



LEICESTER DIOCESAN REGISTRY

Boundary House, 91 Charterhouse Street, London EC1M 6HR

020 7796 1007 registry@stoneking.co.uk

FACULTY APPLICATIONS NEW DIOCESAN CHURCHYARD REGULATIONS EFFECTIVE FROM & INCLUDING 20 OCTOBER 2025

New Churchyard Regulations for Leicester Diocese will become effective on **20 October 2025**.

The procedure for faculties have changed slightly as a result.

The Additional Matters Order

The new Diocesan Churchyard Regulations (the Regulations) take the form of an Additional Matters Order (AMO) consisting of:

1. The Order
2. Schedule 1 – **matters not requiring a faculty**
3. Schedule 2 – **approval procedure**
4. Schedule 3 – **application form**

Refusal of permission

Under the AMO, a minister may refuse permission for the introduction of a memorial either because they are not able to because the proposed memorial does not comply with the Regulations, or the proposed memorial does comply with the Regulations but the minister nevertheless declines permission for its introduction for specified reasons.

If a minister refuses permission for your application, or does not respond to the application within 28 days, you may refer your application to the Chancellor for directions.

You may also refer your application to the Chancellor if your application is disputed - by your family members or by others.

If you do not refer your application to the Chancellor for directions, your application will not proceed any further.

Referral to the Chancellor for directions

To refer your application to the Chancellor, please send the application to the Registry, either by email to registry@stoneking.co.uk or by post to: Lee Coley, Leicester Diocesan Registry, c/o Stone King LLP, Boundary House, 91 Charterhouse Street, London EC1M 6HR.

The Chancellor's direction will be subject to payment of the statutory application fee, currently £342.60.

The Chancellor may also direct that you provide further information to establish the context i.e. the reason(s) why you are proposing this design, together with any further information you wish to be considered. Your reply can be in the form of a letter or statement.

Please indicate when you send in your application whether you wish the Chancellor to direct that the application be treated as a faculty petition. A request that your application should be treated as a faculty petition would be where:

1. the minister has refused permission for the introduction of the proposed memorial; or
2. the proposed memorial does not comply with the Regulations; or
3. there is a dispute about the proposed memorial by your family members or by others.

Before you send in your application with a request for the Chancellor to treat it as a faculty petition, please read through part 2 of schedule 2 of the AMO, which sets out the basis upon which the Chancellor will exercise her discretion to consider and determine faculty applications for memorials which have not been approved by the minister.

Next steps

Payment of faculty fee

Following the Chancellor's direction, the statutory application fee, currently £342.60, can be paid by cheque to "Stone King LLP" and sent by post to: Leicester Diocesan Registry, c/o Stone King, Boundary House, 91 Charterhouse Street, London EC1M 6HR

The payment can be made electronically if you prefer – email registry@stoneking.co.uk for more details.

PCC resolution

The Chancellor requests that the church council (called the PCC – Parochial Church Council; or in some circumstances, the DCC – District Church Council) responsible for the churchyard considers your application.

The Registry will send the PCC secretary a copy of your application form and any other information that you have submitted with your application and request it be considered by the PCC at its next meeting and that a copy of the resulting resolution be forwarded to the Registry, for submission to the Chancellor.

Advertising the petition

The petition will need to be advertised. There is a standard form notice for this which we will send to the PCC secretary. The notice must be displayed in the church and the churchyard for 28 days (not including the day it is put up and day it is taken down).

The notice will contain brief details of your application and whilst the notice is up, full details of the petition – a copy of the application form and any other information that you have provided – must be deposited somewhere local (usually the church), so that interested parties can look at them.

We note that sometimes information of a personal nature is provided in support of a memorial application. If you do not want this information made publicly available as part of your application, please make this clear on submission of such information.

The purpose of the notice period is to allow any interested parties an opportunity to object to the petition, so that the Chancellor has a wide idea of the general feeling towards the proposed memorial.

After the end of the 28-day period advertising the petition, a certificate of publication needs to be completed by the PCC secretary, minister or churchwardens and sent to the Registry, along with a copy of the notice. ***If any objections have been received during the notice period, there is a statutory procedure that must be followed, which we will explain in that event.***

DAC advice

We shall send your application and supporting documentation to the Diocesan Advisory Council (DAC), so that they can offer advice to the Chancellor. The DAC usually meets every 6-8 weeks and we will tell you when the next meeting is when we acknowledge your application. The DAC need 3 working days' notice before the meeting to add it to the agenda. The DAC usually issue their advice within a week of the meeting.

The Chancellor's determination

In considering your application, the Chancellor is likely have regard to the matters listed in Schedule 2 of the AMO. This is a non-exhaustive list and each application will turn on their own circumstances. The Chancellor will let the Registry know of her decision.

Once we have the Chancellor's decision, we shall communicate it to you and the church.

If a faculty has been granted, we shall send you a sealed copy in the post, receipt of which we shall ask you to acknowledge. A copy of the faculty will be sent to the church for its records.

The faculty may be granted subject to conditions, which must be adhered to. For example, the memorial may have to be erected within a certain time period, such as 12 months.

The faculty may be refused, in which case your application ends. Your application fee will not be refunded if your application is unsuccessful.

Judgment

The Chancellor may give her decision in a judgment which sets out the facts of the application, shows how the Chancellor has applied relevant law to those facts, sets out her conclusions and reasons for them and whether as a result a faculty should be issued. ***Please be aware that judgments are publicly available documents.***

If a faculty is granted

Following grant of the faculty, you will need to liaise with the church and your stone mason with regard to the erection of the memorial within the time limit (if any is stipulated in the faculty).

Please give a copy of the faculty to the stone mason, so that they know exactly what has been permitted.

Always note that... Any memorial erected other than in accordance with Regulations or a faculty may lead to the removal of the memorial at the expense of the persons or memorial masons responsible, who may also be required to pay the cost of Consistory Court proceedings.

If you have any queries, please do not hesitate to contact us: registry@stoneking.co.uk

Leicester Diocesan Registry, 20 October 2025