secretary of State may make an order dispensing with certain requirements of the 1981 Act.

The Ministry of Justice and Commonwealth War Graves Commission should always be informed of plans at an early stage. The Baptist Union Corporation or the church's Property Trustees must also be informed.

Planning permission and all other necessary consents must be obtained and complied with.

It is our view that a church building which has interments within it does not constitute a burial ground.

In rare cases where a disused burial ground is acquired by a Local Authority for planning purposes building work can be undertaken in accordance with the planning permission that has been granted for the development. (The prescribed procedures for removal and re-interment of human remains and the disposal of monuments must nevertheless be complied with). It is not necessary for the development to be used by the Local Authority.

Planning permission for change of use of the grounds will be needed even if the church is just being extended. Please see Guidelines Leaflet PC04 *Redeveloping or Altering Church Premises* for supplementary information.

The church or any owner of the burial ground cannot begin to erect any building on the burial ground until the human remains have been removed and, where appropriate, the headstones and memorials removed in accordance with the necessary procedures described below, please see the section on Removing Human Remains.

Guidance is also available from the Ministry of Justice, Coroners and Burial Division (Main Switchboard 020 3334 3555)

## **CLOSING A BURIAL GROUND**

It is important to note that a Baptist burial ground is not consecrated ground but is a private burial ground. This is a fact which is often not understood by those who are not Baptists.

If it is considered that the burial ground, or part of the burial ground, is full the church will probably want to close it and declare that it is disused.

In the case of a Baptist burial ground this is achieved by a resolution of a Church Members' Meeting. Because of the importance of the decision it is best if this is dealt with at a Special Church Members' Meeting. This usually means that notice of the meeting, and a clear statement as to the purpose of the meeting, ie to consider closure, must be given at the services on two previous Sundays. To be successful a resolution at a Special Church Members' Meeting must usually have the support of at least two-thirds of the members of the church, personally present, entitled to vote and voting at the meeting, but each church should check the details in their Constitution.

In making and the carrying out the decision, however, pay careful regard to the sensitivity of the issue, as already mentioned. Give as much publicity as possible to the proposed closure, both in the church and in the community. As with all matters concerning a burial ground try to let family members know what is happening, the reasons and why. Remember that there may still be those who will expect to be buried in the burial ground in the future for the reasons already noted. It is possible to close a burial ground, or a part of it, so that no future burials may take place but to allow for exceptions in particular cases where plots have been reserved. Be very precise about which people are excepted to avoid misunderstanding or dispute in the future.

Even after a burial ground has been declared disused, either in whole or in part, the burial ground



remains under the management of the church. The burial records should be carefully retained so that they can be made available for inspection by members of the public.

For an excellent example of burial records and how best to make them available to the public, please consider [www.woodbridgechurch.org.uk](http://www.woodbridgechurch.org.uk). This information might help family members who are researching their family history and avoid the church having to manage individual enquiries.

It may be possible to ask the Local Authority whether they will maintain a closed burial ground although experience has shown that they are not usually prepared to do so. Even when a burial ground has been closed and may be some distance from the church, the church will remain responsible for maintaining the burial ground and any boundary walls. It is important that even when a burial ground has been closed that the health and safety implications of the burial ground continue to be regularly reviewed with the necessary insurance still in place. See Guidelines Leaflet L10 *Health and Safety and Fire Precautions* and that the relevant insurances are maintained, suitable signs should be erected, particularly for remote burial grounds so that visitors know who is responsible for the administration and management of the site.

## REMOVING HUMAN REMAINS

It is an offence to remove or to disturb human remains without complying with appropriate procedures.

It is strongly recommended that before considering removing human remains you contact the Baptist Union Corporation or the Holding Trustees for your church with details of the proposals in order to seek further guidance. Removal of human remains from a graveyard or exhumation means the removal from the ground of the remains of a human being either in the form of a body or as cremated remains and will require a licence and this must be obtained before work begins from the Coroners and Burial Division, 3<sup>rd</sup> Floor, 102 Petty France, London, SW1H 9AJ, main switchboard 020 3334 3555, email [coroners@justice.gsi.gov.uk](mailto:coroners@justice.gsi.gov.uk).

The Ministry of Justice also offer guidance in their publication called 'Apply for an Exhumation Licence'. This can be found at <https://www.gov.uk/apply-for-an-exhumation-licence>. The licence will contain conditions, including the need to place the human remains in fresh coffins to be buried elsewhere or cremated. Before any removal of human remains is considered, notices should be published in line with the notices required for moving headstones, please see above.

The remains will have to be re-interred, and should a family wish to re-inter or cremate the remains themselves the church must pay the cost of the re-interment or cremation. If personal representatives or relatives do not want to re-inter themselves then after two months the church should re-inter the remains in a burial ground or arrange for them to be cremated in a crematorium as the church thinks fit. The church can also make arrangements for the relocation of any headstone or memorial if practicably possible.

The removal or re-burial must be done with all due sensitivity and there will need to be a suitable service at the time of re-burial or cremation.

Upon re-interment of the remains a certificate of removal and re-interment or cremation must be sent to the Registrar General by the church. The certificate must include the date of removal and when re-interred or cremated, along with the place where re-interment or cremation took place. The certificate should also be deposited at the General Register Office with the miscellaneous records of the Registrar General.

If there is the intention to re-use a disused burial ground or to redevelop a church building which involves the disturbance of human remains, the procedure referred to above in connection with building work must be followed. If, during building operations, human remains are unexpectedly discovered in an area that was not thought to have been used for burials, work must immediately stop. The Police and Coroner must be informed and a licence obtained from the Department for Constitutional Affairs before work is recommenced.

If you only need to clear a few graves it may be that the local undertaker can carry out the exhumation and re-interment. Should a large clearance be required then a specialist firm should be instructed.

A firm who specialises in exhumation and the clearance of burial grounds is Kenyon International



Emergency Services Limited, 1 Western Centre, Western Road, Bracknell, Berkshire, RG12 1RW (telephone 01344 316650). The clearance of a burial ground is a very expensive project. For small scale exhumations your local undertaker may be able to assist.

## **SELLING BURIAL GROUNDS**

Burial grounds are only usually sold when the Baptist church has closed (Guidelines Leaflet PC09 *Selling Church Land or Premises*). If a church which is being closed has a burial ground the Baptist Union Corporation or Holding Trustees must be supplied with as much information as possible about the burials. In particular, a copy of the burial records, as previously mentioned, must be passed to the Baptist Union Corporation so that they, in turn, can make them available to the person buying the property.

The sale will be subject to the provisions of the Disused Burial Grounds (Amendment) Act 1981. This means that it will then be the responsibility of the buyer to maintain the burial ground and to ensure that all legal requirements are complied with. This includes making facilities available for family members and others to visit the burial ground, usually on prior notice. The purchaser should be bound by covenant to allow access to the public on notice.

When the burial ground is being sold the sale will often be the subject of numerous specific covenants or promises both positive and negative binding on the new owner to try and ensure that people are still able to visit the graves, that the grounds are maintained, and the legal framework in the Disused Burial Grounds (Amendment) Act 1981 is followed and memorials are not wilfully and inappropriately damaged.

The solicitors acting in the sale of the burial ground will draft the necessary covenants. However, the Baptist Union Corporation does have a set of precedent covenants that can be provided if requested.

## **PASSING ON THE OWNERSHIP**

If the burial ground is disposed of or otherwise passes out of the management of the church the Baptist Union Corporation (or the church's Property Trustees) should be consulted on where the burial records should be sent. If there are no records, or if they are inadequate, or poorly maintained, new records must be created. This could be a job for a volunteer in the church or perhaps the local community family history group or school may be willing to help. It is important that as much information as possible about each burial plot is recorded. If the inscriptions on the memorials have faded and are difficult to read record as much as is legible.

If volunteers cannot be found then a company specialising in this kind of archaeological project will need to be recruited. The records should be kept in a fire proof safe and arrangements made for them to be readily available to those making enquiries. The buyer should have a copy of the information but it is also necessary to deposit a copy with the local authority archive.

## **POSITIVE STORIES**

In recent years burial grounds for many churches have become disused due to a lack of space and many people now preferring to be cremated. Some burial grounds have become a burden on a church due to ongoing maintenance even when the burial ground is declared closed. There are also increasing concerns about health and safety with risk assessments needing to be undertaken regularly. However there are a number of Baptist churches who have developed their burial grounds to become a positive and vibrant part of the church and community. Burial grounds are one of the very few places left that have not been cultivated or polluted with pesticides and therefore often encourage a rich variety of wildlife that cannot be found elsewhere.

Burial grounds will always attract interest from historical groups and local groups may well be willing to undertake a project to take note of the inscriptions and update the burial ground records. Local schools will also often be interested in using burial grounds for history projects as well as visiting for science projects such as the studying of rocks or wildlife.

Developing burial grounds to something that the whole community can visit and enjoy is a great way of opening the church up to the community and hopefully encouraging people to join the congregation.

There are some excellent examples of churches who have used their burial grounds for more than their obvious use.

A Baptist Church have turned their overrun burial ground into a wildlife reserve. The church runs work evenings during the summer when church members and the community will come along and help to maintain the burial ground and encourage more wildlife into the grounds. The burial ground is also used by two local schools who use the burial ground for school projects. NVQ students and 15-18 year olds who are struggling to get employment also use the burial ground for work experience to demonstrate conservation skills. Last year young adults helped to build a dry stone wall which gave the young adults a new skill and was of great benefit to the church at little expense. A Baptist Church also use their burial ground for Easter egg hunts and outside communion in the summer. A Baptist Church has embraced being eco-friendly starting with the burial ground and working with the Eco-Congregation, an ecumenical programme set up to encourage churches to link environmental issues with the Christian faith. Eco-congregation have a great deal of information on the development of burial grounds on their website <http://ew.ecocongregation.org/>.

An increasingly popular way to maintain a burial ground especially large ones or those that are a distance from the church is to set up a "friends group" as was done at Heaton Baptist Church. This is a large burial ground that has encouraged the community to maintain the burial ground with volunteers meeting fortnightly. The community group have won a number of awards including Britain in Bloom "Neighbourhood Award of Merit" for 2 consecutive years. Further information on the success of Heaton can be found at [www.heatongraveyard.co.uk](http://www.heatongraveyard.co.uk). This friends group operates independently of the church and offers a number of initiatives including adopting a grave which encourages members to take care of a particular grave and a "tree for life scheme." Trees can be purchased by relatives of those who have died and planted in graveyards as a memorial even if the body is not interred in the burial ground. The trees can be planted in between graves so long as the trees have short roots they will not disturb the graves. For further information on how to set up a friends group please see the National Federation of Cemetery Friends website.

### USEFUL PUBLICATIONS

The two books we have listed are Anglican publications. They refer to Church of England procedures but are useful for general guidance.

*The Churchyards Handbook* (4<sup>th</sup> Edition) Published by Church House Publishing [www.chpublishing.co.uk](http://www.chpublishing.co.uk)  
ISBN 0-7151-7583-1 £10.95

*Wildlife in Church and Churchyard* (2<sup>nd</sup> Edition) Published by Church House Publishing  
[www.chpublishing.co.uk](http://www.chpublishing.co.uk) ISBN 0-7151-7587-4 £9.95

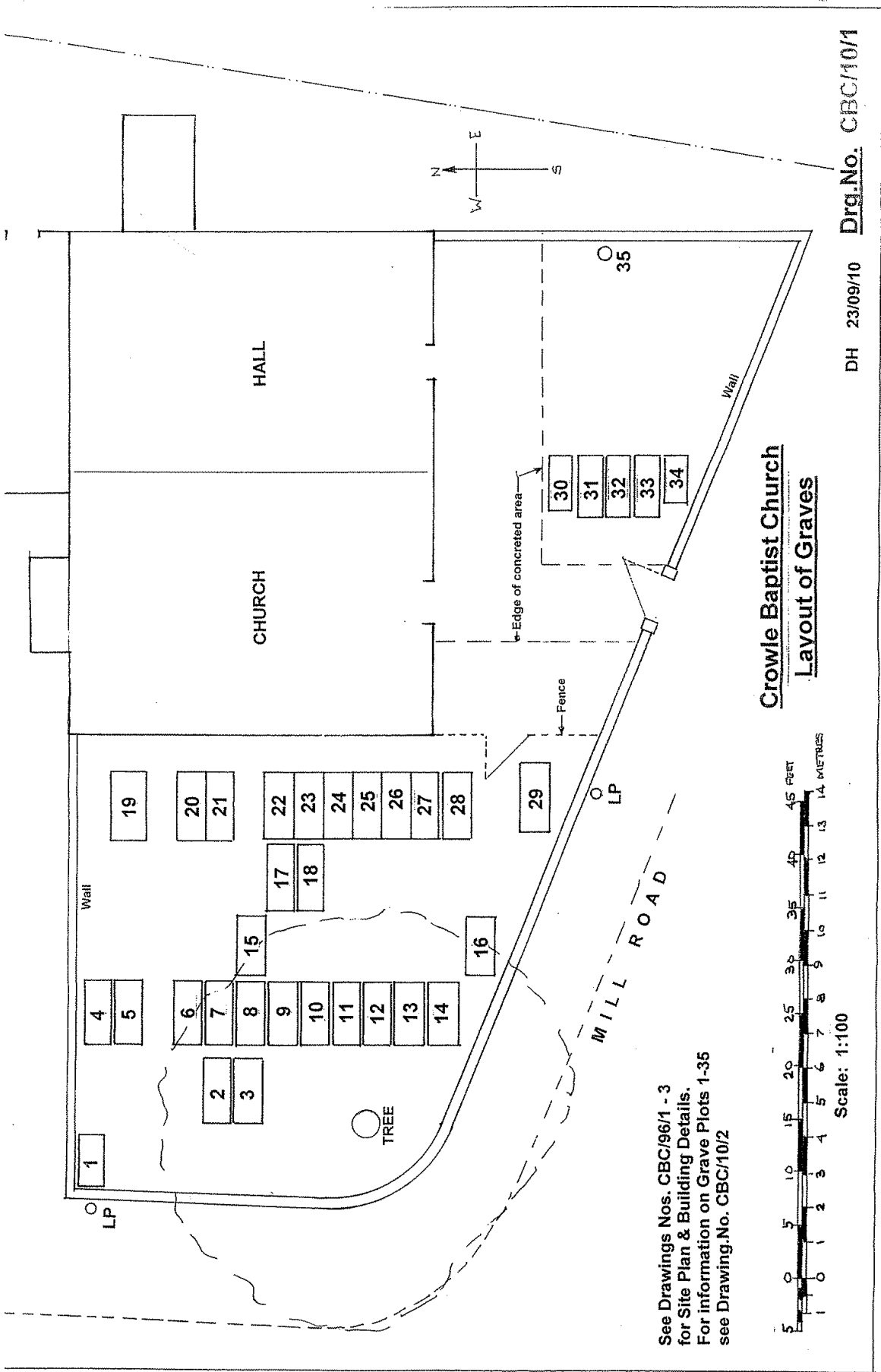
'Managing the Safety of Burial Ground Memorials' published by Ministry of Justice  
<http://www.justice.gov.uk/downloads/burials-and-coroners/safety-burial-grounds.pdf>

'Apply for an Exhumation Licence' published by Ministry of Justice <https://www.gov.uk/apply-for-an-exhumation-licence>

## CHECKLIST FOR BURIAL GROUNDS RECORDS

- Name of Church and burial ground
- Address and location of burial ground
- Is the burial ground open or closed?
- When was the last interment?
- Are there any reserved spaces? If so, does the church have written records of the reserved spaces?
- Is there space for future interment? If not, should a resolution be passed for the closure of the burial ground?
- Does the church have up to date written and photographic records of interments and inscriptions? If not, the records should be updated by either members of the church or a local school or history group may be interested in undertaking this.
- Do the written records include up to date records of relatives or personal representatives of those interred?
- Are separate records kept for cremated remains?
- Is there a specific person who has responsibility for maintaining the written records?
- Are the records kept in a fire proof safe? If the records are not kept in the church, where are they held?
- Is there an up to date plan of the burial ground?
- If headstones or memorials have been moved are the original and new locations shown on the plan?
- Have human remains ever been exhumed from the burial ground? If so, does the church have written records and a plan of where the remains were moved from as well as a copy of the license for exhumation?
- Who is responsible for the maintenance of the burial ground?
- Is the burial ground regularly maintained? If so, who maintains it? If the burial ground is not regularly maintained, does this need to be considered at next church meeting and a maintenance plan drafted?
- Is the burial ground covered by public liability insurance? When is the renewal date?
- When was the last health and safety risk assessment of the burial ground undertaken? How regularly are risk assessments undertaken and who is responsible for undertaking the assessments?
- If headstones or memorials need to be repaired, have the personal representatives or relatives of those interred been contacted in regards to payment for the repair?
- Could a "friends group" be set up by the church or a group of volunteers to regularly maintain the burial ground? If a group is set up you will need to notify your property trustees.
- If the church feels unable to maintain the burial ground would the Local Authority or Parish Council be willing to take on ownership of the burial ground?
- Does the church have any committed external financial support for the burial ground?

- ❑ Is that financial support restricted to being used for the burial ground?
- ❑ Is the church listed or is the burial ground within a conservation area?
- ❑ Are there any trees subject to a tree preservation order within the burial ground?
- ❑ Does the burial ground contain a War Grave?
- ❑ Are the church considering any building work or landscaping of the burial ground?
- ❑ When undertaking any work is there a possibility of any human remains be disturbed or that graves will no longer be accessible? If so, have the necessary notices been put up and served and have any objections been raised?
- ❑ Are headstones or memorials to be moved or destroyed? If so, have notices been put up and served? Have there been any objections?
- ❑ If there is a possibility of human remains being disturbed when the ground is built on or landscaped? If so a licence must be obtained from the Department for Constitutional Affairs and you should contact the Baptist Union Corporation (or property trustee) for more details.



See Drawings Nos. CBC/96/1 - 3  
for Site Plan & Building Details.  
For information on Grave Plots 1-35  
see Drawing No. CBC/10/2

**Crowle Baptist Church**  
**Layout of Graves**

DH 23/09/10 Drg.No. CBC/10/1

In many cases the reading of individual letters or numbers has not been possible due to the spalling away or erosion of the stonework. Where this is the case and where applicable question marks (?) are substituted. Graves 2 - 15, 28 & 29 have upright tombstones. Graves 16 & 17 had upright stones now laid flat for safety reasons. All the remainder have horizontal stones of these graves 19 - 27 are raised around a foot above ground level (see 19 & 27) the remainder are flush with surrounding ground. The following abbreviations are used; a. = aged, b. = born, d. died, wo. = wife of, so. = son of, do. = daughter of

- 1 This is a flat slab almost at ground level. It would appear that this stone has been moved at some time as the inscription has to be read from the West looking East whereas all other stones are read from the East looking West. Information readable: "Martha daughter of Robert and Mary Wheaton died 1880 aged 7 years 11 months also of 8 of the children who died ?????? also of ? children of George and ?????? also of Robert Wheaton, died 1910 aged 84 and Mary his wife"
- 2 Sarah Arrand d. 19<sup>th</sup> Feb 1882 a. 48 also Maria Arrand d. 12<sup>th</sup> Aug 1869 a. 66
- 3 Elizabeth Bates Smith d. 31<sup>st</sup> Dec 1882 also Keziah Smith d. 7<sup>th</sup> Mar 1925 a. 85
- 4 Edward Horsman d. 16<sup>th</sup> Nov 1859 a. 42
- 5 Thomas Lovekin d. 186? (thought to read 1865)(Pastor of Old Basford B.C. Noits)
- 6 Rosetta Furniss d. 9<sup>th</sup> Mar 1915
- 7 John Furniss d. 20<sup>th</sup> Apr 1897 b. 8<sup>th</sup> Nov 1819
- 8 Mary Ann Furniss d. 30<sup>th</sup> Sep 1861 a. 17 4months (possibly 18)
- 9 Mary Ann Furniss d. 22<sup>nd</sup> Mar 1859 wo. John Furniss Ealand
- 10 William Furniss d. 1874 so. John Furniss, died in Domcaster
- 11 George Frederick Furniss d. 5<sup>th</sup> Nov 1881 in Manchester so. George & Jane Furniss
- 12 George Furniss d. 1876 in Spalding Marsh
- 13 Martha Furniss d. 25<sup>th</sup> Mar 1875 wo. William Furniss
- 14 William Furniss d. 8<sup>th</sup> Oct 1862 a. 72 also Hannah Thornton d. 7<sup>th</sup> Mar 1867 a. 85
- 15 Hannah wife of Robert ?????? d. 1855
- 16 George Batty d. 2<sup>nd</sup> Nov 1877 a. 72. Martha Batty d. 27<sup>th</sup> Jan 1882 b. 21<sup>st</sup> Aug 1810. Mary Elizabeth, wo. f George Sinclair, d. 1895, Benjamin Batty d. 16<sup>th</sup> May 1907 a. 65. George Sinclair d. 13<sup>th</sup> Dec 1924 a. 73
- 17 Jabez Stutterd d. 13<sup>th</sup> Apr 1891 a. 71, Elizabeth Stutterd d. 26<sup>th</sup> Mar 1897 a. 78
- 18 Mary Glossop d. 15<sup>th</sup> Jul 1896 a. 54, Peter Glossop d. 24<sup>th</sup> Jan 1917 a. 72

- 19 This tomb had been collapsed and made safe. The stonework was badly eroded, all that was readable was Joseph Hind and one unreadable other who died in 1869
- 20 Anderson Hind d. 18<sup>th</sup> Nov 1884 a. 83 Deacon for 20 yrs at Crowle Baptist Church
- 21 Elizabeth Hind d. 30<sup>th</sup> Jun 1872 a. 69
- 22 Name unreadable; "son of John & Elizabeth Hind"
- 23 Sarah Hind d. 1876 aged 17. do. John & Elizabeth; Sarah Hind d. 24<sup>th</sup> Aug. a. around 5 months. do. Anderson & Elizabeth
- 24 William Hind d. 9<sup>th</sup> Apr 18?? a. 19(?), also William Hind d. 1830 also William Hind d. 1841 a. 7(?) all sons of Anderson & Elizabeth
- 25 Anderson Hind d. 16<sup>th</sup> Aug 1844 a. 16
- 26 John Hind d. 1<sup>st</sup> Jul 1852 a. 16. so. Anderson & Elizabeth; also Robert Hind d. 17<sup>th</sup> Mar 1855 a. 25
- 27 The top had been replaced and there are no inscriptions visible anywhere.
- 28 James Hind d. 8<sup>th</sup> Aug 1882, b. 4<sup>th</sup> Feb 1839
- 29 James Middleton d. 10<sup>th</sup> Feb 1864, Martha Middleton d. 26<sup>th</sup> Jun 1869
- 30 John Aldam d. Jun 17?? A. 35
- 31 James Aldam d. 1835 a. 65, Elizabeth wo. James, d. 24<sup>th</sup> Feb 1860
- 32 Elizabeth d. 1860, wo. Cornelius Aldam and of Cornelius Aldam d. 18?0 a. 64
- 33 Jonathan Aldam d. 10<sup>th</sup> Nov 1877 a. 52
- 34 This is a short length tombstone and appears to be for three children, the only decipherable name is Emma who died in Aug aged 16
- 35 This is not a normal grave but a casket, containing the ashes of Joe Stockdale who died 2<sup>nd</sup> Oct 1996, is buried here. There is a small brass plaque fixed to the boundary wall to show this.

Information on Graves Nos. 1 - 35 on Drg. No. CBC/10/1



Association Trust Company	Contact
<b>Baptist Union Corporation Ltd East Midland Baptist Trust Company Ltd</b>	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
<b>Heart of England Baptist Association</b>	Heart of England Baptist Association BMS Birmingham 24 Weoley Park Road Selly Oak Birmingham B29 6QX Telephone: 0121 472 4986
<b>London Baptist Property Board</b>	London Baptist Association Unit C2 15 Dock Street London E1 8JN Telephone: 020 7692 5592
<b>Yorkshire Baptist Association</b>	17-19 York Place Leeds LS1 2EZ Telephone: 0113 278 4954
<b>West of England Baptist Trust Company Ltd</b>	West of England Baptist Trust Company Ltd Little Stoke Baptist Church Kingsway Little Stoke Bristol BS34 6JW Telephone: 0117 965 8828

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Legal and Operations Team and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff in the Legal and Operations Team at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Legal and Operations Team also support churches that are in trust with the East Midland Baptist Trust Company Limited and Yorkshire Baptist Association (Incorporated). All queries relating to property held on trust by the YBA should, in the first instance, be addressed to the YBA Trust Officer, Ann Chesworth.

**If your holding trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details is provided above. If you have private trustees they too should be consulted as appropriate.**

**Contact Address and Registered Office:**

Support Services Team, Baptist Union of Great Britain, Baptist House, PO Box 44,  
129 Broadway, Didcot OX11 8RT  
Tel: 01235 517700 Fax: 01235 517715 Email: legal.ops@baptist.org.uk  
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Date Reviewed: 2017 Date of Issue: June 2019