IN THE CONSISTORY COURT OF THE DIOCESE OF LICHFIELD

**A PETITION FOR a Faculty to authorise**

**THE Burial of Cremated Remains in a Closed Churchyard**

(Family)

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|  |  | **To the Consistory Court of the Diocese of Lichfield** | Please write your answers in THIS COLUMN:  Where possible please answer ‘yes’ or ‘no’ by deleting the inapplicable; but you may wish to give additional information by typing in the boxes provided  Where you are asked to supply documents, please confirm in this column what documents have been supplied  Where suggested wording is provided in this column please amend it so as to suit your particular circumstances. |
|  |  | **Churchyard of:** |  |
|  |  | **In the parish of:** |  |
|  |  | **Name of the Deceased person whose cremated remains are to be buried** |  |
|  |  | **Your full name and address**  **Your date of birth**  **Your email details**  **Your telephone number** |  |

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| 1 |  | I apply to the Court for a Faculty to authorise the following:- | *The burial of the cremated mortal remains of*  *In the Closed churchyard of*  *within the parish of* |
| 2 | a) | * What was the date of death of the Deceased? * What is your relationship to the Deceased person? * Was the Deceased person a resident in the parish at the time of his/her death? | Yes/No |
|  | b) | * Is it intended to bury the remains of the Deceased in an existing grave? * Who is already buried in the grave? * What was the date of their burial? * What is the relationship of the Deceased to those persons? | [spouse of ] Son / daughter / grandson / grand-daughter to …. |
| 3 |  | **Other family members:**  You will need to complete the Family Details Form and provide a letter or consent form signed by each person now living named on that form.  *If consents are not available for all members please amend the answer adjacent accordingly and explain why you consider the Chancellor should make the order notwithstanding the lack of consent.* | I attach a completed Family Details Form which sets out the name and address of all living family members of the person or people already buried in the grave.  I attach letters or consent forms signed by each of the living family members identified on the form |

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| 4 |  | **Churchyard:**  What was the reason for the Closure of the Churchyard?  Is there any difficulty in relation to burials at this time (for example water logged ground)?  Is there sufficient space above the last burial to accommodate the intended burial?  *Please ask the incumbent for information about this, and for a letter to confirm the information* | *Please delete as applicable or indicate if you do not know*  It was full  There were public health problems  Yes/No  Yes/No  I attach a letter from the Incumbent confirming the above information |
| 5 |  | **PCC Resolution** |  |
|  |  | If the petition relates to a Churchyard, you should ask your incumbent to bring the matter to a PCC meeting so that the PCC can express a view on your proposal. *Such a resolution is not required if the Petition relates to a local authority cemetery: instead a resolution or letter of confirmation from them should be requested.*  *(A supportive PCC resolution is not essential but it is important that the Incumbent and PCC have the opportunity to express their views)*  *If the PCC has not passed a resolution, please put a line through the box that asks for details of the resolution, but provide details of the reasons for not approaching the PCC.* | The Parochial Church Council at its meeting on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ passed a resolution [supporting/opposing] the proposed burial  unanimously/ by a majority of ­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_ among those present and voting  There are \_\_\_\_\_\_\_\_\_\_ members of the council.  A copy of the resolution signed by the chair/secretary is included with this petition.  OR: reasons for not approaching the PCC: |

Please read the Cremated Remains Burial Guidance Notes, The Guidelines including fees for non-parochial Faculty Petitions, and Costs of Faculty Petitions. You will be responsible for the Registry’s fees and may be responsible for other costs and fees in addition.

In the box below, set out your reasons for seeking the burial of these remains in the proposed grave. The normal principle is that once a churchyard is Closed, there should be no further burials within it; please indicate why that principle should be departed from. *The box will accept ‘free text’ and will expand to fit your statement.*

Please ensure that you explain the full circumstances that you wish the Chancellor to take into account.

Please take care to give the Court as much information as possible.

If family members have not consented to the Petition you should explain the situation

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Please be aware that your Petition and documents supplied may be served on family members to enable them to comment on it, or to object. Please also note that the information you provide to the Court may be made public in any judgment issued by the Court. If you consider that there is some reason why information should be withheld you may explain your reasons, but the Court is not bound to follow your wishes, and will not do so unless there is a special reason to override the normal principle of transparency in judicial proceedings

Petition and Statement of Truth

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|  |  | For the reasons set out above, I therefore Petition the Court that a Faculty should issue to authorise the burial.  The contents of my above Petition and of the details provided on the accompanying Forms and Documents are true |
|  |  | Signature\*:  Print your full name: |
|  |  | Date: |

\*signatures can be typed if this document is being submitted by email but you must confirm in your email that you have sent the relevant fees to the Registry by cheque (made payable to ‘*FBC Manby Bowdler LLP’*).

**When you have completed this form** you should send it to the Registrar at the address below. The Registrar will forward it to the Chancellor who will make a decision as to whether or not to grant the Faculty. It is not possible to provide a time estimate in relation to the procedure

The Registry Assistant, Lichfield Diocesan Registry

FBC Manby Bowdler LLP

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