

ORTON WATERVILLE PARISH COUNCIL

LAWN CEMETERY REGULATIONS

February 2024

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1. THE COUNCIL'S CEMETERY

1.1. In these regulations, unless the context requires otherwise, the word "council" means Orton Waterville Parish Council. These regulations refer to the lawn cemetery located off Wyman Way, Orton Waterville.

1.2. The Lawn Cemetery will be managed, operated and maintained in accordance with The Local Authorities Cemeteries Order 1977.

1.3. All enquiries concerning the use of the Cemetery should be made to the Clerk to the Parish Council.

1.4. Orton Waterville Parish Council welcomes visitors to its cemetery and they are asked to respect the facilities.

2. ACCESS TO THE CEMETERY

2.1. The key to the vehicle gate can be obtained from the Parish Clerk by prior arrangement.

3. RIGHT OF INTERMENT

3.1. Parishioners whose names appear or are eligible to appear in the Register of Electors for Orton Waterville and those who were resident or born in the parish may be interred in the Cemetery on payment of the appropriate fee as set out in the scale of charges.

3.2. Non-Parishioners who live to the South of Goldhay Way in Orton Goldhay in the streets listed in Appendix A are also eligible on payment of an additional premium as set out in the scale of charges.

4. TIMES OF BURIALS

4.1. Interments shall take place between the following times:

Mondays to Fridays – 9.30am to 4.00pm. Last burial to commence at 3.00pm

Saturday 9.30 am – 12.00 pm subject to an additional cost.

4.2. No interment may take place on a Sunday or Public Holidays.

5. NOTICE OF INTERMENT

5.1. The form of notification of interment, together with all fees, must be delivered to the Parish Clerk not later than two working days prior to the date of interment. Telephone reservations remain provisional unless the appropriate form is returned giving the notice required.

5.2. The Council reserves the right to refuse to accept a notice of interment in special circumstances.

5.3. The Parish Clerk may require notice in excess of the period stated. In calculating the notice period Saturdays, Sundays and public holidays are to be excluded.

5.4. On every opening of a grave in which the Exclusive Right of Burial has been purchased, the Deed of Grant of Exclusive Right of Burial must be produced to the Parish Clerk when the notice of interment is given.

6. DISPOSAL CERTIFICATES

6.1. A Certificate from the Registrar of Births, Deaths and Marriages of the registration of death, or in cases where a Coroner's Inquest has been held the Coroner's Order for Burial, must be produced to the Parish Clerk prior to the Interment.

6.2. In the case of a still born child a certificate in accordance with the Births and Deaths Registration Acts 1926 will be required.

7. PLACES OF INTERMENT

7.1. The maximum permitted plot sizes are:

Adult Burial Plots – 2.75m by 1.22m – larger plots are subject to an additional charge.

Child Burial Plots – 1.5m by 0.75m

Cremation Plots – 460mm by 375mm

Sanctum Plots – 230mm by 150mm x 150mm maximum casket size

7.2(a) All graves are to be dug in accordance with The Local Authorities Cemeteries Order 1977, which requires that “any part of a coffin must be at least 905mm (3’0”) below the level of any ground adjoining the grave and any coffins interred in the same grave shall be separated by a layer of earth not less than 150mm (6”) thick.” The Parish Council reserves the right to determine the initial depth of the grave as a minimum of 1980mm (6’6”). Graves, therefore, will be a minimum of 1980mm (6’6”) deep with -1220mm (4’0”) centers grave to grave. Any subsequent interment in that grave space will be at a minimum of 375mm (4’6”).

7.2(b) All cremated remains plots are to be dug to a plan area of 460mm and to a depth of 750mm to accommodate, if required, space for remains for two persons.

7.2(c) All sanctums are double depth for two persons.

7.3. Interments shall take place in consecutive order, if the soil permits, until the whole area has been buried or appropriated. The selection of purchased grave space is, in all cases, subject to the approval of the Council or of a Committee or officers appointed by them. The purchase and reservation of grave spaces for future interments will only be permitted where the reserved space is adjacent to a grave where a member of the same family is interred.

7.4. The Council reserves to itself the right of placing a mark of reference to all graves.

7.5. No interment shall be allowed in an earthen grave unless the body is in a properly constructed coffin.

7.6. Undertakers shall at all times provide sufficient bearers for carrying and lowering of coffins into the grave.

7.7. The undertaker, or any other person having charge of the funeral, must arrange with a minister to conduct any religious service.

7.8. The Council will not be responsible for the preparation of graves. All excavations applicable thereto will be the responsibility of the funeral undertaker. Graves will be backfilled immediately after the mourners have left the graveside. Excess soil should be removed from the cemetery. Floral tributes should be gathered together and placed on the finished grave. Tributes will be removed once spent (normally after two weeks.)

7.9. The Parish Clerk has authority to remove any memorial which requires to be removed to facilitate the opening of any adjoining grave. Any memorial removed will be replaced at the earliest opportunity.

7.10. Ground settlement will invariably occur in the months following a burial. The council will regularly inspect the grave and, as ground settlement occurs, will, at an appropriate time, re-level the surface of the grave and sow grass seed where required.

7.11. No right will be granted to enclose or mound any grave, except where such mounding is required after the interment and before the grave has naturally settled. Any footstone, kerbs, chippings, any type of fencing or surround or other item not specifically permitted by these regulations will be removed without notice.

7.12. Cremated remains may only be interred in accordance with the conditions stated in these regulations; scattering of ashes will not be permitted.

8. EXCLUSIVE RIGHT OF BURIAL

8.1. The person to whom the Exclusive Right of Burial is granted (referred to as the deed holder from this point on) has the sole right to determine who is buried in the grave or cremated remains plot. It does not confer ownership in respect of the land concerned. Cremated remains may be buried in exclusively purchased graves (space permitting).

8.2. The exclusive right may be assigned by deed or bequeathed by will to a relative or nominated person. If the right has not been assigned, it is conferred on a relative as interpreted in the Local Authorities Cemeteries Order 1977.

8.3. The Exclusive Right of Burial is purchased at the time that a request for interment is made.

8.4. The advance purchase (reservation) of The Exclusive Right of Burial is not permitted.

8.5. On purchasing the exclusive right of burial for a grave or cremated remains plot, a deed will be issued to the purchaser valid for the length of the period purchased.

8.6. The council will keep records of any rights granted, together with any assignment or bequest of those rights. These must be notified to the Council as soon as possible after an assignment or bequest is made.

8.7. After interment the burial will be recorded in the Council's Register of Burials.

8.8. Funeral Directors, Monumental Masons or any member of their staff will not be permitted to acquire the Exclusive Right of Burial in any grave space, except to bury a member of their family qualifying under 3.1.

9. GRAVESTONES, MEMORIALS AND SEATS

9.1. Memorials are only permitted on graves for which the Exclusive Right of Burial has been acquired and on the application of the deed-holder. A memorial may not be erected on grave prior to the first interment.

9.2. Extra fees shall be chargeable for erection of Memorials. Only inscribed Memorials will be permitted. Application to erect or alter an application must be made to the Parish Clerk for approval.

9.3. Before erecting a memorial, a Right to Erect a Memorial is required. Such a right will remain valid for the unexpired period of the Exclusive Right of Burial. Following the expiry of a Right to Erect a Memorial, the deed-holder will have the option of renewing it for further five year periods.

9.4. No Memorial may be removed from the Cemetery unless the consent of the owner of the Memorial has been obtained and approval given by the Parish Clerk.

9.5. No responsibility will be accepted by the Council for the safe keeping of, or damage to, any memorial in the Cemetery.

9.6. The only persons allowed to erect, repair or carry out work on long-term memorials over 200mm in height are qualified memorial masons.

9.7. Memorials must be prepared ready for fixing before being taken into the Cemetery. Masons and other workmen must provide and afterwards remove all tools, planks, blocks etc required in the work of erecting headstones. Work in the Cemetery will not be permitted on Sundays, Public Holidays or outside normal working hours.

9.8. Masons or other persons engaged in the erection, renovation or repainting of any stone monument must perform their work expeditiously and in all respects in accordance with these regulations. The work must be carried out at the sole risk and liability of the person executing it, and any damage caused by or in the execution thereof must be made good to the satisfaction of the Council or the person whose property is so damaged.

9.9. All Memorials shall be subject to the approval of the Council. The application for approval should include details of material, design, size and fixing methods and the proposed inscription. This should be

forwarded to the Parish Clerk for the Council's approval. Memorials shall be constructed of granite, marble, slate or other hard natural stone of monumental quality.

9.10. No memorial is allowed on a standard adult grave other than a permitted headstone with integral flower container(s), as specified in paragraph 9.11, erected in accordance with the National Association of Monumental Mason's Code of Practice.

9.11. The Headstone is to be no more than 915mm (3') high by 750mm (2'6") wide by maximum 100mm (4") thick, and erected on a base no more than 915mm (3'0") long by 305mm (1'0") wide by 100mm (4") thick. The whole Headstone is to be erected on an adequate foundation.

9.12. Headstones of maximum dimensions 610mm (2') high by 610mm (2') wide by 100mm (4") thick are permitted on a child's grave. Applications for permission to erect other types of memorial on a child's grave should be made to the Parish Clerk.

9.13. The new headstone is to be erected in line with existing headstones, at the head of the grave.

9.14. The remainder of the grave's surface is to be laid flat with turf and no mounding is allowed.

9.15. The Council may remove any memorial erected in contravention of these regulations and recharge the deed-holder for the costs incurred.

9.16. The Council is not responsible for the care of the Memorials, which shall be kept neat and in good order by the deed-holders or their representatives. The Council undertakes the care and maintenance of the turf.

9.17. Only one memorial is permitted per plot. This will consist of a headstone as specified in 9.11 or, in the case of a child's grave, in 9.12. Within the cremated remains section only a tablet is permitted as specified in 9.18. Memorials must not encroach upon adjacent plots or other areas of the cemetery.

9.18. For cremation plots Tablets with a container hole will be allowed and are to be of plan size 460mm x 360mm with height above ground not exceeding 460mm. The container hole must be positioned on the left hand side of the tablet.

9.19. Monumental Mason's names, signs or marks may be inscribed on any monument provided their appearance are seemly and unobtrusive having regard to the monument as a whole.

9.20. No plants, or the like, are permitted on any grave other than in any flower container integral to the memorial.

9.21. Flowers, wreaths and mourning cards may be placed on graves, but must be taken away when damaged, faded or decayed or the same will be removed.

9.22. Donated seats will be the property of the Parish Council. The Council undertakes to maintain a seat as long as it considers it reasonable and practicably desirable. After this period the Parish Council will have the right to remove it.

10. SAFETY OF MEMORIALS

10.1. The primary responsibility for safety and ongoing maintenance of a memorial rests with the deed-holder.

10.2. Where a memorial is found to be unsafe, the Council reserves the right to make it safe by temporary means.

10.3. Reasonable efforts will be made to notify a deed-holder that a memorial is in need of attention to make it safe on a long term basis.

10.4. If the deed-holder is not contactable, or the deed holder fails to make the memorial safe within a reasonable period after notification then, in accordance with the Local Authorities Cemeteries order 1977, the Council reserves the right to make the memorial safe on a long-term basis, including the repair, repositioning, removal or destruction of the memorial. The Council may attempt to recover the costs of making the memorial safe from the deed-holder should the opportunity arise at any time in the future.

11. FEES

11.1. Various Fees and charges are applicable in relation to the cemetery. The Council reviews fees and charges annually. Anyone intending to use the cemetery services is advised to obtain an up-to date copy of the fees and charges which will be supplied on request.

11.2. All fees and charges must be paid to the Parish Council.

12. VEHICLES

12.1. All vehicles must proceed within the cemetery by the main driveway.

12.2. No vehicle must be turned on the access road or turf. Any damage caused by such an act will be charged to the owner or undertaker using the vehicle.

13. CONDUCT

13.1. Children under the age of 12 shall not be permitted in the Cemetery unless in the charge of some responsible person.

13.2. All persons must conduct themselves, at all times, in a decent, quiet and orderly manner and must not:

(i) Create any disturbance or nuisance.

(ii) Interfere with any burial.

(iii) Interfere with any grave, stone or other memorial or floral tribute.

(iv) Play any game or sport.

(v) Consume alcohol.

(vi) Play music.

(vii) Ride a bicycle or use any other recreational equipment.

(viii) Enter the cemetery when it is closed to the public.

(ix) Deposit litter or spent floral tributes other than in the receptacles provided for such purposes.

13.3. Any person soliciting orders within the cemetery will be removed.

13.4. No dogs, except guide or hearing dogs, are allowed on the Cemetery.

13.5. Any person detected picking flowers or damaging shrubs, trees or flowers in the Cemetery may be prosecuted.

13.6. All persons entering the Cemetery do so at their own risk and the Council accepts no responsibility or liability for injury to any person, or theft, loss or damage caused to the property of any person or other loss/damage costs and expenses however caused to persons and their property entering the Cemetery except where such damage or injury is directly attributable to the negligence of the Council or their employees. All complaints or allegations of theft should be directed where possible to the Council, in writing, as soon as practicable after the event.

14. VARIATIONS

14.1. When circumstances render it desirable to deviate from any of the above Regulations a special application must be made to the Parish Clerk.

Appendix A – Fees and Charges

Orton Waterville Parish Council Cemetery burial fees applicable from 28th February 2024

Under 18 years of age – Fees are covered by government Children’s Funeral Fund (CFF)

Grave digging/grave attendance (sanctums) is an additional charge arranged by the Funeral Director

Full body burial fees for Exclusive Right of Burial for a period of 100 years

All earthen graves are double depth.

Purchase of standard earthen grave - £1130.00

Purchase of large size earthen grave - £1530.00

1st Interment in a standard earthen grave - £450.00

1st interment in an over-size earthen grave - £500.00

2nd Interment in an existing earthen grave - £800.00

Cremated remains fee for Exclusive Right of Burial for a period of 100 years in a sanctum unit

All sanctum units are double depth and includes the plaque for the 1st inscription. The addition of pictures/symbols will be quoted upon request. Maximum container size 230mm x 150mm x 150 mm.

Purchase of Sanctum unit (double) – £900.00

1st Interment - £220.00

2nd Interment - £410.00 (includes the purchase of a new plaque for the second inscription).

Cremated remains fee for Exclusive Right of Burial in an existing earthen plot (closed for new burials)

Interment of cremated remains - £300.00

Fees for Memorials

The right to erect and maintain a memorial headstone - £200.00

The right to add inscription to an existing headstone/monument - £100.00

Memorial rose bush and plaque

Rose bush, choice of plant already planted, memorial plaque with inscription - £100.00

Additional motif - £10.00

Other charges

Saturday interments – additional 10% premium of applicable interment fee

Cremated remains placed in a coffin - £75.00

Transfer/Assignment of grave ownership - £75.00

Duplicate grave deed - £50.00

Searching burial or cremation records to supply information in response to enquiries - £50.00

Non- Parishioner Fees

An additional 10% premium to be paid on all of the above fees and charges for persons from the following streets to the south of Goldhay Way: Alnwick, Bifield, Birchwood, Hanbury, Howland, Paynels, Thuro Grove, Wheatdole, Wingfield, Winyates, Worsley.