

BUCKLAND MONACHORUM PARISH COUNCIL

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REGULATIONS RELATING TO THE CEMETERY

(Adopted at 1st August 2017 Council meeting)

These regulations supersede any previous versions.

The Parish Council reserves the right to amend, alter or add to these regulations at any time.

GENERAL

- 1.** Buckland Monachorum Parish Council is the burial authority for Buckland Monachorum Cemetery. Management is in accordance with legislation (Local Authorities' Cemeteries Order 1977) and the Parish Council's agreed administration procedure (adopted May 2012).
- 2.** The cemetery is open to the public during daylight hours throughout the year. The Parish Council reserves the right to make such closures as necessary to make repairs, in emergencies or in the interests of public safety. Notice of such closures will be published at the entrances to the cemetery.
- 3.** The Clerk to the Council can be contacted during office hours on **01822 615893** or **clerk@bmpc.info** and will advise on any matters concerning the Cemetery (answer machine for calls outside of office hours or if the Clerk is unavailable).
- 4.** The current list cemetery fees is available from the Clerk. The information is also published on www.bmpc.info and the cemetery's main entrance noticeboard. All fees are payable by cheque to Buckland Monachorum Parish Council.

INTERMENTS

- 5.** Interments may only take place Monday to Saturday 9.00am to 4.00pm. Additional fees apply for a Saturday burial. No interments are allowed on public holidays. Only under exceptional circumstances (a coroner's or registered medical practitioner's request that an immediate interment is necessary) will interments be permitted to take place on these days - the certificate requesting that an immediate interment is necessary will be required with the appropriate fee.
- 6.** The Parish Council is not responsible for funeral arrangements. Any requests relating to the funeral must be directed to the funeral director.
- 7.** Grave excavation is organised by the funeral directors (or family in the case of cremated remains). The Parish Council does not offer this service and is not responsible for the excavation and excavated plot. No plot shall be excavated until its location is confirmed by the Clerk - contracted grave excavators must inform the Clerk

when the grave is to be excavated. All new graves are to be of double depth and no grave shall be deeper than the first interment. Contracted grave excavators must be advised of the Parish Council's 'Safe Working at Buckland Monachorum Cemetery' by those arranging their services and shall work in accordance with this document.

- 8.** Backfilling of graves may only be carried out by the Funeral Director's own contractor.
- 9.** A provisional telephone booking followed by formal application for an interment must be received by the Clerk during office hours only (Tuesday to Thursdays only between 10.00am to 12.00pm - answer machine for calls outside of these hours or if the Clerk is unavailable), at least four days (excluding weekends, public holidays and day of the interment) prior to any interment. Provisional bookings and applications received on Fridays will be dealt with the following Tuesday. No application can be received on Saturdays, Sundays or public holidays. Applications submitted must be clear and complete, and must be accompanied by the certificate of burial/cremation (or coroner's order for burial) and the appropriate fee.
- 10.** If the interment is in a new plot and/or if a family wish to reserve a space for a future burial and/or if a plot is to be re-opened for an interment where no right of burial exists and/or if a memorial is to be placed upon a plot, it is necessary to purchase a Grant of Exclusive Right of Burial in that plot. The term of the Grant is 50 years and commences from the date of purchase not the date of interment.
- 11.** If the interment is to take place at a grave where a Grant of Exclusive Right of Burial has been issued, the named Grantee on that right of burial (or next of kin if Grantee is the deceased to be interred) must sign the application form giving their consent before the burial can be authorised. In some situations, it will be necessary to establish, beforehand, the correct legal owner of the right of burial in order to arrange a transfer of the right, which is subject to an administration fee, before the interment arrangements are confirmed.
- 12.** All coffins, caskets and urns for human and cremated remains must be constructed from bio-degradable materials (Plaques and ironmongery are exempt). Non bio-degradable containers will not be permitted unless they are to be used in a vault or brick/block lined grave.
- 13.** The owner(s) of an Exclusive Right of Burial can surrender the right at any time if the plot has not been used for a burial (and if all owners agree if the right is jointly owned), upon completion of a Surrender Form. The surrender value being the original purchase price as specified on the Grant Exclusive Right of Burial.
- 14.** Ashes may be scattered on a family plot, on application to the Parish Council and payment of the appropriate fee, only on condition that correct legal ownership of a right of burial and permission is established beforehand.

15. All grave spaces and plots specifically for cremated remains will be allocated in sequence. All requests for pre-selection are at the discretion of the Clerk and will be subject to a premium fee (see current list of cemetery fees).

MEMORIALS

16. No memorial may be placed on a plot or works undertaken to an existing memorial without prior written permission from the Parish Council. Written permission will only be given to the owner(s) of the Exclusive Right of Burial for the plot.

17. Only the owner (grantee) of the exclusive right of burial at a plot (or next of kin if memorial is for deceased owner) or someone on their behalf with written permission from Grantee may apply to erect a memorial or for other memorial works.

18. To place a memorial on a purchased plot, a Grant for the Exclusive Right to Erect a Memorial Stone must be applied for from the Clerk on payment of the appropriate fee. The term of the Grant is 50 years and commences from the date of purchase. The fee paid will include a sum which is added to the Parish Council's Cemetery Repairs Fund.

19. Memorials in-keeping with those in the part of the cemetery currently in use will only be permitted. Mounded graves, kerbstones, surrounds, fixed vases or memorial stones at ground level are not permitted. However, applications not in-keeping will be considered on an individual basis by the Parish Council. Headstones will face over the grave plot of the interred.

20. To place an additional inscription on an existing memorial, an application must be submitted to the Clerk along with the appropriate fee. Applications in-keeping with those in the part of the cemetery currently in use will only be permitted. All other applications will be considered on an individual basis by the Parish Council.

21. Applications for memorial works will only be accepted from memorial masons that have signed to confirm that memorials will be fixed under the Anchor System that conforms to the latest edition of the NAMM code of Working Practice.

22. Memorials may not be placed on burial plots for 12 months from the date of interments to allow the earth to settle and prevent possible damage to memorials. The cremated remains section is exempt from this regulation. For a maximum of 12 months (from date of interment), temporary wooden cross memorials may be placed until replaced with a permanent memorial. There is no fee for this though the Clerk is to be informed of this beforehand.

- 23.** The installation a memorial bench is permitted with the written permission of the Parish Council. The bench will be provided by the donor. The size and design of the memorial bench will must be approved in writing by the Parish Council prior to installation. A brass plaque, no larger than 12cm x 8xm must be supplied by the donor and the wording must be accepted by the Council. The bench will be maintained by the Parish Council for an initial period of 10 years. The Parish Council makes a charge for the installation of a cast concrete base and the maintenance (see current list of cemetery fees).
- 24.** If you are interested in other memorials (e.g. trees, art works or other structures) please contact the Clerk for further information.

UNSAFE MEMORIALS

- 25.** (a) If a memorial is found to be unsafe the Parish Council has a duty to minimise the risk to cemetery users and its employees, and if it identifies an unsafe memorial, reserves the right to take one or more of the following actions:
- i) Lay down the memorials.
 - ii) Lash the memorial to a temporary stake to give support.
 - iii) Attach highly visible appropriate signage.
- (b) This action may be taken immediately following inspection; in all cases a warning note will be fixed to the memorial with a Parish Council contact number.
- (c) Where a memorial is found to be unsafe the owner of the Exclusive Right of Burial will be informed, at the last address notified to the Parish Council, and given a time limit to undertake repairs to make the memorial safe again. Where the time limit has lapsed or the owner cannot be traced, the Parish Council may at its discretion either; undertake the repair, lay down the memorial or remove it from the Cemetery.
- (d) Only approved test methods will be used by the Parish Council to establish memorial safety.
- (e) This duty also applies to kerbs, vaults and any other memorial within the cemetery.
- (f) The Parish Council is not responsible for repairs to any monument or memorial due to storm damage or vandalism; this is the responsibility of the owner.
- (g) The Parish Council will undertake safety testing of all memorials in accordance with its Cemetery Memorial Safety Testing Policy.

- (h) The Parish Council has the authority to remove any unauthorised memorials and recover the cost from the person upon whose order the memorial was placed (*Article 14, Local Authorities' Cemeteries Order 1977*).

DECORATION OF GRAVES IN MAIN CEMETERY (does not apply to Children's Area)

26. No vase, planter or pot plant may be placed on or around a memorial or grave which impedes grounds maintenance of the cemetery. Glass, porcelain and plastic containers in particular pose a dangerous hazard to grounds maintenance contractors and visitors. Such items will be removed and disposed of by the Parish Council without notice.
27. Floral and plant based tributes are only allowed. The Parish Council would encourage the use of biodegradable materials the removal of non bio-degradable wrappings.
28. The dressing of graves is not permitted. This includes scarves, ribbons, toys, ornaments, tinsel etc. Any such items found on a grave will be removed and disposed of by the Parish Council without notice.
29. The planting of seeds, bulbs, plants, shrubs and trees around memorials or upon plots is not permitted as they impede grounds maintenance of the cemetery. Such items will be removed and disposed of or replanted in a more suitable area of the cemetery by the Parish Council without notice.
30. Christmas wreaths will be removed by the Parish Council without prior notice 4 weeks from New Years Day.

DECORATION OF GRAVES IN CHILDRENS SECTION (In Cemetery Extension)

31. Simple decoration of a plot is permitted in this section (illuminations are not). If the decorations impede grounds maintenance, then the owner (grantee) of the exclusive right of burial will be responsible for cutting the grass and maintaining the plot in a neat manner. Should the plot become unkempt, the Parish Council reserve the right to clear and maintain the plot. Any items which pose a risk to visitors and workers in the cemetery will be removed and disposed of without notice by the Parish Council.

MISCELLANEOUS

32. The entrances to the cemetery shall be kept clear at all times to allow entry/exit of funeral vehicles, visitors, contractors, emergency vehicles and those on Parish Council business.
33. Children under 12 must be accompanied by a responsible adult.
34. No dogs other than assistance dogs are permitted within the cemetery.
35. Cycling, skateboarding and the playing of games are not permitted in any part of the cemetery, including the car park.

36. In accordance with Article 18 of the Local Authorities' Cemeteries Order 1977, in a cemetery it is an offence to wilfully create a disturbance, commit any nuisance, wilfully interfere with any burial taking place, wilfully interfere with any grave/vault/memorial or any plants/flowers and play any sport or game.